



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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(OFFICIAL REPORT—*Unrevised*)

Insert Date Here

Ceisteanna - Questions	2
Priority Questions	2
Unemployment Data	2
Work Placement Programmes	6
Drug Treatment Programmes Places	8
Housing Assistance Payments Implementation	11
National Internship Scheme Administration	13
Other Questions	17
Respite Care Grant Payments	17
Job Initiatives	19
Civil Registration Legislation	22
Youth Employment Initiative	23
Estimates for Public Services 2014: Message from Select Committee	24
Leaders' Questions	25
Topical Issue Matters	35
Ceisteanna - Questions (Resumed)	36
Northern Ireland Issues	36
Order of Business	51
Censorship of Publications Board Repeal Bill 2013: Second Stage (Resumed)	59
Topical Issue Debate	61
Hospital Accommodation Provision	61
Drainage Schemes Status	63
Waste Management	66
Standing Orders: Motion	72
European Parliament Elections (Amendment) Bill 2013 [Seanad]: Second Stage	90
Health Services: Motion [Private Members]	93
Estimates for Public Services 2014: Message from Select Sub-Committee	115

DÁIL ÉIREANN

Dé Máirt, 28 Eanáir 2014

Tuesday, 28 January 2014

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2 p.m.

Paidir.

Prayer.

Ceisteanna - Questions

Priority Questions

Unemployment Data

105. **Deputy Willie O’Dea** asked the Minister for Social Protection to outline the progress made through the Pathways to Work strategy; the current long-term unemployment statistics; the current rate of youth unemployment here; and if she will make a statement on the matter. [3956/14]

Deputy Willie O’Dea: We are trying to ascertain the progress that has been made on the Pathways to Work scheme, which is central to the Government’s labour activation policy.

Minister for Social Protection (Deputy Joan Burton): In the year to quarter 3, 2013, the long-term unemployment rate declined from 8.9% to 7.6% and the youth unemployment rate declined from over 31% to 26.5%. EUROSTAT estimates that this fell further to under 25% by the end of 2013. New data for 2013 is expected to be available from the Central Statistics Office in late February. The overall unemployment rate, per the CSO, was 12.4% at the end of December last, down from a high of over 15% a few years ago.

Pathways to Work is an ambitious programme to address long-term unemployment. We started in 2012 by rolling out the Intreo approach to improve how we engage with unemployed jobseekers. Some 43 of the Department’s local offices are now delivering the Intreo service and this will be extended to all our offices by the end of 2014.

As part of the new approach a total of 130,100 people attended group engagements during 2013, up from 68,600 in 2012; some 156,700 people have attended initial one-to-one personal interviews; and a further 136,900 follow-up one-to-one interviews were also completed. The Department releases a quarterly report on the performance against the Pathways to Work targets

and this is available on the Department's website.

I also established a labour market council comprised of employers, labour market experts and advocacy groups to advise the Department in the implementation and further development of such initiatives. The co-operation of employers is essential if we are to continue progress in reducing the live register.

Under Pathways to Work we rolled out several new schemes such as JobBridge, Tús and MOMENTUM and we are prioritising access to these and other schemes to people who are already long-term unemployed or at most risk of becoming long-term unemployed. Data on the number of participants on these schemes is in the following table.

Table : Number of Activation Programme Participants, November 2012 and November 2013

-	<i>Nov-12</i>	<i>Nov-13</i>	
<i>Back to Work allowance scheme – Employee strand. *</i>	<i>21</i>	<i>11</i>	
<i>Back to Work Enterprise allowance scheme – self-employed strand.</i>	<i>10,884</i>	<i>10,152</i>	
<i>Short-term Enterprise Allowance **</i>	<i>1,138</i>	<i>640</i>	
<i>Total - Back to Work schemes</i>	<i>12,043</i>	<i>10,803</i>	
<i>Part-time Job Incentive</i>	<i>215</i>	<i>313</i>	
<i>TÚS - Community Work Placement Initiative</i>	<i>4,522</i>	<i>6,849</i>	
<i>JobBridge -National Internship Scheme</i>	<i>5,503</i>	<i>6,174</i>	
<i>Total - Other Activation Programmes</i>	<i>10,240</i>	<i>13,336</i>	
<i>Vocational Training Opportunities Scheme (VTOS)</i>	<i>5,000</i>	<i>5,000</i>	
<i>Back to Education Allowance ***</i>	<i>25,819</i>	<i>25,162</i>	
<i>Total - Back to Education Courses:</i>	<i>30,819</i>	<i>30,162</i>	
<i>Community Employment Schemes (excluding Supervisors)</i>	<i>21,102</i>	<i>22,238</i>	
<i>FÁS full time training for the unemployed</i>	<i>9,857</i>	<i>9,199</i>	
<i>TOTAL</i>	<i>84,061</i>	<i>85,738</i>	

* This scheme was closed to new applications from 1st May 2009.

** This scheme provides immediate support for someone in receipt of Jobseeker's Benefit who wants to start a business.

*** BTEA figures include all schemes but participants from JA & JB are not entitled to BTEA during the summer holidays.

Deputy Willie O'Dea: I will start on a positive note by congratulating the Minister on her

28 January 2014

appointment as director of elections for the Labour Party for the European and local elections, if that information is correct. I hope she will have sufficient time to give to her official duties despite these onerous responsibilities. All I can say is that if she can attract the same positive public relations for the Labour Party as she manages to attract for herself then all may not be lost.

As I have stated, Pathways to Work is central to the Government's labour activation policy. We are now three years down the road since its announcement. There is a separate section in the programme for Government on the programme. The number of staff allocated to deal with clients is hopelessly inadequate despite recent increases. The Taoiseach has promised that the programme will take 100,000 long-term unemployed people off the live register. How many people has it actually taken off to date? The Government has now promised to involve the private sector. I read a report under the name of Niall O'Connor in the *Irish Independent* on 15 December which stated that the Government will not be ready to roll out this programme until the end of the year at the earliest. That would make it four years down the road. Will the Minister agree with me that what has happened to date and what is projected to happen in future demonstrates a lack of seriousness and urgency in respect of this important programme?

Deputy Joan Burton: There has been progress. Yesterday, for instance, I opened the new Intreo office in Athlone and later in the day I opened the new Intreo office in Longford. They have been well-received in those areas, as they have been throughout the country. Deputy O'Dea was present when I opened the Limerick office late last year. Anyone with an unbiased mind will see that what has happened has amounted to a transformation from what we had under the old Department of Social Welfare, which was a passive pay-out benefits agency. Now we have a Department that is focused on functioning not just as a benefits payment agency, but, more importantly, as a public employment service charged with getting people back to work.

At the beginning of 2013, services for people who are long-term unemployed were managed by some 300 full-time case officers in the Department who were also operating Intreo and by 150 employment mediators working in local employment services. We have redeployed a further 300 staff to help the long-term unemployed during 2013 and similar numbers will be redeployed again this year. In other words, we have essentially doubled the number of case officers. This initiative comes in a context where the OECD had observed on more than one occasion that we had insufficient staff in place to deal, on an individual basis, with persons who are unemployed. We are now doing that, as shown by the impressive statistics I gave regarding the increase in the number of interviews and the consequent improvement in employment figures.

Deputy Willie O'Dea: The one statistic the Minister did not give me is the one in which I am most interested, namely, the number of long-term unemployed people who have been taken out of the system as a direct result of the measures to which she referred. In regard to JobBridge, the Minister indicated recently in reply to a parliamentary question I submitted that 61% of JobBridge participants leave the scheme within five months to take up permanent employment. Has any analysis been done of the types of jobs these people are securing and whether they are appropriate to their qualifications? In the case of those aged under 25, are people simply leaving a situation where they are working 40 hours per week for €3.75 per hour to take up a job where they might be getting €8 or €9 per hour?

Does the Minister agree that much of the anecdotal evidence regarding JobBridge shows that it is not equivalent in any way to an apprenticeship scheme in the properly understood sense of the word and, in many cases, is simply a matter of securing cheap labour for employ-

ers? Will she comment on how we arrived at a situation of voluntary internships whereby a person under the age of 25 is paid the princely sum of €2.75 per hour for a 40-hour week?

Deputy Joan Burton: I gave the Deputy the statistics on long-term unemployment at the beginning of my reply. Perhaps he missed that part. The long-term unemployment rate fell from 8.9% at the beginning of 2013 to 7.6% at the end of the year.

Deputy Willie O’Dea: How much of that reduction is accounted for by participation in the various departmental schemes?

Deputy Joan Burton: People in long-termed unemployment, who are identified as being more than one year out of work, are the most difficult to place in employment. The reduction in the rate of long-term unemployment - although still too high, it is falling - is an indication of the Department’s success in this regard.

In regard to the numbers going on from JobBridge to secure further employment, the figure of 61% was not identified by my Department but by Indecon, a very well regarded Irish and international economic consultancy, in an independent report. That placement rate is among the best in Europe. To clarify, JobBridge is not an apprenticeship scheme. Apprenticeship is a specific programme of learning, training and education, which is delivered partly on the job and partly in an educational setting. JobBridge, on the other hand, is a work experience programme. Unfortunately, as a result of the condition in which Fianna Fáil in government left this country, we had a situation where people coming out of college with very good qualifications had no prospect of employment.

Deputy Willie O’Dea: Now they are making tea and photocopying.

Deputy Joan Burton: These highly-skilled people were unable to obtain employment because the Government of which Deputy O’Dea was a member never prioritised getting them into work.

Work Placement Programmes

106. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the position regarding the planned JobPath programme, including the expected start-up and annual costs; the approximate portion of these costs that will go to profits for private companies; and if the existing local employment services will see any reduction in their funding from her Department in parallel with the implementation of the JobPath programme. [3954/14]

Deputy Aengus Ó Snodaigh: I am trying to ascertain whether the Minister is aware of concerns that her tendering for the outsourcing of the new job placement scheme, JobPath, will undermine existing underfunded community-based and not-for-profit local employment services.

Deputy Joan Burton: The local employment service, LES, is a valuable part of publicly funded employment services. Total LES funding for 2014, at €19.1 million, has been maintained at the same level as last year. In recent months the Department has modernised its approach to working with unemployed jobseekers through the roll-out of Intreo. Under the Intreo approach, the Department provides employment activation services to unemployed jobseekers using a mix of its own case officers and the contracted capacity provided by the LES and by other employment services throughout the country. In that context, I refer to employment services that

28 January 2014

are involved in specific work with the Department in the Border, midlands and western, BMW, region in respect of assisting those with disabilities to obtain appropriate training and employment experience. During the roll-out of Intreo, the Department has significantly increased the number of its own staff allocated to work, in particular, with newly unemployed jobseekers. Having taken note of recommendations by the OECD among others, the Department intends to increase its contracted capacity to intensify the level of support provided to jobseekers who are long-term unemployed. Towards this end, the JobPath tender is designed to procure capacity, using a payment-by-results model, to supplement and augment the Department's core capacity and that of the LES. We will continue our contractual arrangements with LES providers following the introduction of JobPath. LES providers and others in the voluntary or community sectors are also free to participate in JobPath. This will give them an opportunity to expand and enhance their services into the future.

The request for tenders in respect of JobPath issued on 12 December 2013, with a closing date of 28 February 2014. Taking account of the time required for the tender evaluation process, it is expected that contracts will be awarded in April or May of this year. It is expected that successful tenderers will require approximately six months to set up operations following contract award. On that basis, I expect that JobPath should commence some operations towards the end of this year.

Deputy Aengus Ó Snodaigh: Like many people, I am ideologically opposed to the outsourcing and privatisation of social protection services. Evidence from overseas suggests that this has been an expensive failure in other states. For those who are furthest from the labour market and for existing not-for-profit activation infrastructure, it has been a disaster. I am requesting, for a number of reasons, that the Minister halt the tendering process. In the time allotted to me now, I will focus on the impact on the existing community-based activation infrastructure.

Is the Minister aware of concerns to the effect that local development companies, the LES, the partnerships and jobs clubs, all of which have a community focus and a social ethos, will be forced to compete against both each other and multinational companies? Is she further aware of fears that they will be obliged to become subcontractors to those profit-focused multinational companies or face extinction? The Minister has claimed, and has just reiterated, that her intention is for JobPath to complement existing services. However, she failed to outline clearly her intentions regarding the future role of those services once JobPath is established and begins to deal with the same client base as that allocated to the LES at present. That would be both a contradiction and a duplication. Will the Minister address the concerns of those who operate the services to which I refer?

Deputy Joan Burton: It is difficult to please Sinn Féin because at times it seems the party does not want anybody to return to work. Now it appears to be concerned about the provision of additional services. In both the tendering and information processes, a wide range of organisations - some for-profit, some not-for-profit, some community, some LES and some, as the Deputy described, locally based - all sent representatives to the various meetings that were held. As I understand it, many of them expressed an interest in becoming involved in the process. I encourage them to do so.

Since the LES became part of the Department, not only have those involved continued their work but that work has been recognised as a core and important aspect of the Department's public employment services. Whereas it might be argued that the local employment services,

LES, were not in the past given significant attention by the Department of Social Protection, under my watch they have a very important role to play. The Deputy should not play down that role by suggesting that the work of the local employment services is not regarded as valuable. I wish to put on the record of the House that the work is regarded as very valuable.

Deputy Aengus Ó Snodaigh: As is usual in her replies to questions, the Minister has misrepresented what I said. It is obvious that she also misunderstands the concept of the tender which is payment by results. None of the community-based organisations has the funding required to enable them to spend months or years helping people who are very difficult to place. They are required to wait for payment from the Department. The system would undermine local employment services and Irish Congress of Trade Unions groups who are dependent on what is currently scarce funding. I have never said that we should undermine the community employment services, the local employment services or those of the Irish Congress of Trade Unions. I have encouraged the enhancement of such services and I regard the use of the Intreo offices as being the proper direction. However, to privatise a service at the same time when the Minister is expanding a departmental service, as well as existing community and not-for-profit organisations doing this work, is duplication and a waste of money. I urge the Minister to withdraw the tender and to deal with the situation by means of the existing structures rather than putting money into private hands where it should not go.

Deputy Joan Burton: Deputy Ó Snodaigh is probably making a political charge. I have found Sinn Féin to be very negative on the issue of employment creation. It is shocking, in my view. Our objective is to get people back to work. My Department and I have brought together into the Department formerly disparate organisations such as community employment and the local employment services to make them a core part of the public employment services. As such they are involved in very important work with those people who are very difficult to reach who have been unemployed for a very long time and whose pathway back to work may be through a combination of community employment, a return to education or further education and work experience. This approach has been central and for the Deputy to suggest otherwise is misleading, in my view.

Drug Treatment Programmes Places

107. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection the position regarding drug community employment schemes; the numbers on the scheme; the vacancies; the reasons for the vacancies; the age profile of the participants; the numbers availing of extensions on the schemes; and if she will identify areas of concern for the scheme. [3958/14]

Deputy Maureen O'Sullivan: My question relates to the community employment drug rehabilitation scheme. We have discussed this subject on previous occasions. The Minister has visited some of the schemes. My question arises from the particular issues and problems which some projects in the north-east and north-west inner city have brought to my attention.

Deputy Joan Burton: I am pleased to inform the Deputy that considerable progress has been made in increasing the number of participants on the community employment drug rehabilitation schemes. A key first step in securing this improvement was the establishment of a stakeholder group which assists the Department to identify and implement enhancements to the scheme. In addition, workshops have been held with the scheme supervisors and departmental staff to ensure that the schemes meet the needs of participants. To complement these changes,

an improved vacancy notification system and referral process was introduced. In January 2012, the schemes were transferred to the Department of Social Protection and 578 drug rehabilitation places were filled. This is a disappointing number as I said at the time. This increased substantially to 790 places by the end of December 2013. In addition, there are now 161 support workers, giving a total of 951 community employment places dedicated to drugs rehabilitation. There were 23 available places advertised on the *JobsIreland.ie* website on 22 January last. The annual turnover on the scheme is just over 400 places. During any given year, participants can exit for many reasons, including illness or relapse, gaining employment, maternity leave, retirement, emigration, transfer to another scheme, exit to a training programme or full-time education or exhaustion of CE participation limits.

Data on the age profile of participants and participation duration is contained in the tables. All CE referred drug rehabilitation places participants are eligible for three years duration on the programme. In exceptional circumstances, there is provision for an extension of the duration on a mainstream CE project subject to the Department agreeing to that.

Additional information not given on the floor of the House

Drug rehabilitation schemes are primarily focused on social rehabilitation and improving educational and vocational development. The Department is currently developing a social inclusion strand on CE and the drug rehabilitation projects will be considered within this strand. The CE drug rehabilitation scheme plays an important role in helping recovering drug users to develop their personal and employment skills. In this regard, I am pleased that the number of places filled increased substantially last year.

Table 1: Age Profile of Participants on Community Employment Drug Rehabilitation Scheme.

<i>Age Band</i>	<i>Gender</i>		<i>Total</i>	<i>%</i>
-	<i>Male</i>	<i>Female</i>	-	-
<i>Under 20</i>	<i>15</i>	<i>12</i>	<i>27</i>	<i>3.4</i>
<i>20-24</i>	<i>106</i>	<i>47</i>	<i>153</i>	<i>19.4</i>
<i>25-34</i>	<i>145</i>	<i>88</i>	<i>233</i>	<i>29.5</i>
<i>35-44</i>	<i>186</i>	<i>68</i>	<i>254</i>	<i>32.1</i>
<i>45-54</i>	<i>53</i>	<i>34</i>	<i>87</i>	<i>11.0</i>
<i>55 and over</i>	<i>22</i>	<i>14</i>	<i>36</i>	<i>4.6</i>
<i>Total</i>	<i>527</i>	<i>263</i>	<i>790</i>	<i>100.0</i>

December 2013: CSM IT Extracts (Referred clients only)

Table 2: Duration of Participants on Community Employment Drug Rehabilitation Scheme.

<i>Completed Years on CE</i>	<i>Participants</i>	<i>%</i>
<i>Under 12 months</i>	<i>393</i>	<i>49.7</i>
<i>One Year</i>	<i>164</i>	<i>20.8</i>
<i>Two Years</i>	<i>140</i>	<i>17.7</i>
<i>Three Years or more</i>	<i>93</i>	<i>11.8</i>
<i>Total</i>	<i>790</i>	<i>100.0</i>

December 2013: CSM IT Extracts (Referred clients only)

Deputy Maureen O'Sullivan: I will read the full reply. The reality is the projects are experiencing difficulties in terms of both referrals and extensions. For example, one project told me there is a waiting time to get on a scheme. For somebody who applies on 9 January, it will be the end of January. In the normal scheme of things, that would be fine but these people are coming out of residential rehabilitation and they need to get on a scheme much more quickly. On the other hand, people are being referred to schemes but they are not ready for them. The projects are getting younger, less stable and with a less ready for work cohort applying to the schemes. Sometimes it seems to be just getting people off one register and on to CE schemes, regardless of whether they are ready for, and can get full value from, them.

Those involved in projects have told me it can sometimes take up to nine months to settle somebody who has been active in addiction into a CE scheme. At times, it can take even longer, so their time can run out on that scheme before they are ready to go on to the next stage. Some may have used that time on a CE scheme on another project, for example, for stabilisation or whatever. They then go on to a scheme which is offering FETAC accredited courses but they may not have the time to finish that qualification. There are travel costs with some of them because some projects take people from all over the city. Some of those are under the auspices of the City of Dublin Education and Training Board, so why can they not get a student card to cover some of the travel costs? There are also issues with child care.

Deputy Joan Burton: As the Deputy said, the drug rehabilitation scheme plays an important role in helping recovering drug users to develop their personal and employment skills. As Minister, I have provided for a duration of up to three years. It is quite a long journey and one which can be very difficult for some people, so we have endeavoured to make it flexible. In addition to the three years, there is a provision for a further extension of the duration on a mainstream CE project. If it is to be extended beyond three years, we would look to see that there was a serious educational and developmental complement so that the person would achieve certification and qualification because that would be very important if the person was seeking work.

The other issue is to find follow-on work experience for people. In my experience, people who have been involved in addiction situations or who have had an addiction problem for a long time very often lack recent work experience and that is a very big barrier to them even when they have been clean and have been in rehabilitation. If they do not have the work experience as well as the education it is quite difficult for them to get further employment.

Deputy Maureen O'Sullivan: There is also a major issue for those coming out of prison and being referred to a scheme. What the Minister is saying is sometimes not filtering down to the officials. Those involved in the projects are dealing with the officials and they are getting a different answer from them. Another point is about how one measures success and progression. For the officials, it is getting into education and getting work but for people who have been addicted, staying clean and sober is progress, getting their children out of care is progress, getting visiting rights to their children is progress and not going back to prison is progress. The projects need a lot more flexibility. Most of those I know who work in them have been working there for ten or 20 years or for even longer. They are familiar with all of the issues. The gateway project, which I would very much like the Minister to visit to see some of these issues on the ground, gets 9.8% of its annual training budget from the Department of Social Protection. The inordinate amount of administrative work that its staff have to do from that budget is taking

them from other work on the project.

Deputy Joan Burton: The Department took over these schemes in early 2012. I have long experience with people who have unfortunately built up addiction problems before going on a long journey of rehabilitation. That journey is important for them and for their families and children. I was a little taken aback to learn of the low level of take-up of these schemes before the Department took responsibility for them. I appreciate the information provided by the Deputy. I suggest that these specific issues could be taken to the stakeholders forum that we have set up. Many of those who had addiction problems but have gone through rehabilitation and are now clean following a long journey find that involvement in education, as opposed merely to training, is very important. As the Deputy knows, some of them go on to train to become counsellors and to participate in third level education. If the Deputy knows of specific issues that have arisen, the staff of my Department and I would certainly be interested in hearing about them. We have ring-fenced the places. In the particular cases in which we have made specific provision for a time extension, I would like to see a strong educational and developmental content.

Housing Assistance Payments Implementation

108. **Deputy Willie O’Dea** asked the Minister for Social Protection her plans to reform the rent supplement scheme; if her attention has been drawn to reports that many tenants are being asked to pay top-up payments to landlords for rent that is above the maximum allowance limit under the scheme; and if she will make a statement on the matter. [3957/14]

Deputy Willie O’Dea: The purpose of this question is to ascertain the current position regarding the transfer from rent allowance to housing assistance payments.

Deputy Joan Burton: There are approximately 80,000 recipients of rent supplement at present. Just over €344 million has been provided for the scheme in the 2014 Estimates. The Department has no evidence of widespread or systemic false declarations of rent supplement through the use of illegal top-ups. The tenant, landlord or landlord’s agent must complete the rent supplement application form, which includes the amount of rent, and declare that the information provided is correct and accurate. The Department’s form clearly states that making a false statement or withholding information may lead to prosecution.

In June 2012, the Department introduced powers of inquiry for staff to formally request and oblige landlords to provide information in respect of rent supplement tenants, principally to verify the agreed rent and existence of the tenancy. Any instance of false declarations should be reported to the Department, which has specific legislative powers to deal with such offences. In July 2013, the Government approved the introduction of the housing assistance payment scheme as part of the reform of the rent supplement scheme. Under this new scheme, responsibility for recipients of rent supplement with a long-term housing need will transfer from the Department to local authorities using the housing assistance payment scheme.

Officials in my Department are working with their counterparts in the Department of Environment, Community and Local Government, which is leading the project, to develop proposals to give effect to this transfer. It is intended that the scheme will be piloted in early 2014 in the Limerick local authority area, with further roll-out to selected authorities during the year. The Department has recently introduced an amendment to the household budgeting facility,

which is operated by An Post on behalf of the Department. This will assist local authorities in the collection of rents and will facilitate the housing assistance payment pilot.

Deputy Willie O’Dea: A commitment to provide for the transfer from the rent supplement scheme to the housing assistance payment scheme was included in the programme for Government. Three years on, the Government has announced that the new scheme will be piloted initially in Limerick. When I spoke to officials from Limerick City Council yesterday, they were unable to tell me when the pilot will start.

I want to ask a few specific questions on this matter. When will the transition start? When will the pilot start? More importantly, when does the Government anticipate that the transition process throughout the country will be complete? Will all those in receipt of rent supplement for more than 18 months transfer automatically or will only a percentage of them transfer to the HAP? Will staff from the Department of Social Protection be deployed as part of the move to the HAP to assist the local authorities to implement it because they tell me they do not have the resources? The Minister has previously stated that she would be anxious to see rent payment by way of deduction at source from social welfare. Is that still her position?

Deputy Joan Burton: The transition process for this has been exceptionally difficult because, as the Deputy will appreciate, there are 44 local authority rent schemes and associated computer systems, all of which are different. We would like rent supplement to be properly transferred to local authorities. The disadvantage of rent supplement for somebody who is unemployed is that it constitutes an unemployment trap because if they get offered employment they lose all their rent supplement. That is what lies behind the idea of transferring it to the local authorities. The local authorities, the Department of the Environment, Community and Local Government and the County and City Managers’ Association have been working very intensively in recent years to introduce the HAP proposal. As I said in my reply, I expect the Limerick pilot scheme to commence by the end of the first quarter in 2014 - that is what has been indicated to me.

An Leas-Cheann Comhairle: I thank the Minister.

Deputy Joan Burton: The Deputy asked about direct deduction at source. We have amended the social welfare legislation on household budgeting, which has major implications for the local authorities. They found that people involved in rent supplement through the RAS were signing in to the household budgeting system to have their deductions taken from their social welfare payment with their agreement but were then leaving it because they did not need to refer to the local authority if they decided to leave it and were therefore falling into arrears.

An Leas-Cheann Comhairle: I thank the Minister. I must call Deputy O’Dea and will come back to the Minister for the final reply.

Deputy Joan Burton: We made an amendment to the legislation to ensure if they wish to leave it they must get the permission of the local authority. That will be of very significant assistance to the local authorities.

Deputy Willie O’Dea: The rent supplement was initially supposed to be a short-term panacea to address short-term homelessness. However, it would now appear to be the cornerstone of the Government’s policy on social housing given that some 55,000 people have been on rent supplement for more than 18 months. The Minister stated that the Government had provided for just under €400 million and it cost €414 million last year. The State has spent billions of

28 January 2014

euro on this scheme. Last year the top 20 landlord recipients received €5 million between them. One character received €578,000 directly from the State in respect of 114 apartments. Has any thought been given to what the State is getting in return? In the first instance that money would be better spent on the provision of social housing. If that is not possible for some reason, then surely the State should be seeking to get something tangible back in return for the taxpayers' money that is being lavished into the coffers of private landlords.

Deputy Joan Burton: I am delighted to hear the Deputy identifying the problems with the rent supplement because during the time of the previous Government the rent supplement became to go-to position and local authorities basically pulled out of being housing providers. Part of that was because local authority estates, some in the Deputy's area and some in mine, had built up problems which the local authorities found very difficult to manage. We are now trying to rectify an inadequate situation we inherited from the previous Government -----

Deputy Willie O'Dea: The problem now is that there are no houses.

Deputy Joan Burton: -----and to transfer responsibility for housing to the local authority housing department, where it should be, and therefore allow people on a local authority supplemented rent to access employment because at the moment it is an employment trap. With the change in legislation, we have now offered a very attractive amendment to the local authorities because all around the country, in Dublin, Limerick and all the big areas, local authorities have been worried at the amount of rent arrears that have built up. Some of that happened simply because of the lack of legislation. I hope we are now on a different course. The provision of housing is very important and the Deputy's colleague from Limerick, my party colleague, the Minister of State at the Department of the Environment, Community and Local Government with responsibility for housing, Deputy Jan O'Sullivan, will answer detailed questions on that topic.

National Internship Scheme Administration

109. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection her views on the conclusion of the Union of Students of Ireland in its document, Vision for Post-Bailout Ireland, that the JobBridge scheme is beyond repair and should be phased out; and the steps she will take in response to same. [3955/14]

Deputy Aengus Ó Snodaigh: Is the Minister aware of the Union of Students in Ireland, USI, document, Vision for Post-Bailout Ireland, and what it has to say on the JobBridge scheme, that the scheme is beyond repair and should be phased out? The USI is the latest of several unions to have come to that conclusion, to have rejected the scheme and to have said it needs to be ended.

(Deputy Joan Burton): On 23 January, the total number of persons who have participated on JobBridge was more than 25,200 and there are currently nearly 6,400 participants. Data on current recipients by county are included in the table following this reply.

I share the Union of Students in Ireland's vision that Ireland's real competitive advantage lies in producing highly skilled, highly qualified graduates which must form the foundation of our future workforce. I also note that the USI considers that internships will continue to form an important entry route into employment for many graduates. In this regard a criticism in the

past, made by the USI among others, was that unemployed graduates lost their jobseeker's payment if they took up an internship.

JobBridge was partly a response to such criticism but I emphasise it does not cater just for graduates. It is designed to ensure both graduate and non-graduate jobseekers can secure the real workplace experience without which many would have difficulty in progressing into employment. This means some of the opportunities offered through JobBridge do not fit the profile of the traditional graduate internship. I make no apologies for this and neither will the very many interns who found JobBridge a very effective route into paid employment. The independent evaluation of JobBridge found that 61% of interns were moving into employment within five months of finishing JobBridge, and there were very low levels of displacement and deadweight.

JobBridge has been recognised as an outstanding success and is delivering for thousands of jobseekers by providing them with valuable opportunities to gain relevant work experience, knowledge and skills in a workplace environment to cut across the problem that some highly qualified graduates cannot get a job because they have no work experience. When they get work experience, which JobBridge provides, they often become extremely employable. Many interns leave JobBridge before the internship is complete because the company for which they have gone to work has offered them employment.

JobBridge participants by county - January 2014

<i>County</i>	<i>Current</i>	<i>Total since scheme inception</i>
DUBLIN	1,995	8,486
CORK	573	2,392
GALWAY	401	1,622
LIMERICK	341	1,297
KILDARE	226	855
DONEGAL	260	852
WATERFORD	200	841
TIPPERARY	220	801
KERRY	206	731
WEXFORD	175	730
MAYO	202	633
LOUTH	155	615
WESTMEATH	149	599
MEATH	164	570
CLARE	134	542
WICKLOW	115	524
SLIGO	132	479
MONAGHAN	135	433
KILKENNY	95	372
CAVAN	111	350
LAOIS	86	350
CARLOW	87	326

<i>County</i>	<i>Current</i>	<i>Total since scheme inception</i>
<i>OFFALY</i>	<i>94</i>	<i>316</i>
<i>ROSCOMMON</i>	<i>56</i>	<i>188</i>
<i>LONGFORD</i>	<i>40</i>	<i>185</i>
<i>LEITRIM</i>	<i>37</i>	<i>120</i>
<i>Grand Total</i>	<i>6,389</i>	<i>25,209</i>

Deputy Aengus Ó Snodaigh: I have been asking questions about the JobBridge scheme since it was initiated and I have yet to hear the Minister admit it has an exploitative aspect. Through its sponsorship of this scheme the State has contributed millions of free hours of labour, exploiting the 25,000 people the Minister mentioned, to companies which often gain an economic advantage over their competitors. The Minister has never owned up to the fact that companies are abusing the system. We have heard the recent furore about Advance Pitstop and other companies that have advertised JobBridge for a nine-month period. It does not take nine months to gain the experience to change an exhaust - no such thing - nor did it ever take that time to learn how to stack shelves.

The JobBridge scheme is a disgrace. It is exploitation of young, unemployed workers in particular, and it should be brought to an end and replaced with a proper internship scheme, as in other countries, which allows those who take part to gain a proper benefit from it.

Deputy Joan Burton: I have just come from publishing our proposals in regard to the youth guarantee. Honestly, I do not understand what Sinn Féin's problem is with young people getting employment and being facilitated to get employment experience in a situation where, following the bank guarantee, which the Deputy's party supported initially, along with others, this country lost 300,000 jobs. The situation is that the finest people of all ages are locked out of employment, as the Union of Students in Ireland has said. They have good educational qualifications but, because they have no work experience, they cannot get employment.

I simply do not understand why Sinn Féin is not pro-jobs and not pro-helping people to get back to work. Up to the end of September 2013, there were an extra 58,000 people at work. That is a really good outcome. With regard to the 25,000 people who have taken up JobBridge internships, I do not know how the Deputy can argue with the fact that more than 60% of those have gone on to get further employment.

An Leas-Cheann Comhairle: Thank you, Minister. I call Deputy Ó Snodaigh.

Deputy Joan Burton: Not only that, but for people like construction engineers, we have sponsored back-to-education postgraduate qualifications, followed by an internship and followed by an offer of high-level employment with IT companies for two years and more. What is there to argue with on that?

Deputy Aengus Ó Snodaigh: There is quite a lot to argue with in terms of the Minister's policy for young, unemployed people. I can stand over our position, which is pro-jobs, and our documents on jobs attest to that. I have supported Intreo and JobsPlus but I do not support the exploitation of workers, nor have I supported the cut in training grants to young people on community employment, CE, in which the Minister was involved, nor the fact she is supporting Tús, which has no training grants, nor the jobs displacement which happens because of JobBridge.

All we need do is look at the teachers and SNAs who are now being forced into JobBridge. Each and every Government Department is abusing people by putting them into JobBridge. The Garda vetting unit is a case in point. The Minister has also planned to have local authority work done by people on a scheme without proper funding or terms and conditions. The labour movement, not the Labour Party, won those terms and conditions over many years. I am not the one who has any reason to hang my head in shame. It is the Minister, as a Labour Party Minister and somebody who in the past has espoused the virtue of proper terms and conditions in the workplace, who in government is doing the exact opposite.

An Leas-Cheann Comhairle: Thank you, Deputy. I call the Minister.

Deputy Aengus Ó Snodaigh: The Minister is undermining each and every one of those terms and conditions that were won over the past 100 years. This is one of the schemes where the very same is happening.

Deputy Joan Burton: I think the Deputy is politicking now because-----

Deputy Aengus Ó Snodaigh: There is no politics involved. I have a full list here if the Minister wants it.

Deputy Joan Burton: How can he conceivably suggest, on behalf of Sinn Féin, that six months work experience for anyone who has been unemployed is somehow destructive when we have had 300,000 people in this country lose their jobs? JobBridge offers them an opportunity to hold onto their social welfare, get a top-up payment of €50 and get very valuable work experience, which the research shows, and which the Deputy knows but is not prepared to acknowledge-----

Deputy Aengus Ó Snodaigh: The Minister should look at the research properly and stop quoting it in the wrong.

An Leas-Cheann Comhairle: Order, please.

Deputy Joan Burton: -----has helped 61% of people to get into work.

There is no one way in which all of the unemployed people who are in this country will get employment; it is in a whole series of different ways. The Deputy made very disparaging comments about Tús. I travel to community centres all around this country. Let me tell the Deputy and Sinn Féin that I meet-----

Deputy Aengus Ó Snodaigh: I was not disparaging of Tús, just of the way the Minister operates Tús. I said nothing about the people involved in it or the people using it.

An Leas-Cheann Comhairle: Order, please. The Minister, without interruption.

Deputy Joan Burton: Does Deputy Ó Snodaigh just want to shout?

Deputy Aengus Ó Snodaigh: I do not want to shout. The Minister is misrepresenting what I said.

Deputy Joan Burton: The Deputy is shouting.

Deputy Aengus Ó Snodaigh: I am not shouting. I will not come in here and be misrepresented every time.

28 January 2014

An Leas-Cheann Comhairle: Order, please.

Deputy Joan Burton: He is shouting.

An Leas-Cheann Comhairle: The Minister should conclude as she is over time.

Deputy Joan Burton: I meet via Tús the finest people who are contributing to their local community, 7,000 at any one time, and who, thankfully, are getting employment. That is something the Deputy and I should be celebrating, not condemning.

Other Questions

Respite Care Grant Payments

110. **Deputy Colm Keaveney** asked the Minister for Social Protection if she has carried out any analysis of the impact of the respite grant cut in the 2013 budget on the lives of persons with disabilities; and if she will make a statement on the matter. [3678/14]

Deputy Colm Keaveney: The purpose of this question is to give the Minister an opportunity to make a statement on any analysis of the impact of budget 2013, particularly in respect of the respite care grant. As the Minister is aware, the respite care grant was cut by 19%. I would be grateful if the Minister would give the House a statement regarding any analysis of the impact of this decision on people with disabilities.

Deputy Joan Burton: The financial supports available to carers in Ireland are among the highest rates of income support in Europe. Expenditure on carers has increased significantly in recent years and it is estimated the overall expenditure for 2014 will be €806 million, which is €4.6 million higher than the expected outturn for 2013. This does not include the value of other welfare payments, which more than 24,900 recipients of half-rate carer's allowance also receive. This would bring the amounts involved up to well in excess of €1 billion.

I fully appreciate the important and difficult role carers undertake in this country and that carers need our support. The annual respite care payment is a single lump sum with no requirement to satisfy a means test. There is no equivalent payment for carers in any other country in Europe. Almost €120 million was spent on the respite care grant in 2013.

In framing budgetary adjustments, the primary concern has been to protect primary social welfare rates. To protect the core weekly payments which people receive, including disability payments, pensions and carer's allowance, the Government in 2013 had to look very carefully at other additional payments, including the respite care grant. One of the main findings of the budget 2013 social impact assessments was that the principal welfare and direct tax measures in that budget did not lead to any significant change in the at-risk-of-poverty rate. This confirms the continuing strong poverty reduction effect of social transfers during a period of very difficult fiscal consolidation.

Deputy Colm Keaveney: In December 2012, the Minister for Communications, Energy and Natural Resources described the 19% cut in the respite care grant as modest. Does the Minister for Social Protection agree with the position of the Carers Association that every euro spent on the respite care grant saves the State €5 in institutional care? Subsequent to the 19% cut, the Minister gave a commitment in the Seanad that she would review innovative ways of

redressing the 19% cut. The purpose of this question is to establish whether the Minister has set work in progress to understand the impact of the 19% cut in the respite care grant on people with disabilities and families caring for them and to ask her to fulfil the commitment she gave in the Seanad subsequent to the budget to carry out this analysis of the 19% cut, which was described as modest by her colleague.

Deputy Joan Burton: I am sure the Deputy knows, and I think spoke about, the fact that the most grievous change relating to carers was the reduction of €16.40 per week in disability payments and other payments related to people who may have been looked after by carers, which reduction was introduced by the Deputy's new party, Fianna Fáil. That would be the strongest communication to me from carers, which is why when I became Minister, I made a choice to prioritise the core weekly payment because carers depend on that.

As most Deputies know, when I became Minister there was a significant backlog, which had understandably built up under the previous Government, given the significant increase in the numbers claiming unemployment and jobseekers' payments. There was a large backlog in applications for carer's allowance, domiciliary care allowance and disability payments. I have prioritised removing these backlogs and am happy to report that there are significantly more people in receipt of carer's allowance, which is their highest priority, than there were when we entered into office.

An Leas-Cheann Comhairle: I must call Deputy Keaveney. I will revert to the Minister.

Deputy Colm Keaveney: Subsequent to the decision made-----

Deputy Finian McGrath: This is the second time, a Leas-Cheann Comhairle.

Deputy Colm Keaveney: -----in budget 2013, the Minister gave a commitment to review the situation and explore innovative ways of addressing the shortfall in the 19% cut, which was described by the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, as modest. I suspect that, after a certain duration in government, mission creep or group-think establishes itself, particularly in the Cabinet. The Minister, Deputy Burton's comments are alien to the fact that many of her backbenchers are meeting in their constituencies families who have been affected by financial worries, hidden costs that we have discovered in recent budgets and increased electricity, fuel and medical costs. The cut in the respite grant has been the most targeted, affecting the most vulnerable people.

In the Seanad, the Minister committed to establishing the impact on the lives of people who have disabilities or who depend on carers. Will she share with this House details of that analysis, assuming any was done?

An Leas-Cheann Comhairle: I thank the Deputy, but we are over time.

Deputy Joan Burton: I would be happy to do so. A number of issues have arisen, the first and most important of which has been the inherited backlog in applications for the domiciliary care allowance. Approximately 40% of those who receive that allowance go on to claim either a full-time or half-rate carer's allowance. The second issue is the backlog in applications for carer's allowance and delays in the disability and invalidity pensions.

After I became Minister, I told the House at length that we would invest in new IT systems to upgrade the platforms for these important allowances. I am happy to say that we have done

28 January 2014

so. Consequently, and as the statistics will show the Deputy, the number of people in receipt of carer's allowance and half-rate carer's allowance has increased significantly. In addition to the respite grant, people also get the benefit of the household benefits package-----

Deputy Willie O'Dea: It used to be more.

Deputy Joan Burton: -----and the free travel pass, which are important supports.

An Leas-Cheann Comhairle: I thank the Minister, but we must move on to the next question. Please conclude.

Deputy Willie O'Dea: Let her answer the question.

Deputy Joan Burton: In difficult economic times, we have what is probably the best package of supports for carers in Europe, including income support and the travel pass. We have been able to maintain this position whereas the Deputy's current party cut the weekly carer's rate by €16.40.

Deputy Willie O'Dea: Why did the Government not restore it?

Deputy Joan Burton: This is the cut that received the most complaints in the feedback.

Deputy Colm Keaveney: The Government has spent more on consultants at Irish Water.

An Leas-Cheann Comhairle: Deputies, please.

Deputy Joan Burton: Deputy Keaveney asked me about the feedback.

Deputy Colm Keaveney: I asked about the analysis.

Deputy Joan Burton: This is what is most mentioned to me in the feedback.

An Leas-Cheann Comhairle: We must continue. Deputy Higgins's question is next.

Deputy Finian McGrath: I had my hand up.

An Leas-Cheann Comhairle: I know, but we have only six minutes. We have gone two minutes-----

Deputy Finian McGrath: This is the second time this week the Leas-Cheann Comhairle has stopped me from contributing.

An Leas-Cheann Comhairle: If there is one question, there are only six minutes. I am sorry.

Deputy Willie O'Dea: We were not here yesterday.

Job Initiatives

111. **Deputy Joe Higgins** asked the Minister for Social Protection if she is concerned that a company (details supplied) has advertised for 28 positions through the JobBridge scheme; and if she will make a statement on the matter. [3589/14]

Deputy Joe Higgins: I wish to ask whether the Minister is concerned that the Advance Pitstop tyre company has advertised for 28 interns through her JobBridge scheme, which is the second time around for the company. Obviously, this is a displacement of proper work at decent wages and a gross abuse of the young unemployed and taxpayers.

Deputy Joan Burton: To date, more than 25,200 jobseekers have participated on JobBridge. I am happy to report that it currently has 6,400 participants.

3 o'clock

The scheme has proved to be extremely popular with people who, unfortunately, are unemployed and who have been unable to get work experience. In the past, internships tended to be offered in professional or graduate-type roles and proved to be an effective entry route to employment for those with higher education who had the family supports or networks which enabled them to avail of this type of opportunity. Unfortunately, people without these supports could not avail of internships, as to do so would have caused them to lose entitlement to their jobseeker's payment. JobBridge addresses this issue and also opens up internships as a route to employment for people with lower levels of skills or little in the way of employment experience. This breaks the cycle whereby in order to get a job, one requires experience, but in order to get experience, one requires a job. That is the catch-22 which JobBridge seeks to break.

JobBridge is a voluntary scheme. Interns are free to choose whether to participate. Accordingly, if the scheme is to be of benefit to lower skilled or inexperienced jobseekers, it requires host organisations to offer a range of internships across the employment spectrum. Therefore, I am not disposed to selectively limiting the availability of internships.

The Department has a number of controls in place to prevent abuse of the scheme. These include requirements on host organisations to provide a mentor to the intern, to sign and operate a standard agreement, to submit regular monitoring reports to the Department and to co-operate with random monitoring visits. More than 4,400 monitoring visits have been conducted to date - a very high level of detailed monitoring given that there have been around 9,000 host organisations - 98% of which were found to be satisfactory. There are also limits placed on the number of internships that can be offered by any one organisation related to the number of staff employed by the company and there are restrictions on the repeat or sequential use of internships. I am satisfied, based on the Department's monitoring visits and the report of the independent evaluation, that these controls are working effectively.

Deputy Joe Higgins: The Minister did not address the issue of Advance Pitstop with good reason, because this blatant exploitation calls her bluff and bluster on the JobBridge scheme. Advance Pitstop is the Irish arm of a major multinational tyre company. Advertising for 28 interns on JobBridge provides for a displacement of proper, full-time jobs, and that is quite clear. The advertisement by Advance Pitstop offers €50 a week, specifying a 40 hour week. That is the equivalent of €1.25 an hour. That beats even the super-exploitation of Gama Construction, which we blew out of the water in 2005.

What does the Minister make of two science companies advertising for interns on €50 per week, and specifying that the interns must have a PhD in science? One company describes itself as using chemistry, physics and other sciences to manipulate atoms to make molecules for new products, better known as nanotechnology, the very cutting edge of industry and technology. It is offering €50 per week to PhD graduates. Is this the brave new world the Labour Party

28 January 2014

and the Government is sponsoring through JobBridge?

Deputy Joan Burton: The Deputy, like some others in this House, has a very strange attitude to employment and to people getting employment. Sometimes when I listen to him, I think he would rather prefer if people stayed unemployed and perhaps they would listen to him more or something like that. I am not quite sure.

Deputy Joe Higgins: The Minister should just deal with the issue.

Deputy Finian McGrath: We do not want to see them exploited.

Deputy Joan Burton: First, people are in receipt of jobseeker's allowance. A married person with a spouse and three children would possibly get €400 or €500 per week in the total social welfare package. The figure will be significantly higher if, for instance, he or she is also in receipt of rent supplement. Giving people an additional top-up of €50 is intended to assist with travel costs and other expenses associated with taking part in JobBridge.

Deputy Higgins referred to the motor industry. He may not be aware that large numbers of people, particularly young men, are extremely interested in working in all parts of the motor trade. Unfortunately, as a result of the collapse in construction and crash in the economy, full-time apprenticeships in this type of employment are only now being restored. While this type of work may be beneath Deputy Higgins, it is certainly of interest to some people who have taken it up.

Deputy Joe Higgins: Advance Pitstop had a cohort of interns who finished in the summer of last year. Having taken a cooling off period of six months, the company has now returned to the market seeking another 28 interns. If the Minister had not facilitated the exploitation of young workers through this cheap labour scheme, Advance Pitstop would have been obliged to hire workers at real rates of pay. The scheme is displacement and substitution of the worst kind and the Minister is facilitating this gross abuse of young workers.

The Minister did not comment on people with doctorates being enticed to work for €50 per week. She should get real and address this issue of gross exploitation. If, however, she chooses to continue with this scheme, she should remove the word "Labour" from her party's banner because exploitation of this nature is a disgrace and utter insult to the founders of the labour movement.

Deputy Joan Burton: The Labour Party is the party of work. The Deputy wants Ireland to be a country of welfare only, one in which no one works. He is wrong and his attitude is out of date.

Deputy Joe Higgins: I want real jobs at real wages.

Deputy Joan Burton: People who have found themselves out of work as a result of the economic crisis are extremely anxious to get back into employment.

The Deputy spoke of companies seeking people with PhD qualifications. One of the sad things I have encountered as Minister is people with extraordinary qualifications and a strong desire to work finding themselves locked out of employment. They do not want to stay on welfare, even though by European standards, specifically the standards of our nearest neighbour, the social welfare system is very strong and well financed. People want to become financially independent and enter employment.

Deputy Joe Higgins: We need policies that create jobs.

Deputy Joan Burton: Some people who take up JobBridge have families and are receiving significant supports, including rent supplement. In the past, such persons were required to give up all supports to gain work experience. We are trying to get the country back to work and this is one of the ways we are doing so. As Indecon has shown, 61% of JobBridge participants subsequently secure further employment.

Deputy Joe Higgins: Only 20% of them are hired by the companies they work with.

Civil Registration Legislation

112. **Deputy Seán Kyne** asked the Minister for Social Protection if she will provide an update on the Civil Registration (Amendment) Bill and its progress in view of ongoing concerns regarding the registration of deaths abroad. [3761/14]

367. **Deputy Joanna Tuffy** asked the Minister for Social Protection her plans to allow the families of citizens who die abroad on holiday to register their deaths at home; and if she will make a statement on the matter. [3641/14]

Deputy Seán Kyne: My question relates to the progress of the Civil Registration (Amendment) Bill, with particular reference to the registration of Irish citizens who die abroad.

Deputy Joan Burton: I propose to take Questions Nos. 112 and 367 together.

On 19 July 2013, the Cabinet approved the drafting by the Office of the Parliamentary Counsel to the Government of the Civil Registration (Amendment) Bill. I brought this proposal for legislation to the Cabinet as there are a number of important policy issues I want to see implemented through amendments to the 2004 Act. The Bill will provide for a wide range of issues relating to the registration of life events in the State. Representations and recommendations have been made by various groups and organisations since the enactment of the Civil Registration Act 2004 and this Bill seeks to address these issues. The General Register Office, which administers the civil registration service, has also identified areas where legislative amendments are required to streamline the service to the public.

The Bill is currently being drafted by the Office of the Parliamentary Counsel. The issues are complex but it is a priority for me to have it published at the earliest possible date. I am seeking completion of it by the end of April, if feasible, and certainly no later than the end of June. The legislation will provide for the development of a mechanism to register the deaths of Irish persons normally resident in the State who die while on short-term absences from the State. The Deputy will be aware that usually when a person dies abroad the death is registered by the authorities in that country, from which a certified copy of the death registration is obtainable. In general, only deaths which occur within the State can be registered here although there are some exceptions, such as the death of a person on board an Irish aircraft, the death of a member of the security forces serving outside the State or where a death occurs in a country which does not have a system in place to register deaths.

I realise that it is very important for families to have the death of their loved one abroad registered in Ireland. In this regard, the Department has examined options for providing a mechanism that deals with these cases in a way that addresses the concerns of families while

ensuring the validity of the current registration process.

Deputy Seán Kyne: I thank the Minister for her reply and her commitment that the Bill will be published by the end of April or, at the latest, the end of June. I do not doubt her bona fides in that regard. Unfortunately, this Bill has been delayed for some time. Like other Deputies, I have raised this matter on a number of occasions. I published a Private Members' Bill dealing with the issue in November 2012, although I held off introducing it when I realised that the Minister was progressing the Civil Registration (Amendment) Bill, which also encompasses a range of other issues.

The Help Bring them Home campaign in Galway, members of which made a presentation on this matter to an Oireachtas committee during the lifetime of the last Government, have expressed concern about the delay in introducing the Bill. As such, I welcome the Minister's commitment in that regard. One woman to whom I spoke, whose brother died abroad, told me that her parents would like to have a death certificate for him before they pass on, which puts this issue into context. People who do not understand the legislative process are concerned that the Bill will be forever delayed. As such, the Minister's commitment is welcome.

The gender recognition Bill is similarly delayed. I am sure the Minister also proposes to progress that Bill.

Deputy Joan Burton: I am aware of Deputy Kyne's Bill. I acknowledge the work he put into its preparation. I was surprised to learn on becoming Minister for Social Protection that the drafting of legislation, in terms of the fine legal details, is a lengthy process. The heads of the gender recognition Bill have been considered in committee, the report of which I am currently considering. The last number of years have been exceptionally busy for the Office of the Parliamentary Counsel in terms of the drafting of legislation. I understand that office is currently working flat out on the Civil Registration (Amendment) Bill. I hope it will be published in April and, failing this, by the end of June.

Deputy Aengus Ó Snodaigh: I, too, welcome the Minister's commitment in regard to this issue. I wish also to draw to her attention to the fact that reference to this matter being addressed under the Civil Registration (Amendment) Bill is omitted from the "purpose of Bill" section of the legislative programme. I welcome the Minister's clarification in that regard and that the Bill will see the light of day shortly.

Youth Employment Initiative

113. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she and her Department expect to make major inroads on youth unemployment in the current year, unilaterally or with the assistance of the appropriate EU support; if a particular effort will be made to target unemployment black spots; if emphasis will be placed on the provision of a minimum number of apprenticeships, with particular reference to sectors particularly affected with high levels of unemployment; if she is satisfied that the resources available to her Department in this regard are adequate to meet such requirements; and if she will make a statement on the matter. [3671/14]

437. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she expects to be in a position to make a serious impact on youth unemployment by way

of various incentives in the course of the current year; and if she will make a statement on the matter. [4240/14]

Deputy Bernard J. Durkan: To what extent does the Minister, with the assistance available through the European Union, propose to target unemployment black spots, with particular reference to youth unemployment?

Deputy Joan Burton: I propose to take Questions Nos. 113 and 437 together.

Youth unemployment has fallen from a peak of over 31% to approximately 25% at the end of 2013. Given the measures being taken to support young people, I am confident that there will be further reductions in youth unemployment this year. In this regard youth unemployment is being specifically targeted through the youth guarantee initiative which I, with officials from the OECD and Minister for Education and Skills, published today. Elements of this initiative are already being piloted in the Ballymun area of Dublin. Following on from a recent meeting with the departmental officials, local employer and community groups involved in that pilot, I can report good progress. Expenditure on programmes providing employment, training and further education opportunities for young people will be in excess of €500 million in each of the years 2014 and 2015. It is expected that, in due course, up to €68 million of this expenditure will be recouped for each of these years from EU funds.

The Deputy will be aware that youth unemployment was a priority issue for Ireland during its recent Presidency of the European Council. One of the elements of the agreement reached at that time is that EU funding for countries with high levels of youth unemployment be front-loaded. This has now been agreed to by the Commission. I wish the funding from Europe, which amounts to €6 billion for some 28 countries, was greater. However, it marks the beginning of an important commitment by the Union to young people. Although Ireland's rate of youth unemployment has fallen to 25%, in some countries the rate is 60% or more, which is a tragedy.

Deputy Bernard J. Durkan: I thank the Minister for her comprehensive reply. Does she anticipate being in a position to make inroads into the provision of a serious number of apprenticeships, particularly in areas that have shown a deficit in this regard over the past couple of years?

Deputy Joan Burton: The most important element that has been lacking in Ireland is that of participation by employers in offering employment opportunities at all levels to people in Ireland who are, unfortunately, unemployed. I welcome the publication of the review of apprenticeships commissioned by my colleague, the Minister for Education and Skills, Deputy Quinn, which commits to the introduction of a revamped apprenticeship system which will offer education, in terms of technical aspects of apprenticeships, and vital work experience. My experience thus far as Minister has been that young people or others who have no work experience are, despite their having excellent educational and academic qualifications, finding it hardest to get work because employers want people with experience and who are work ready. The apprenticeship system, which collapsed with the collapse of the construction sector, offers a mixture of learning and experience of working in a real employment situation.

I welcome the emphasis on the return of apprenticeships to Ireland.

Estimates for Public Services 2014: Message from Select Committee

28 January 2014

An Leas-Cheann Comhairle: The Select Sub-Committee on Social Protection has completed its consideration of Vote 37 for the year ending 31 December 2014.

Leaders' Questions

Deputy Micheál Martin: On 15 January the Taoiseach said to me and the House:

This is a public utility in public ownership. Therefore, there is nothing that should be secret about it and there is nothing that will be secret about it.

That was in respect of the establishment of Irish Water. It is fair to say that everything has been secret about Irish Water and that over the past 12 to 15 months, the Government has done everything it possibly can to prevent the truth from coming out and to prevent a fully comprehensive debate around the issue of establishing Irish Water. Everything has been secret about the cost of the establishment of Irish Water until recently when we learned through radio interviews that it was €180 million. The cost of the transition office was a closely guarded secret until the weekend when we found out that approximately €8 million was spent on setting up the transition office. The cost of establishing Irish Water under the aegis of Bord Gáis Éireann has been a well-kept secret. Despite the Government getting advice to the contrary, it decided to do it this way with vast costs. The cost and content of the service level agreements have also been kept a closely guarded secret. Now we are told they can add €2 billion to the cost of the establishment of Irish Water.

All of this will result in higher charges for the public. However, the public will not be told what they have to pay in water charges because that will be a closely guarded secret as well until well beyond the local elections and into next year. Then, the regulator will be put in, superimposed, as a basis for not giving the people any sense of how much water will cost them because of the excessive nature of the establishment of Irish Water and the costs involved.

Last week I asked the Taoiseach if he knew that retired county managers and senior public servants were moving seamlessly into Irish Water and if he thought it was in order for them to do so, even though they may have enjoyed generous severance and pension packages. The Taoiseach said he did not know. However, he must have known and it is inconceivable that he did not know and that he did not speak to the Minister for the Environment, Community and Local Government, Deputy Hogan, about it. We know now that one such county manager received approximately €336,000 in a generous package before moving to Irish Water. Lo and behold, the same individual headed up the transition office. The transition office decided how many people got jobs at senior management level and that same person got a senior job in Irish Water. The people who wrote to us from outside of the loop, local authorities and Bord Gáis-----

An Ceann Comhairle: Deputy, please put your question.

Deputy Micheál Martin: -----had a point when they said that there was no point in applying because the jobs were spoken for already and that there was an element of an inside track.

Does the Taoiseach believe that was right or that it was appropriate and correct? Will the Taoiseach undertake to publish all material now in respect of Irish Water? Will he publish all the service level agreements? Will he publish the cost-benefit analysis in respect of the installation of water meters? Will he indicate whether he believes the manner in which people have moved from the local authorities to Irish Water is appropriate?

The Taoiseach: Deputy Martin has raised several issues, if I may say so. Clearly, last year it was perfectly obvious from Government that the cost of the establishment of Irish Water would have a headline figure of €180 million.

PricewaterhouseCoopers carried out an analysis and recommended that there be a greenfield operation. The Government is about making decisions. Since the setting up of a new utility involved 34 different local authorities, Bord na Móna and Bord Gáis submitted tenders for the setting up of the utility. The tenders were evaluated by NewERA and the Government made its decision to set up a new utility called Uisce Éireann or Irish Water, on the basis that it would have costs somewhere in excess of €80 million to €85 million extra were we to set it up as an individual new utility on a greenfield site.

The service level agreements are on the website of Irish Water and there is nothing secret about that. The comments made yesterday by the eminent economist, John FitzGerald, received a good deal of attention. He also said that there would be considerable savings through what was envisaged with Irish Water with the capacity to reduce the national debt significantly. I differ with the respected economist on the basis that he seems to assume Irish Water would have the same number of employees at the end of 2025 as it has taken on board along with the contract agreements with the councils.

The point is where we should have a real discussion. When the financial and business model for Irish Water is published in the coming weeks, it will indicate that the costs set out to be incurred by Irish Water will only be incurred as a consequence of serving the customers' needs, not the needs of the staff of Irish Water or Irish Water itself. It is about the needs of its customers. The financial and business plan will also demonstrate how it is expected to reduce the headcount by approximately 50% within ten years. That is where the real discussion will take place, on the basis of actual propositions for the setting up of the financial and business model for Irish Water.

In respect of Deputy Martin's question last week, as I understand it, three persons who retired from county councils and received lump sums and pensions were recruited under open competition for Irish Water. Deputy Martin is aware of the position in so far as the public service is concerned and the capacity of people who get further jobs in the public service and the limitations on what they can earn. Irish Water is not part of the public service, as such, in that it is to be a commercial semi-State body. There are views that the Minister for the Environment, Community and Local Government has an authority under section 27 of the Act, and he will look at that.

Far from Deputy Martin's assertion that this is some sort of secret organisation that has nothing to do with the public-----

Deputy Michael Healy-Rae: A disaster.

The Taoiseach: -----I remind Deputy Martin that his party now favours a continuation of the *status quo*, that is, 34 local authorities with all the staff contained therein and with higher costs. What Deputy Martin wants to do is leave the situation as is. That means he is happy for 18,000 people to have boil water notices and he is happy to have a million homes where there is a need for serious action in terms of increasing the quality of the water and the integrity of the system. All this means Deputy Martin is happy to leave a sticking plaster job continue in many places throughout the country where we are out of line in terms of standards, capacity, integrity

and quality of the water.

Deputy Barry Cowen: I suppose the Government is going to fix it.

The Taoiseach: This needs to be dealt with. The way to deal with it is by setting up a new utility, Irish Water, with the capacity to borrow on the open markets for infrastructural development to provide for the needs of our country for the next 50 years.

Deputy Michael Healy-Rae: It is a super-quango.

The Taoiseach: Deputy Martin may be happy to leave it the way it is, but I am not. There is nothing secret about Irish Water. Any more information Deputy Martin wants to be published about it will be published. I have given that instruction to the Minister for the Environment, Community and Local Government to see that Irish Water puts up all the information on its website.

Deputy Michael Healy-Rae: The Taoiseach had to instruct him. He would not answer questions on it before Christmas.

An Ceann Comhairle: Deputy, will you stay quiet, please?

The Taoiseach: This is in order that Deputy Healy-Rae and all the others have access to that as well as the public.

An Ceann Comhairle: Sorry, we are way over time, Taoiseach. Thank you.

The Taoiseach: This is a publicly owned utility and therefore there will be nothing secret about it.

Deputy Michael Healy-Rae: The Minister would not answer questions on it before Christmas.

An Ceann Comhairle: Would you stay quiet, Deputy, please?

The Taoiseach: There may be areas, as Deputy Martin is well aware, where there is commercial detail that is particular to Irish Water. However, the majority of information about this utility is public knowledge and, if it is not, it will continue to become public knowledge in the time ahead.

Deputy Micheál Martin: The Taoiseach's answer has no credibility and is not correct. Everything we have found out to date has been via the media, not from the Taoiseach or the Minister, Deputy Hogan. I will leave others to judge the statement I have just made. The Taoiseach should not come to the House and try to pretend there has been full transparency from the Government in the past 12 to 15 months in respect of the establishment of Irish Water. It is through the media that we have learned the bulk of what has come out in recent weeks in respect of the establishment of Irish Water.

The other point to make is that the Taoiseach was warned by his own advisers that going down this route would be much more costly. He was not told that setting up a separate entity, free from Bord Gáis, would cost much more, he was told that if the new body was set up under Bord Gáis, it would cost much more than the Government intended. That is the advice the Taoiseach received. He is still refusing to answer a question I have asked on at least four occasions, whether it is right that people should move across from one sector to the next. Does

he not accept that this fuels cynicism, particularly when one of these individuals is heading up the transition?

An Ceann Comhairle: The Deputy is over time.

Deputy Micheál Martin: Who came up with the idea of the transition office only the county managers? Over half the staff come from the local authorities, which is a factor in the €180 million cost element.

An Ceann Comhairle: Will the Deputy put a question to the Taoiseach?

Deputy Micheál Martin: In terms of the charges facing households, it now looks like they could be anything up to €500. Can the Taoiseach shed any light on what people will be paying in water charges in January 2015, particularly in the context of the enormous expenditure in which the Government has engaged? The ESRI report refers to a full cost recovery model in terms of the submission to Irish Water and in terms of the accountancy trick *vis-à-vis* the debt-to-GDP ratio.

The Taoiseach: There has been a lot of talk about accepting advice. As I pointed out to the Deputy last week, the Government of which he was a member paid €7 million for three days work by financial advisers before landing this country with the greatest economic catastrophe it has ever experienced. His Government did not accept that advice. Deputy Martin should not come in here claiming a wonderful antiseptic, untainted political record in terms of dealing with the public accounts. Nor do I accept the assertion that people will be paid for doing nothing in Irish Water. As I said, we will publish the financial and business models for Irish Water in the coming weeks, showing that the reductions in headcount in the coming years as people reach pension age and so on will leave it with in the order of 2,000 staff, down from 4,300.

Deputy Martin asked about the charges for households. I recall two occasions in the past three years where Members opposite said that in rectifying the situation in regard to septic tanks, an issue that has been going on for 40 years and which Fianna Fáil in government was afraid to touch, some people would be charged €20,000. That claim was made by Deputy Martin's former deputy leader.

Deputy Dinny McGinley: Mattie was only charging a fiver.

Deputy Barry Cowen: Not a single grant has been paid out.

An Ceann Comhairle: The Taoiseach is over time.

The Taoiseach: We also had people on the benches opposite saying that thousands of euro in charges would be heaped on top of people under the property tax. Members opposite are all on record as having said that.

As I said, in the coming weeks the Government will publish the financial and business models for Irish Water. The only charges to be incurred here will be in respect of consumers, that is, the customers of Irish Water.

Deputy Micheál Martin: That is not the case at all. The Taoiseach should read his own Government's economic submission.

An Ceann Comhairle: We are six minutes over time on this question. I ask Members to

adhere to the rules.

The Taoiseach: The Government will deliver the level of charge as a matter of policy and the regulator will have an input into that. It is about the Irish consumer.

Deputy Micheál Martin: The Taoiseach is hiding behind the regulator again.

An Ceann Comhairle: Before proceeding, I ask Members to adhere to the rules set down by the House. This question went over time by six minutes. I have to be fair to everybody who wants to speak. I ask Members and the Taoiseach to keep that in mind when asking and replying to questions.

Deputy Gerry Adams: Yesterday the Minister for Justice and Equality, Deputy Alan Shatter, announced that he is referring the penalty points scandal to the Garda Síochána Ombudsman Commission. While Sinn Féin welcomes the decision to hold an independent investigation, a number of serious questions arise. It is almost two years since the Garda whistleblowers drew attention to irregularities in the implementation of the penalty points system. Rather than announce an independent investigation at that time, the Minister has chosen to do so just before a planned appearance by one of the whistleblowers at the Committee of Public Accounts.

The Taoiseach will recall saying that his Government's coming into office heralded a democratic revolution which would usher in a new era of political reform. Surely a key requirement of any serious political reform in this State would be to enhance the capacity of elected messengers of the people to ask the questions that need to be asked of public officials. Indeed, the Taoiseach said he wanted stronger Dáil committees which would be resourced properly. Now, however, when robust questions are being asked, we see once again that the real intention of the Government is to close down public scrutiny and frustrate oversight and accountability, including the work of the Committee of Public Accounts.

Is it not the reality that the sole reason for the protracted nature of this controversy is the failure by the Minister, Deputy Shatter, to deal decisively with this scandal in the first instance? Does the Taoiseach agree that the Minister has attempted to undermine the Committee of Public Accounts and has made the situation for future whistleblowers more difficult by his failure to defend the integrity of the whistleblowers in this case?

The Taoiseach: I am not sure what the Deputy's position is now in terms of whether he supports the Minister in what he is doing here. The central tenet of what the Minister has done is to keep respect and integrity in the Garda Síochána and in the process here. As Deputy Adams is well aware, the Committee of Public Accounts, over many years, always had an independence within the Houses of the Oireachtas to examine reports that were commented upon and presented by the Comptroller and Auditor General. In this case, where there was a reference to a financial loss to the State, there is a connection. At the same time, there is a whole range of other matters which the Minister had to take into account.

Yesterday the Minister announced that he is referring the allegations of improper cancellations of fixed-charge notices to the Garda Síochána Ombudsman Commission for investigation. He sent a formal letter today to that effect and is also writing today to the Committee of Public Accounts requesting that it forward to the ombudsman commission any documentation it has that may be relevant to the investigation. The Minister is entitled, under section 102 of the Garda Síochána Act 2005, where he considers it desirable in the public interest, to request the Garda Síochána Ombudsman Commission to investigate a particular matter, where it appears to

the Minister to indicate that a member of the Garda Síochána may have committed an offence or behaved in a manner that might justify disciplinary proceedings.

The discussions taking place at the Committee of Public Accounts are a matter for that committee. The Minister for Justice and Equality has acted responsibly and decisively in referring this matter to the Garda Síochána Ombudsman Commission for completely independent and objective analysis in as broad a way as the independent commission thinks fit. I am glad to note that the Garda Commissioner is happy about this and will co-operate fully with the commission.

Deputy Clare Daly: He is delighted.

The Taoiseach: I find it peculiar that Deputy Adams should raise the question of whistleblowers in the first place. He used to have a very different way of dealing with them himself.

Deputy Gerry Adams: Once again the Taoiseach avoided my question. I asked whether he agreed that the sole reason for the protracted nature of this controversy is the fact that the Minister did not deal with the scandal decisively in the first instance. The Taoiseach cannot have it both ways. He praised the work of the Committee of Public Accounts before saying the investigation into this matter must be truly independent, the implication being that the committee is not truly independent. Only last week, however, he referred to it as the watchdog for the public.

As well as the monetary issues involved, the Committee of Public Accounts also has a responsibility to consider good governance. I ask the Taoiseach not to join the Minister in undermining the rights of Deputies to raise all of these matters in the appropriate committee. He should take the opportunity now, rather than making snide and totally inaccurate remarks about me, to put on the public record that the Committee of Public Accounts is performing an important public service. I will go further and state that the Garda whistleblowers are also performing an important public service. Does the Taoiseach agree that if the Minister is doing the right thing now, he would have done an even better thing if he had taken action when this controversy first broke more than two years ago? Will the Taoiseach give an assurance that the Garda Ombudsman Commission will have the power to question the Garda Commissioner and will be given full and unfettered access to the force's PULSE computer system?

Tá a fhios ag an Taoiseach go ndeirtear gurb í cumhacht na gceisteanna a chur an rud is bunúsaí i gcomhair dul chun cinn a dhéanamh. Tá a fhios sin ag an Taoiseach. Tá sé tábhachtach dúinne mar Theachtaí Dála a bheith in ann daoine a cheistiú. Sin an fáth go bhfuilimid anseo. Tá an ceart againn ceisteanna a chur ar dhaoine agus is léir sin. Táim sásta i ndiaidh freagra an Taoisigh go bhfuil sé an-soiléir go bhfuil an ceart sin faoi bhagairt. Tá an ceart atá ag Teachta Dála ceisteanna a chur faoin choiste faoi bhagairt anois leis an oidhreacht seo agus i ndiaidh freagra an Taoisigh.

The Taoiseach: Tabharfaidh mé freagra don Teachta ar an cheist a chuir sé orm. Ta an Coimisiún Ombudsman an Gharda Síochána fíor neamhspleách agus ní féidir liomsa rud ar bith a dhéanamh leis. Leagann an coimisiún síos na coinníollacha agus déanann sé féin an iniúchadh. Bhí mé ag éisteacht le duine atá ag freastal ar an gcoimisiún ar maidin agus dúirt seisean go bhfuil siad beagnach réidh le tosú, go mbeidh sé i bhfad níos leithne ná mar a bhí agus go mbeidh sé neamhspleách ar fad. Tá litir curtha ón Aire chuig an coimisiún agus is dócha go dtosóidh an coimisiún ar a chuid oibre go luath. Tá litir curtha ag an Aire freisin chuig an Coiste um Chuntais Phoiblí ag iarraidh orthu, má tá eolas ar bith acu, go gcuirfeadh siad chuig an gcoimisiún é.

28 January 2014

Deputy Gerry Adams: Chuir mé ceist ar an Taoiseach faoin gcoiste.

The Taoiseach: Tá a fhios agam cén cheist a chur an Teachta orm.

Deputy Gerry Adams: Níor chuir mé ceist faoin gcoimisiún. Bhí mo cheist faoin gcoiste

The Taoiseach: Tá fhios agam, ach táim ag tabhairt freagra don Teachta faoin gcoimisiún. Chuir an Teachta ceist orm faoin gCoiste um Chuntais Phoiblí. Of course, the remit of the Committee of Public Accounts relates to value for money as opposed to matters of governance.

Deputy Gerry Adams: Good governance.

The Taoiseach: It has adhered to that remit over the years. The Minister for Justice and Equality cannot just refer a complaint by a garda against a colleague to the Garda Síochána Ombudsman Commission. It is because of the changing allegations that have been made that, in the public interest-----

Deputy Pádraig Mac Lochlainn: They have not changed; they remain exactly the same.

The Taoiseach: -----the Minister is required to ensure that integrity, confidence and trust in the system will be retained. That is why the matter has been referred to the Garda Síochána Ombudsman Commission. I support him in that regard because it is exactly the right thing to do.

What the Committee of Public Accounts does in the context of its discussions is a matter for its members. I cannot interfere with the work of that committee.

Deputy Finian McGrath: It should be left alone and the Government should stop trying to gag Deputy Ross.

Deputy Mick Wallace: The only change is that the Garda Commissioner made a show of himself.

An Ceann Comhairle: Will Members please stop making snide remarks? I cannot hear what is being said by the Taoiseach.

The Taoiseach: I do not believe it is good practice for information provided during a private session of a meeting of the Committee of Public Accounts to be bandied about in the national media or for comments that could in any way be construed as straying outside of the remit of that committee to be made. The committee is doing its job but it is important that it should stay within its remit. As already stated, that remit relates to value-for-money matters. I know the committee will pursue its remit in the best way it sees fit.

Deputy Stephen S. Donnelly: The Government has rightly criticised Fianna Fáil on many occasions with regard to the way in which it established the HSE. In 2005 the then Fianna Fáil-led Government had an opportunity to establish an efficient and effective health service but it blew that opportunity for political gain. Instead, it created a bureaucratic monster. The current Government is now doing exactly the same thing with Irish Water. It is establishing a new monster that will waste billions of euro of taxpayers' money. In order to bankroll all of this waste, Irish Water will be obliged to overcharge the people for water for which they already pay. When Scottish Water was set up, it achieved cost savings of almost 40% in the first five years. It did so by getting rid of the inefficiencies in the system and creating a competitive market for

the operation and maintenance of water infrastructure. In contrast, we have just learned that Irish Water is signing 12-year service level agreements with local authorities. In other words, it is locking in the cost relating to the existing workforce. This means that the money people will be obliged to pay in respect of their water will end up paying salaries for jobs that do not exist. It also means that there will be no room for Irish companies to bid and compete for work.

The Minister for Finance, Deputy Noonan, seems to believe that the idea of saving money in the first few years can be achieved only in a mythical country. He stated that we will see savings in approximately five or six years. Ministers are continually informing us that Irish Water exists in the commercial sector. I come from that sector and I have worked on mergers. In that context, I am in a position to state that the only mythical country around here seems to be the one in which the Government resides. If one attended a meeting relating to a multi-billion euro merger and stated that there would not be any cost savings for the following five years and that the workforce would be locked in for the following 12, one would be fired on the spot. However, that is not the case here. In this instance more than €500 million is being spent on the installation of water meters and almost €200 million is being spent on the establishment of Irish Water, the existing workforce is being signed up for 12 years, Irish companies are being blocked from tendering for work and the Government is maintaining that it will be at least five years before any savings are made.

Will the Taoiseach indicate why Irish Water is signing 12-year service level agreements? I could understand if it were signing three-year agreements in order to maintain integrity and to retain institutional knowledge but it is actually signing them for 12 years. Will the Taoiseach also indicate why Irish businesses are being locked out of the sector and why the Government is creating another monster in the form of Irish Water?

The Taoiseach: Irish businesses are not being locked out of the sector, nor is another monster being created. What we are doing is addressing the challenges relating to the future. Perhaps Deputy Donnelly, who spent some time working with McKinsey and Co., wants to propose that we should sack 2,000 workers. Is that what he is saying?

Deputy Emmet Stagg: Does he want to sack those in Wicklow?

Deputy Barry Cowen: There is a move to get rid of anybody over 50. If that were to happen in the case of the Government, there would not be many people left in the Cabinet.

(Interruptions).

The Taoiseach: If the Deputy comes from the commercial side of the business sector, then I suggest he needs to get his facts right. The fact is the Irish water system is, in many cases, entirely deficient. It has suffered as a result of a lack of infrastructural investment for many years. That is why, as a result of their being 34 different local authorities, there are gross inconsistencies in standards. It is also why the population of this city was so anxious and concerned just prior to Christmas when difficulties were experienced at the Poulaphouca facility, which is near where the Deputy resides.

It is not the case that Irish Water will be a bloated monster for 12 years. Deputy Donnelly has taken the same view as that expressed by a respected economist yesterday to the effect that Irish Water will have the same staff headcount in 2025 as it does now. That will not be the case. When the Government publishes its financial and business model in respect of this matter, the Deputy will be able to argue his case. That model will demonstrate that a reduction of

up to 50% will take place within ten years. If one is going to make an investment in respect of something as large as this in order to deal with the scale of the challenge our country faces, one must invest sufficiently to get it right. There is no point in investing and ending up with an inferior product. If a water main in Wicklow bursts at present, Irish Water does not have the information with regard to the location of the various connections and weaknesses in the system. That information has resided with the various local authorities for many years. It is for this reason that contracts are being signed with the local authorities in respect of the provision of the relevant services.

Deputy Donnelly should not state that people will be paid for doing nothing. If he is truthful to himself, he should state that, in order to reduce costs within three years, he proposes that in the region of 1,800 county council workers should be sacked. If that is what he is proposing, then he should say so.

Deputy Emmet Stagg: Of course that is what the Deputy is saying.

Deputy Stephen S. Donnelly: I am not saying we should sack 2,000 workers.

Deputy Eric Byrne: The Deputy is saying that.

(Interruptions).

Deputy Stephen S. Donnelly: I am saying it is about time that taxpayers stopped funding unnecessary waste in the Irish public system.

Deputy Emmet Stagg: Sack the workers.

Deputy Michael Healy-Rae: We will leave that to the Labour Party.

Deputy Emmet Stagg: Take the money and sack the workers.

(Interruptions).

Deputy Stephen S. Donnelly: There has been enough waste. Are patients better off because Fianna Fáil merged everything into the HSE and retained all the inefficiencies? The answer is that they are not better off. Part of the problem in respect of this matter is that there has been no Dáil oversight. The Taoiseach informed Deputy Martin what Irish Water was not set up in secret. Let us examine the facts. It is a fact that the Minister for Public Expenditure and Reform, Deputy Howlin, explicitly precluded Irish Water from the provisions of the freedom of information legislation while it was being set up.

Deputy Emmet Stagg: That is not true.

Deputy Stephen S. Donnelly: That is a fact. I was on the committee and I know that is a fact.

Deputy Paul Kehoe: That is not right. It is not a fact.

An Ceann Comhairle: Sorry, please put your supplementary question. It is not about making statements.

Deputy Stephen S. Donnelly: I will.

An Ceann Comhairle: I will deal with that as well.

Deputy Stephen S. Donnelly: It is a fact-----

Deputy Paul Kehoe: It is not a fact.

An Ceann Comhairle: Stay quiet, please.

Deputy Emmet Stagg: The Deputy is misleading the House.

Deputy Stephen S. Donnelly: It is a fact that the Minister, Deputy Hogan, refused to answer questions from any Deputy on the Irish Water set-up costs. It is a fact that the service level agreements on the website are completely devoid of any commercial detail-----

An Ceann Comhairle: Deputy Donnelly, please put your supplementary question.

Deputy Stephen S. Donnelly: I will. It is a fact that we got a four hour debate in the House-----

An Ceann Comhairle: It is not a fact; put your supplementary question.

Deputy Stephen S. Donnelly: -----that the Taoiseach is quoted-----

An Ceann Comhairle: I will not ask you again, Deputy Donnelly, to put your supplementary question.

Deputy Stephen S. Donnelly: The Taoiseach was quoted in the *Irish Examiner* as saying the business model will be available in a few weeks.

An Ceann Comhairle: You are not on air. Please put your supplementary question.

Deputy Stephen S. Donnelly: He has done this the wrong way around. The Taoiseach committed over €1 billion of public money to be spent and he is signing multi-billion euro service level agreements before anyone has a chance to see the business model. Why is the Taoiseach signing 12-year service level agreements? I understand three-year agreements and I understand the need for consistency. Why 12 years? Will the Taoiseach instruct Irish Water to ensure that those service level agreements allow Irish businesses to bid for the work over those 12 years?

An Ceann Comhairle: Before I ask the Taoiseach to reply, I want to make it quite clear that if I do not have the confidence of this House to run this Chair, I intend resigning. I will not come in here, day in, day out, and be ignored by either the Government or by the Opposition. If I call time I mean it is time and it is up to you people to answer within the time limit allocated. If you wish additional time, go to the Committee on Procedure and Privileges and get it. I am not going to spend my time getting upset here every day with people running six and seven minutes over on each question. Let this be clear.

The Taoiseach: I accept your ruling, Ceann Comhairle. It might be helpful to everybody if the clock at the back of the Chamber was actually switched on for these replies-----

An Ceann Comhairle: I would be delighted if it would.

Deputy Seamus Healy: We do not get the same time.

The Taoiseach: -----so we would know these things.

28 January 2014

In reply to Deputy Donnelly, I expect him to go to Wicklow County Council tomorrow, call the staff who are dealing with water services in any shape or form and tell them he wants-----

A Deputy: Fire them.

An Ceann Comhairle: Stay quiet.

The Taoiseach: -----half of them sacked. Is that what he wants?

Deputy Stephen S. Donnelly: This is the HSE all over again.

An Ceann Comhairle: Stay quiet, Deputy Donnelly.

The Taoiseach: It is not a case of the HSE all over again. In fact, I agree with Deputy Donnelly that unnecessary waste in the Irish system must be done away with. Should we not first deal with the 40% of water which is leaking away every day? Does he agree that we should deal with the problems of 18,000 households who have had to boil water for the past six months? Does he agree it is right to deal with the inadequacy of the system which has to serve 1 million households? Does he agree it is right to deal with the EPA and with our many inadequacies with regard to the European directive?

An annual review will see to it that the costs incurred are in respect of the customers and consumers of Irish Water. The Minister made clear that Irish Water is a new creation which could not be included under the Freedom of Information Act until the body was established. The Minister was clear that it was 1 January-----

Deputy Stephen S. Donnelly: Why is the agreement for 12 years?

The Taoiseach: The Deputy should go down to Wicklow tomorrow and call the staff together and say, "Donnelly is on the warpath, he wants you sacked."

Deputy Stephen S. Donnelly: It is Fianna Fáil all over again.

An Ceann Comhairle: That completes Leaders' Questions. The Deputy should go and learn the rules of the House, please. Learn the Standing Orders and learn some manners.

Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Aengus Ó Snodaigh - the closure of Mount Carmel hospital; (2) Deputy Michael Moynihan - the cuts being implemented regarding the single farm payment; (3) Deputy Maureen O'Sullivan - the terms of the *ex gratia* scheme and health care for the women of the Magdalen laundries; (4) Deputy Noel Harrington - the effects and implications of the recent adjustments to farm payments with the use of the new mapping system; (5) Deputy Shane Ross - the closure of Mount Carmel hospital; (6) Deputy Thomas Pringle - the continuation of a full-time public health nurse service on Aranmore Island, County Donegal; (7) Deputy Jonathan O'Brien - the future funding of the Life centre; (8) Deputies Brian Stanley, Seán Crowe, Joan Collins, Catherine Byrne, Barry Cowen and Michael Conaghan - the need for proper regula-

tion and licensing of waste collection and disposal in light of the recent fire at a waste facility in Ballymount industrial estate, Dublin 24; (9) Deputy Pearse Doherty - the continuation of a full-time public health nurse service on Aranmore Island, County Donegal; (10) Deputy Michael P. Kitt - the proposed drainage scheme for Kiltiernan-Ballindereen; (11) Deputy Jerry Buttimer - the development of facilities and allocation of beds at Cork University Hospital for people with cystic fibrosis; (12) Deputy Ciarán Lynch - the need to implement a modification to the medical card review system; (13) Deputy Joe Higgins - staffing levels at Irish Water; (14) Deputy Denis Naughten - the need to reinstate the acute psychiatric beds in St. Luke's acute unit Ballinasloe, County Galway; (15) Deputy Thomas P. Broughan - the offshore renewable energy development plan; (16) Deputy Ciara Conway - the need to provide an update on the Grid Link project; (17) Deputy Mick Wallace - the decision to refer the penalty points issue to the Garda Síochána Ombudsman Commission; (18) Deputy Dessie Ellis - the dramatic increase in fatal overdoses by methadone users in 2013; (19) Deputy Eamonn Maloney - the need to maintain effective service from credit unions; (20) Deputy Seán Ó Feargháil - the need for the Government to discuss the ending of community welfare clinics; (21) Deputy Clare Daly - to discuss the decision by the Minister for Justice and Equality to refer the Garda whistleblowers' allegations to GSOC; (22) Deputy Aodhán Ó Ríordáin - the urgent need to discuss with the Minister for Arts, Heritage and the Gaeltacht the need to preserve the Legion hall in Killester, given the centenary anniversary of the commencement of the Great War; and (23) Deputy Richard Boyd Barrett - the closure of Mount Carmel hospital and potential job losses.

The matters raised by Deputies Jerry Buttimer; Michael P. Kitt; and Brian Stanley, Seán Crowe, Joan Collins, Catherine Byrne, Barry Cowen and Michael Conaghan have been selected for discussion.

Ceisteanna - Questions (Resumed)

Northern Ireland Issues

1. **Deputy Joe McHugh** asked the Taoiseach if he will outline his discussions as Head of the Irish Government with the British Government about the work of Dr Richard Haass in Northern Ireland. [44108/13]

2. **Deputy Joe Higgins** asked the Taoiseach if he has recently met Dr. Richard Haass; and if he will report on the matter. [45917/13]

3. **Deputy Gerry Adams** asked the Taoiseach if he will report on his recent meeting with Dr. Richard Haass; and if he will make a statement on the matter. [47667/13]

4. **Deputy Gerry Adams** asked the Taoiseach the discussions he has had with the British Government in respect of the Haass talks; and if he will make a statement on the matter. [47675/13]

5. **Deputy Gerry Adams** asked the Taoiseach if he has set a date for a meeting with the families of the Ballymurphy campaign; and if he will make a statement on the matter. [47696/13]

6. **Deputy Micheál Martin** asked the Taoiseach if he has met Dr. Richard Haass recently; and if he will make a statement on the matter. [47846/13]

7. **Deputy Micheál Martin** asked the Taoiseach if he has discussed the issue of the disap-

peared with the British Prime Minister, Mr. Cameron recently; and if he will make a statement on the matter. [48808/13]

8. **Deputy Micheál Martin** asked the Taoiseach if he has discussed the issue of the disappeared with members of the Northern Executive; and if he will make a statement on the matter. [48809/13]

9. **Deputy Micheál Martin** asked the Taoiseach if he is determined to fully implement all aspects of the Good Friday Agreement; and if he will make a statement on the matter. [48810/13]

10. **Deputy Micheál Martin** asked the Taoiseach if there were discussions regarding the disappeared at the recent North-South meeting in Armagh; and if he will make a statement on the matter. [48813/13]

11. **Deputy Micheál Martin** asked the Taoiseach if the issue of the disappeared was discussed at the British-Irish Council meeting; and if he will make a statement on the matter. [50145/13]

12. **Deputy Gerry Adams** asked the Taoiseach if he discussed the Haass talks with the British Prime Minister, Mr. David Cameron, during the recent meeting of the British-Irish Council in Jersey; and if he will make a statement on the matter. [50215/13]

13. **Deputy Gerry Adams** asked the Taoiseach if he had discussions with the British Prime Minister at the European Council meeting on 19 December 2013 regarding the Haass talks; and if he will make a statement on the matter. [55568/13]

14. **Deputy Gerry Adams** asked the Taoiseach if he had discussions with the British Prime Minister at the European Council meeting on 19 December 2013 on the refusal of his Government to establish a public inquiry into the murder of human rights lawyer, Mr. Pat Finucane. [55569/13]

15. **Deputy Micheál Martin** asked the Taoiseach if he accepts the recommendations of the Haass report; and if he will make a statement on the matter. [2197/14]

16. **Deputy Micheál Martin** asked the Taoiseach his views on the final recommendations made by Dr. Haass; and if he will make a statement on the matter. [2200/14]

17. **Deputy Micheál Martin** asked the Taoiseach his views on whether there will be agreement on the recommendations made by Dr. Haass; and if he will make a statement on the matter. [2201/14]

18. **Deputy Micheál Martin** asked the Taoiseach the position regarding his discussion with the British Prime Minister, Mr. Cameron, on the recommendations made by Dr. Haass; and if he will make a statement on the matter. [2203/14]

19. **Deputy Micheál Martin** asked the Taoiseach if he has discussed the Dr. Haass recommendations with the Northern Ireland First Minister and Deputy First Minister; and if he will make a statement on the matter. [2204/14]

20. **Deputy Micheál Martin** asked the Taoiseach if he has any concerns regarding the lack of consensus on the recommendations from Dr. Haass; and if he will make a statement on the matter. [2205/14]

21. **Deputy Joe Higgins** asked the Taoiseach if he has discussed with the Northern Ireland First Minister, Mr. Peter Robinson, and Deputy First Minister, Mr. Martin McGuinness, the outcomes of discussions with Dr. Richard Haass. [2211/14]

22. **Deputy Gerry Adams** asked the Taoiseach if he discussed with the British Prime Minister, David Cameron, the outcome of the Haass talks. [2220/14]

23. **Deputy Gerry Adams** asked the Taoiseach if he will report on the discussions he had with Dr. Richard Haass prior to Christmas. [2221/14]

24. **Deputy Gerry Adams** asked the Taoiseach if he has had any discussions with Dr. Richard Haass or Dr. Meghan O'Sullivan since the new year. [2222/14]

25. **Deputy Gerry Adams** asked the Taoiseach if he has discussed the outcome of the Haass talks with the US Administration since the new year. [2223/14]

26. **Deputy Gerry Adams** asked the Taoiseach if he discussed with the US Vice President, Joe Biden, during his recent discussions in Japan, the efforts of US diplomats Dr. Richard Haass and Dr. Meghan O'Sullivan to resolve some of the outstanding issues arising out of the Good Friday Agreement. [52593/13]

27. **Deputy Gerry Adams** asked the Taoiseach if he will report on his discussions with the Northern Ireland First Minister, Peter Robinson, and Deputy First Minister, Martin McGuinness, during his visit to Japan; and if he will make a statement on the matter. [52594/13]

28. **Deputy Gerry Adams** asked the Taoiseach if he discussed the efforts of Dr. Richard Haass and Dr. Meghan O'Sullivan to negotiate resolutions to outstanding Good Friday Agreements with the Northern Ireland First Minister, Peter Robinson, and Deputy First Minister, Martin McGuinness, during his visit to Japan. [52595/13]

29. **Deputy Gerry Adams** asked the Taoiseach if he discussed with the Northern Ireland First Minister, Peter Robinson, and Deputy First Minister, Martin McGuinness, during his visit to Japan, the need for greater co-operation and an all-island strategy to ensure that the Government and the Northern Executive minimise competition for inward investment between North and South. [52596/13]

30. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his meeting with Northern Ireland First Minister, Peter Robinson, and Deputy First Minister, Martin McGuinness; if he will report the issues that were discussed; and if he will make a statement on the matter. [52670/13]

31. **Deputy Micheál Martin** asked the Taoiseach if he has discussed the issue of the disappeared with the Northern Ireland First Minister and Deputy First Minister recently; and if he will make a statement on the matter. [3536/14]

The Taoiseach: I propose to take Questions Nos. 1 to 31, inclusive, together.

As Deputies are aware, the recent political talks in Northern Ireland on parades, flags and contending with the past under the chairmanship of Dr. Richard Haass and the vice-chairmanship of Dr. Meghan O'Sullivan concluded without agreement in the early hours of New Year's Eve. I am disappointed that the talks concluded without reaching agreement. I believe that this is a disappointment shared by the people of Northern Ireland who want a solution to these is-

sues so that they can move forward. Nonetheless, while this particular process has not resulted in an agreement being concluded by the five parties, it is important that work continues under the stewardship of the First and Deputy First Ministers and across the five parties in the Executive to tackle the key issues facing Northern Ireland today.

It is worth recalling that Dr. Haass and his team were invited by First Minister, Peter Robinson, and Deputy First Minister, Martin McGuinness, to assist with the work of the working group of representatives from each of the five Northern Ireland Executive parties established to examine the contentious issues of flags, parades and the past. The establishment of the working group formed part of the Executive's strategy, Together: Building a United Community, aimed at improving community relations and continuing Northern Ireland's journey towards a more united and reconciled society.

I welcome the initiative taken by the First Minister, Peter Robinson, and the Deputy First Minister, Martin McGuinness. This initiative did not involve the two Governments. This in itself was a positive signal that the political parties were trying to address the outstanding contentious issues. Naturally, as the two Governments were not party to the negotiations, our position has been one of support for the parties rather than to oppose or endorse any specific proposal.

Dr. Haass and Dr. O'Sullivan started work in September 2013 with the objective of concluding agreement by the end of the year. They undertook an ambitious programme of work between September and November, including an extensive process of consultation with the wider society. We have followed the discussions of the past few months closely, including through contact with the parties and the British Government. I met Dr. Haass in Dublin on 31 October, and together with the Tánaiste on 12 December, to discuss each of the issues that he had been asked to address by the Northern Ireland Executive. I assured Dr. Haass that he and his team had the full support of my Government in their work and in helping to move the peace process forward.

I spoke with the British Prime Minister, Mr. Cameron, about the Haass talks on a number of occasions, including on 19 December when we were both in Flanders to pay our respects to the men who died in the First World War. We attended the December European Council later that day. I discussed the outcome of the talks with the Prime Minister in a telephone conversation on New Year's Eve. In addition, there was ongoing close contact at official level in Belfast and London throughout the process.

The US Administration also maintained close interest in the talks. I had a meeting with US Vice President Joe Biden during my visit to Japan. At that meeting we spoke about a range of issues including a brief discussion about Northern Ireland and the Haass talks. More generally, there has also been ongoing contact at official level with the US Administration in Washington.

In November, when in Armagh, I spoke to the Northern Ireland First Minister, Mr. Robinson, and the Deputy First Minister, Mr. McGuinness, about the Haass process. They were also in Japan in December and our visits briefly overlapped in Tokyo. I was pleased that they were able to join me at a reception hosted by the Irish Embassy in Tokyo. We did not have a substantive meeting on that occasion so an opportunity to discuss the Haass talks did not arise in Tokyo.

The final stage of talks was an intensive political phase in the run-up to Christmas and between Christmas and the new year. During this phase the Tánaiste spoke to and met all the parties, with Dr. Haass and with the Secretary of State for Northern Ireland, on a number of oc-

casions. The Tánaiste was also in Belfast for the final period of talks during which he was also in close contact with Dr. Haass and Dr. O'Sullivan.

The Government's view is that the overriding objective of the follow up to the Haass talks must be to make further progress towards a more reconciled and prosperous society in Northern Ireland. While acknowledging that the issues to be addressed in the talks were difficult and contentious, I welcome that progress was made within the talks process over a short period on a number of the most difficult issues facing society in Northern Ireland today. The Haass proposals provide a basis for taking work forward on the contentious issues of parades, flags and the past.

Now is a time for the political parties in Northern Ireland to show leadership and in this context. I welcome that the five political parties in the Executive are meeting today to discuss proposals and outcomes on the specific issues to be resolved, with further meetings planned over the coming weeks. The Government stands ready to work with the Northern Ireland Executive and with the British Government, to support further efforts to achieve greater peace and the common goal of building a united community in Northern Ireland.

I met relatives of the disappeared in July 2013. Following immediately after that meeting and since then, I have publicly called on anyone with information about any of the cases of the disappeared to make it available in confidence to the Independent Commission for the Location of Victims' Remains. I have not had any detailed discussion on the subject with the British Prime Minister, Mr. Cameron, the Northern Ireland First Minister, Mr. Robinson, or the Deputy First Minister, Mr. McGuinness, recently nor was the subject discussed at the last North-South Ministerial Council plenary meeting or the British-Irish Council summit.

4 o'clock

As Deputies may be aware, a series of Dáil debates on Northern Ireland are planned to take place in the coming weeks starting on 5 February. I expect that the issue of the disappeared will feature in one of those debates. I am due to meet the families of the Ballymurphy victims and political representatives this Thursday in Government Buildings.

In regard to the Pat Finucane case, the Government's position continues to be that the British Government should fulfil the commitments entered into at Weston Park, as we have recently done with the publication of the Smithwick tribunal report. In line with this approach, we continue to call on the British Government for an independent public inquiry into the murder of Pat Finucane. This is an approach which has cross-party support in the Houses of the Oireachtas. As the British Prime Minister, Mr. Cameron, was not at the British-Irish Council Summit in Jersey, there was no opportunity to speak with him on that occasion about the Haass talks or the Finucane case. The Government remains firmly committed to ensuring the full and effective implementation of the Good Friday and St. Andrews Agreements.

In regard to the St. Andrews Agreement review, and as I already outlined to Deputies last week in the Chamber, we agreed at the last North-South Ministerial Council plenary meeting in November that Ministers will now examine priorities at sectoral meetings, especially as they may affect economic recovery, job creation, the best use of public funds and the most effective delivery of public services. Both the Government and the Northern Ireland Executive are keen to ensure that a preliminary package of new priorities will be ready for discussion at the next North-South Ministerial Council plenary meeting in June 2014.

An Ceann Comhairle: As the Deputy with the first question is not present, I will move on to Deputy Joe Higgins.

Deputy Joe Higgins: I want to ask the Taoiseach about an alternative take on the Haass talks. Dr. Haass, in his previous life, was a key adviser to George Bush Sr. The Taoiseach might remember they launched the criminal Gulf War. He was also a key adviser to Secretary of State Colin Powell, who was one of the key architects of the criminal invasion of Iraq, and was the one who did a lying dossier about weapons of mass destruction which did not exist. Does the Taoiseach agree that the Irish and British Governments relying on an individual with this track record to bring peace to the North shows complete bankruptcy on their behalf in front of the critical issues affecting people, in particular working class and young people, in the Northern Ireland?

Does the Taoiseach agree that the experience of the past year or two years, with the flags situation and other sectarian tensions, vindicates the view that the structures in the North, the Assembly and the Executive, merely, as we said back in 1997, institutionalise sectarian divisions rather than assist overcoming them? Is it not clear that political parties in the North, which rely on sectarian divisions for their support will not bridge those divisions in any sense?

The programme of austerity and cuts dictated by the British Government, implemented by the Northern Ireland Executive and backed by the Taoiseach's Government, which is carrying out the same policies here, create further sectarian pressure with the type of poverty, joblessness and pressure on services in which they result and create conditions where sectarian divisions and alienation foster which, in turn, give rise to many of the ugly scene we have witnessed.

The vast majority of ordinary people in the North are opposed to sectarian strife and there is no way they will tolerate going back to the bad old days of paramilitarism and sectarian killings. If there is to be a lasting solution, it is outside the framework the Irish and the British Governments offer and it should be based on Protestant and Catholic working class people crossing the sectarian divide and uniting behind their real interests, namely, a decent future, jobs, homes and a future for young people, rather than the type of short-term approaches evident in the policies of the British and Irish Governments.

The Taoiseach: As I indicated in my reply, Dr. Haass and Dr. O'Sullivan were not invited by the Irish Government or the British Government but by the First Minister and the Deputy First Minister in Northern Ireland. As I pointed out, it was not a case of the governments being in charge of these discussions. This initiative was taken by the Executive, the First Minister and Deputy First Minister. I supported inviting Dr. Haass and Dr. O'Sullivan to Northern Ireland to see if they could break the logjam and provide new initiatives in respect of flags, parades and the past. Considerable progress was made in a number of areas of those three issues. The Deputy said this demonstrated bankruptcy on the part of the Irish and British Governments but this was a case where the governments were supportive of the initiative taken by the Executive in inviting Dr. Haass.

The Deputy spoke about the Northern Ireland Executive and the Assembly. After very long deliberations and with the involvement of Senator George Mitchell as a central figure in brokering the Good Friday Agreement, the people of Northern Ireland have voted on a number occasions for the elected representatives to the Executive. The division of responsibility is then allocated on the d'Hondt system, as the Deputy will be aware. Nobody wants to go back to sectarian violence, which we all condemn unreservedly. I fully agree with the Deputy on that.

Under the special programme for European funding, three major proposals were withdrawn for a various reasons. The first was a €2 million allocation for the provision of facilities for museums, the second was the €20 million development at the former Maze Prison and the third was the €13 million for the Narrow Water Bridge across from the Cooley Peninsula. While those moneys were not allocated due to particular circumstances, we will have to look for alternative projects on which money can be spent.

In regard to the travels of the First Minister and Deputy First Minister in attempting to improve the reputation and integrity of the economy in Northern Ireland, we invited personnel from Northern Ireland to participate in the whole programme of the EU Presidency from January to June last year, so that colleagues in Northern Ireland would be fully acquainted with what was happening. When the Northern Ireland First Minister and Deputy First Minister went to China, we put the vast connections of our then ambassador at their disposal to encourage them to make the best possible contacts with commercial and financial interests in China. The same happened in Tokyo.

At the cross-Border meetings, I am very happy with the level of co-operation and co-ordination between Ministers from here and from Northern Ireland on the different sectoral areas in which they work where there are implications for Northern Ireland, whether in finance, transport, education or jobs. We work very closely with our colleagues there.

I am completely opposed to sectarian strife but in these particular talks, the initiative was taken by the Northern Ireland Executive to invite Dr. Haass and Dr. O'Sullivan over here. Both governments, as co-guarantors of the Good Friday Agreement, were very happy to be supportive of the invitation, the talks and the progress that was made. We need to take it from there to see what further progress can be made. That is why I am glad to note that arrangements have been made for meetings among the parties over the coming weeks. Any assistance that we can give them from here and any assistance that can be made available from the British Government will certainly be supportive of the efforts the parties are making. I share the view expressed by Deputy Higgins that nobody wants to see a return to the ugly scenes of violence and the sectarian images we saw in the past.

Deputy Gerry Adams: I thank the Taoiseach for his earlier answer. I welcome his assurance that there will be a series of Dáil debates about the North and about issues arising from the conflict. We need to look at how we order our business in here. We deal with the North in an *ad hoc* way, usually as a result of some crisis or some other difficulty in the political or the peace process. That is not the best way to proceed. Citizens in this State expect a consistent overview and involvement of the Government and the Oireachtas in these matters. Just as importantly, citizens in the North expect the same sort of attention. As I have said to the Taoiseach previously, I want the issues of the past to be dealt with in a rational, reasoned, considered and informed way. I also want to see the future discussed. I want to see us breaking out of what can only be characterised as free-statism or partitionism. The Good Friday Agreement is an all-Ireland agreement and an international agreement. We need to look at how we can get greater co-operation and build future relationships on the basis of equality with everyone who lives on the island. I am able enough to withstand whatever jibes or insults-----

An Ceann Comhairle: Perhaps the Deputy could put some questions in accordance with what is on the Order Paper.

Deputy Gerry Adams: I am responding to what the Taoiseach said.

28 January 2014

An Ceann Comhairle: Deputies do not respond during Question Time. This is not a series of statements; it is Question Time. We have a series of questions in the Deputy's name before us. With respect, he should put some supplementary questions to the Taoiseach.

Deputy Gerry Adams: All right. I thank the Ceann Comhairle for his advice on this matter. Will I have leave to come at each of my 14 questions separately?

An Ceann Comhairle: Certainly. The Deputy is entitled to put his supplementary questions.

Deputy Gerry Adams: Okay. I want to make the point that time needs to be dedicated to all of these matters on a regular basis. I look forward to that.

I am probably the only Deputy in the House who was involved in the Haass talks. I spent the Christmas break, apart from Christmas Day, engaged in that process. I want to take issue with what Deputy Higgins said. Sinn Féin is vigorously opposed to many aspects of US foreign policy, including the awful adventures associated with the wars in Iraq and Afghanistan. I have to say that Dr. Haass and Professor O'Sullivan did a good job. They brought forward proposals which reflected what all of the parties had said during the discussions. It is crucially important that the Government is robust and clear on the need for all of those proposals to be implemented in full. They are not up for renegotiation. My view is that the Government here should encourage the parties in the North. Of course that should happen, but the Government's big challenge is to encourage the British Government, which does not want progressive change. The Unionist parties want to dilute, to protract, to delay and to diminish the potential for change. That will remain the case until the British Government gives them little or no option. This Government's job is to ensure the British Government faces its obligations. The British Government has been very qualified in its endorsement of the Haass proposals. I refer to statements made by the British Prime Minister in London and by the British Secretary of State. I welcome the remark by the Tánaiste on the Haass proposals, particularly his recognition of the urgent need for progress and his commitment that the issues involved should not be allowed to drift.

I would like to refer to some of the other issues the Taoiseach dealt with in his reply. The case of Pat Finucane has been outstanding for a very long time. The British Government has shown a brass neck in its refusal to fulfil the obligation it entered into with the Irish Government of the day as part of the Weston Park Agreement. The Taoiseach's meeting with the Ballymurphy families was a very good development. I thank him for meeting them. They have launched a new initiative, which seeks "the appointment of an independent panel to examine all documents relating to the context, circumstances and aftermath of the deaths of their loved ones". I want to make it clear that there is no dispute about the fact that these citizens were killed. There was no crossfire and no armed groups were active. They were killed by the Parachute Regiment, which then went on into Derry and killed people on Bloody Sunday and then came back to Ballymurphy and into the Springhill Estate and killed more people there. They were under the direct responsibility of a man called Frank Kitson, who was the commander of the British army's 39th brigade. I raise this because he was also responsible for the counter-insurgency strategy, under which "counter gangs", as they were called, were actively recruited and directed by British armed forces.

Anne Cadwallader, who works for the Pat Finucane Centre, has just published a book, *Lethal Allies: Britain's Dirty War in Ireland* which is based on a forensic examination of all the RUC reports of the time. She has not found new evidence, as all of this evidence was in the

public record and in police files. She has discovered that over a five-year period in the 1970s, state forces in the North - the British forces - killed 120 citizens. I have read the book, which is compelling reading. The figure I have mentioned includes those killed in this State - two people killed in a bomb attack in Dundalk and others killed in Dublin and Monaghan. I would like to think that the Taoiseach should meet this woman and listen to her case. Her book relates to a small region in the North and is confined to a five-year period. I ask Deputies to imagine what might be found if a similar investigation were to cover Belfast and other places. One of the reasons the British Government does not want to deal with the past is its involvement in killings such as this.

I offer those suggestions to the Taoiseach in a fraternal and positive way. Many people are hurting. The outstanding issues in the Good Friday Agreement include the rights of Irish language speakers - an issue with which the Taoiseach is very conversant - as well as cultural and identity issues and the legacy of the past. I would like to conclude by repeating a question I asked earlier. When was the last time an Irish Government forensically went through these matters with the British Government? It is worth pointing out, without being in any way superior about this, that the British Government might need to be educated on them. Mr. Cameron was not the Prime Minister when these events took place. He was probably at school. It did not happen on his watch. I put it to the Taoiseach that this Government has a responsibility to educate the British Government on these issues, to get it to engage on the basis of agreements that have been made by successive Governments and to look to the future on the basis of equality.

The Taoiseach: The Deputy has made a number of valid points. I do not object to having reasonably regular discussions on Northern Ireland, but it is really a matter for the Whips. I agree that such discussions tend to take place when an incident happens or an issue arises and it is raised here by means of Priority Question. It would be preferable if we were to have regular debates on Northern Ireland when there is nothing other than normal activity to comment on. That is probably not possible given the kinds of circumstances that apply. I am amenable to more regular discussions, debates and conversations about Northern Ireland in the context of our interests and responsibilities as a co-guarantor. That is an issue I am happy to accept. I look forward to meeting the people from Ballymurphy. As I have said to Deputy Adams on many previous occasions, we had arranged this on a number of occasions and for whatever reason they were not able to attend, but that is beside the point. The meeting will take place on Thursday and I will be happy to engage with them and hear their stories. If they have any propositions to make, I will also be happy to hear them. In the meetings I have had with the different groups from different sides, it is an emotional tap in many ways. There is a feeling that they need to talk about these things, and if the job I hold has any impact on that, in letting them come to the Head of Government, I am very happy to engage and listen to them to hear what they have to say. If there is an issue we can address, that is fair enough. I met the author the Deputy mentioned on a number of occasions many years ago. I would be happy to talk to her again about the forensic analysis she has carried out. I am quite sure that the personnel, both in respect of the Government here and the British Government, obviously, have access to details of the issues that happened many years ago.

I agree with the Deputy in what he said about Dr. Haass and Professor O'Sullivan. It is a difficult time in many ways with the urgency towards the end of the year and given the nature of the issues that existed. From my earlier meeting with Dr. Haass and from comments made to me by people in Northern Ireland, the issue of the flags was probably the most difficult one they tried to deal with. They proposed having a commission on identity, culture and tradition and to

hold discussions throughout Northern Ireland. I agree they made a very genuine attempt and while they thought it might be finished before Christmas, they came back and tried to conclude before the end of 2013. From that point of view I genuinely hope that the meetings that are arranged between the parties will be genuine and take place with the purpose of moving on from the elements of the Haass talks that were agreed. Clearly there are a number of issues where there was not agreement and it may not be easy to get agreement. Neither the Government here nor the British Government can impose solutions on the parties in Northern Ireland. This was their initiative and we support it, but we cannot go up there, as the Deputy is well aware, and tell them what they have to do. All we can do is encourage them to explore and discuss the issues that are currently intractable and see if we can move that forward. The Deputy has been aware of this over the years on very difficult and sensitive discussions.

From that point of view, as I have said publicly and in conversations with the British Prime Minister, both Governments are very supportive of it. However, Deputy Adams knows that at the end of the day one cannot impose what might be deemed to be a solution on the parties up there. We will continue to engage and continue to demonstrate genuine interest in movement that will bring about greater cohesion in society up there and also improve the general economic strength of the Northern Ireland economy through investment in jobs, which is how to address the future. I share the Deputy's view. It is very important that we look at the question of future development in Northern Ireland. Clearly Ministers here have responsibility for cross-Border issues and that is of continued importance to us. That is why we have been engaged with the Northern Ireland authorities about the possibility of their changing their corporation tax rate to something closer to ours. That is a matter for the British Chancellor of the Exchequer. We have the issues of the development in Derry, which is very commendable, and the assistance we have been able to give in that regard.

In that sense on these issues from the past - parades, flags and emblems, Dr. Haass and Professor O'Sullivan made a genuine attempt but it did not get through, and not for the first time. We should start from where agreement was reached and see what can be agreed on those three areas for the future. We would be very supportive of that. If in the course of the coming months propositions that are worthy of following through on come to me or the Tánaiste, we would be very happy to engage further.

Deputy Seán Ó Feargháil: I believe we are taking approximately 13 questions together. The Taoiseach started by paying tribute to the Northern Ireland First Minister and Deputy First Minister on their initiative in commencing the Haass process in May. Does he agree that such initiation indicates the significant progress that has been made by the Assembly in the Six Counties? However, the failure to date to conclude the agreement indicates that the sort of progress we all want to see has not yet been achieved. Does the Taoiseach agree that the work done by Professor Meghan O'Sullivan and Dr. Haass was very substantial in nature? I am conscious they got to the seventh draft of their paper and made substantive proposals, including that two bodies would be formed to replace the parades commission, the work of the Historic Enquiries Team could be continued by a new unit which would be established with the investigative powers of the PSNI, and the formation of an independent commission for information retrieval. Does the Taoiseach agree that they were all very substantive proposals that the Government on this side of the Border could support enthusiastically? They called for everyone, who had information from the many years of the conflict, to come forward and give information. That process of coming forward and giving information would be beneficial.

The Taoiseach has said that the Government stands ready. When we look back over the

past 16 years, we see that progress has been made, but the most significant progress has been made when the Government and British Government became involved directly. I appreciate a certain reticence on the Taoiseach's part. I agree with the desire for the parties there to resolve the problem. However, we marched up the hill in the run-up to Christmas and then up to New Year's Eve, and public expectations, both north and south of the Border, were raised enormously that substantial progress could be made. That progress was not achieved is potentially damaging to the morale of all those involved, to the political parties and to the community in the Six Counties.

Does the Taoiseach agree that it might have been a mistake to adopt a hands-off or arm's length approach to the situation? I say that notwithstanding my acceptance of the engagement the Taoiseach had with the British Prime Minister, Mr. David Cameron, MP, and the Secretary of State for Northern Ireland, Ms Theresa Villiers, MP, and the work being done by the Tánaiste. However, the sort of direct face-to-face involvement that we have been used to in the past was not a feature of these negotiations. In the context of the Taoiseach saying that the Government stands ready, at what point will that readiness require the Taoiseach and the Government to become directly involved in the process?

Deputy Adams has rightly raised the issue of some more organised structured periodic discussions on Northern Ireland issues. We have the North-South bodies, the British-Irish Council and various other elements flowing from the Good Friday Agreement. However, there is none the less a desire on the part of parliamentarians and on the part of very many interested parties, north and south of the Border, to see all elements of the Good Friday Agreement implemented. Would it be useful for the Taoiseach to take up Deputy Adams' proposition and have quarterly discussions on the situation in the Six Counties in this Chamber? The Taoiseach has said that very often they would be about normal issues. Would he agree with me that we can all be grateful that we have lived to see the day, and reached the point, where much of the discussion about the Six Counties is about routine issues? Would he agree too that huge benefit could accrue to populations north and south of the Border if there were more active engagement on and discussion of the bread and butter issues, economic and social affairs? Would the Taoiseach give us a commitment that we could do that on at least a quarterly basis?

The Taoiseach: My point is that we would like to have debates here in which all there is to talk about are normal, routine issues that we would discuss in any event. We have North-South structures: the North-South Inter-Parliamentary Association, chaired by the Ceann Comhairle and the Speaker of the Northern Ireland Assembly and the Oireachtas Joint Committee on the Implementation of the Good Friday Agreement. I am not sure how often it meets. I will not object to Deputy Adams's suggestion, as followed by Deputy Ó Feargháil, that there be a quarterly reflection on issues regarding Northern Ireland. We could, I suppose, have it on the basis of different sectors of the economy, cross-Border involvement in the agri-sector, jobs or whatever else. I will discuss that with the Chief Whip but I will not object to it. I need to speak to the members of the Oireachtas Joint Committee on the Implementation of the Good Friday Agreement about the possibility of regular discussions but Members might prefer to have the discussion here in the House.

I agree with Deputy Ó Feargháil that significant progress has been made over the years. When between the 1970s and the 1990s Governments required face-to-face engagement, Northern Ireland was ruled directly by the House of Commons, with a Secretary of State appointed by the British Prime Minister. Now, after the Good Friday Agreement, there is a directly elected assembly. We should never forget that and we intend never to go back on it. The people of

Northern Ireland vote for it. A very specific method of making appointments and allocating responsibility was followed through with the d'Hondt system, based on the criteria set out for seats and votes required by the parties.

The Deputy's question about when it is time for involvement here is a constant, but I would not in any way denigrate or attempt to do down the initiative taken by the Northern Ireland First Minister and Deputy First Minister in inviting Dr. Haass and Dr. O'Sullivan to see if they could propose any further suggestions on the issues. They did, as the Deputy knows. They proposed devolving authority from the Parades Commission to the Government in Belfast, and provided for the establishment of a new office for parades, select commemorations and related protests, which would receive event notifications and promote dialogue and mediation. They proposed that the authority for public adjudication would in some cases set aside conditions on a relatively small number that require particular consideration. A seven member panel, led by a qualified legal person, would take the decisions and all the affected parties could pursue an internal review, and a judicial review, if they wished. They included principles in that for a new code to be enshrined in the law. On flags and emblems, they proposed the establishment of a committee on identity, culture and tradition to hold public discussions throughout the North. In contending with the past they called for the establishment of a comprehensive mental trauma service. This is something I came across when I met the people from east Fermanagh, Enniskillen, and the group of survivors of the Kingsmill massacre. I have no doubt that some connections of the Ballymurphy people are in the same situation.

There was also a proposal to establish a historical investigations unit with the full investigative powers of the Police Service of Northern Ireland, PSNI, to take over the cases that the Historic Enquiries Team is following through and the Police Ombudsman of Northern Ireland historic unit. Where the evidence would warrant or require the investigation, the unit would refer cases to the Public Prosecution Service. That and the independent commission for information retrieval, ICIR, were the main propositions to come out of the process. It is important to note that the ICIR would not provide for amnesty for those who came forward with particular information about the conflict. It would provide that those who might come forward would have limited immunity to be known as "inadmissibility", for statements. In other words, if person X said, "I know who carried out that particular incident" or whatever else, the ICIR would not provide amnesty or immunity-----

Deputy Seán Ó Fearghail: We might need that in our own banking inquiry.

The Taoiseach: Exactly. The issue would be "inadmissibility" for statements.

They came here, consulted widely, made a very determined effort, got the parties together and met intensively on many occasions in a short period and came back after Christmas. It may not have worked but I commend them on the efforts they made and I commend the parties on their engagement. It is unfulfilled and incomplete. If the two Governments were to impose themselves on Northern Ireland, there would again be a perception of failure of the Executive. I do not accept that at all. There is an answer to every problem and there is a solution to the intractability currently in the way here but it requires movement and discussion. While one party might think it is very good, others would have a different view. I see this around the European table every time I go there. There are 27 or 28 different views of an issue and the question is how far it is possible to move a compromise that is effective and practicable.

The overriding ambition of this House is to see a Northern Ireland that is running strongly,

with a clear economy, where there is peace on the streets but also the opportunity to deal with legacy issues of the past. While Dr. Haass and Dr. O'Sullivan made a great effort, we have to continue with this. Did anybody expect that they would reach a full conclusion? People we spoke to said it would be very difficult. Dr. Haass and Dr. O'Sullivan recognised that but made a determined effort and gave of their best. It is not concluded so we have to continue. The two Governments, to judge by the comments of the British Prime Minister, will be very supportive but we do not want to go up to Stormont and say, "We are taking over here, this is the way you do it". We have to encourage the people and their supporters, take into account these sensitivities and see can we move it another little bit. This is a continuous process. The citizens of Northern Ireland deserve to see that the two Governments, as co-guarantors of the Good Friday Agreement, will keep that interest very much alive. For our part we will. Deputy Ó Fearghail's suggestions and those of Deputy Adams are helpful.

Deputy Gerry Adams: In the interests of keeping one another informed, I wish to contradict flatly something the Taoiseach said. The British Government is not supportive of these proposals. The Taoiseach needs to be very clear about this.

The Taoiseach: It is supportive of the process and the engagement.

Deputy Gerry Adams: I am not suggesting that the British Government wants to see the situation slipping backwards or any of the rest of it. Of course it does not. If the Taoiseach wants an example of the British Government's behaviour in those issues over which it has complete control, he has only to consider the flag. It is a British flag. It is the Union flag. Arguably, the British Government could have authority over that. The Pat Finucane inquiry is an inquiry which the British Government agreed to set up and which the British Government is blocking. The refusal of the British Government to co-operate comes despite two Oireachtas motions on the Dublin and Monaghan bombings.

If we then come to why these particular talks did not get through, substantial progress was made, although it might not have been thought there would be republican or Sinn Féin support for a process of information recovery, which is very important. Fine Gael is very fond, as are Labour and Fianna Fáil, of sniping snidely at Sinn Féin around incidents in the past. Here, Sinn Féin is saying, "Yes, we will co-operate with this and we will work with this".

Why did the Unionists not agree to that? Unionists did not agree to that because a society called the Royal Ulster Constabulary George Cross Foundation, which is made up of former RUC officers, lobbied them extensively in the course of all of those talks - the leaderships of the DUP and UUP told us this. They do not want the light shone on the type of activities in which the old RUC was involved, which is why the British Government has to face up to these matters. They were also lobbied extensively by the Orange Order, apart from the fact some of the people in the talks were from the Orange Order. In the Belfast context, they were also led by a small sectarian group coming from an alliance of the Orange Order and the UVF, which put on the pressure. They would not agree to a simple code of conduct which would be binding upon everyone organising a parade or a protest, they would not agree on a commission on identity to discuss Irishness and *Acht na Gaeilge* is not even mentioned in the communique which came out of those discussions.

Why am I saying all of this? It is not to score points. I agree with the Taoiseach entirely that the Government, Fianna Fáil and all of the parties here should be sewn into the fabric of life in the North, in a non-threatening way that is neighbourly and fraternal. That is my very strong

28 January 2014

view. It is also my view that the majority of people in the North, including Unionists, want to see continued progress. They do not want the antics we see in Belfast city centre, with people wrapping themselves in union flags, engaging in sectarian remarks, urinating outside churches and tormenting people because they happen to be from the Catholic religion. The majority of people do not want that.

My argument, and I come back to this again and again, is that if Deputy Enda Kenny does nothing in his term or terms as Taoiseach except educate and inform, it would be something. The British Government and others in Britain are open to ideas and suggestions. However, if I forensically interviewed the Taoiseach about how often this is being placed on their agenda at Executive level, I believe we would all be disappointed because he is doing so many things and is busy with so many issues. The way to get unionism to move is to get a British Government to enter into its obligations and to fulfil those obligations.

My last point, which is a point in kind, is one I made to the Taoiseach at the time. I said the Narrow Water bridge would happen if he made it happen, and he did not. I know there are costs and so on, but it will not be any cheaper the next time around and this issue will not go away. It is an issue that did not involve the British Government. It was a clear-----

An Ceann Comhairle: Sorry, Deputy. We are dealing with Question Time.

Deputy Gerry Adams: The Taoiseach mentioned the Narrow Water in his response to my earlier question.

What is the mantra coming from me today? Without appearing to lecture or to preach, it is that the Government is a sovereign government, or what passes for sovereign in these days, facing up to a British Government, and it needs to get it to fulfil all of its obligations. One of the things I have always found about the British, no matter whether one agrees or disagrees with them, is that they act on what they perceive to be their own national interest all of the time. We need to do the same thing. We need to understand the national interest is the entire island, including the Unionists. They are the people with whom we want to make peace. They are one of our great traditions - the orange is one of our great traditions and one of our national colours. I commend that approach to the Taoiseach. I thank him for his positive response to the request to have more formal and regular debates on these matters.

The Taoiseach: I think we can do that. When I was speaking to the British Prime Minister, Mr. Cameron, his Government was very supportive of the initiative taken by the Northern Ireland First Minister, Mr. Robinson, and the Deputy First Minister, Mr. McGuinness. We can argue about the fact that it was inconclusive and about what we support do not support. I share the Deputy's view in this regard. As I said when we had the EU Presidency, when we offer any facilities or connections we have to the Executive, the Assembly and their members when they go abroad to deal with issues of Northern Ireland, that is replicated in a way by the fact that, next week or the week after, the Minister, Deputy Bruton, will be on a trade mission to Singapore which is a tripartite trade mission with Northern Ireland and the British Government. This goes back to the facilities Britain always had through its reach in the Commonwealth, with better access to embassies, consuls and all of that in terms of trade. That is another manifestation of the progress made, and if it means investment and jobs, so much the better.

When the Deputy talks about informing, educating and bringing forward ideas, these are all relevant issues. Is it not from constant engagement, constant discussion and constant interac-

tion that a breakthrough, an understanding, a trust or a solidity can actually happen, and that what appeared completely intractable in the beginning might actually begin to move through the consistency of demonstrating that what one is about is not domination but opportunity for development? Clearly, on the Unionist side there are some differences of opinion, as expressed publicly in the last period. That does not take from the fact the Haass-O'Sullivan talks were inconclusive in the sense that they were not able to conclude and agree a final agreement. I think that is where we have to play our part. Perhaps when we are in a position to put down a quarterly review process on the issues that arise in Northern Ireland across the sector, ideas from Fianna Fáil, Sinn Féin, an Independent grouping or otherwise can be followed through at the North-South Ministerial Council, the parliamentary association or the sectoral meetings that take place with Ministers. If the citizens in Northern Ireland see a genuine interest from here and a genuine willingness to help the people and, hence, the economy, that builds a sense of trust. By that, I am speaking of developments in health, cross-Border trade, energy, education, transport and so on. These are all issues where we can visibly demonstrate that we are genuinely interested in their welfare and well-being and, therefore, in the welfare of their families for the future.

They have been here before. For years, there was a process where it was said, "I am not going to give all of the information we have about Finucane". I wish that would happen. We have differences of opinion about this and I raise it every time I have the opportunity to meet the British Prime Minister. I do not know what information is out there that is not forthcoming. However, clearly, we have had a strong difference of opinion about the necessity to have a public inquiry, arising from Smithwick, to which the Government here at the time agreed, which has now been presented and which will be debated here in the House in the next number of weeks. I know of comments made by three former members who have given an analysis of what they consider the Smithwick tribunal was actually about. I share the opinions of Deputies Ó Feargháil and Adams in this regard. This is a case where one must prove one's seriousness and genuineness in the sense of engagement with communities, the authorities, the Executive and the members to show we are serious about it. As the Deputy says, so much goes on in the normal week of politics here that it is hard to devote blocks of time to do these things, as one might wish. Delegation of responsibility, the Ministers and Ministers of State and different agencies are issues at hand.

When I was at the last North-South Ministerial Council in Armagh, I met the chief executives of the different agencies. A great deal of work is ongoing in the cultural and traditional area and in the development of the canal process. All these things are very worthy of perhaps more interest than we have shown in the past. Is that not another example of co-operation that shows people that we are serious about trying to assist the restoration and building of a strong society and good economy in the North? Behind it all, people still live with their history and how geography and history have determined their personalities and views. That is an area on which we need to keep focusing. Regardless of whether we agree or disagree, it is important there is the capacity to engage and interact and we will continue to do that.

Deputy Seán Ó Feargháil: I thank the Taoiseach for his response. Perhaps my call for greater participation by the governments was lacking in clarity. While taking on board everything the Taoiseach said to us and accepting that all of the participants - the British Prime Minister, the British Government and the Secretary of State, Theresa Villiers - were enthusiastic about the process involved in the Haass-O'Sullivan work, the difficulty, as always, is that the devil was in the detail. When the process was concluded, we did not have anything like

the same level of enthusiasm from the British authorities and the Secretary of State. What we are saying to the Taoiseach today is that there comes a point when it becomes incumbent on the Government to become a persuader. We all accept that the Taoiseach enjoys a very good relationship with Prime Minister Cameron and I can see from what he telling us that he sees a number of these problems being worked out as part of the ongoing engagement that he and his Ministers have with the British Prime Minister and his Ministers. However, there comes a point where the casual or routine engagement that may happen is not sufficient. There will come a point in respect of this issue where it must be seen that the Taoiseach and his Ministers are using their influence to persuade the British Government to become a persuader of the Unionist community because the issues are so vital. Were the participants in this a little idealistic in setting the very short time-frame for trying to seek a solution to the issues?

The Taoiseach: There is always a point where one could say that we need to take another step here. If one recalls the journey the people of Northern Ireland came through and all the difficulties over very many years, one can see that at the end of the day it required people to sit down to discuss, negotiate and get help and co-operation in putting a structure together under which the people of Northern Ireland could vote, have voted, will vote again and will elect their representatives. It is a different system to that which applied in previous years where everything was taken by one group. It is now spread because of the D'Hondt system, which was agreed to be very particular for the situation that applies in Northern Ireland. I would be loath to do anything that would in any way diminish that potential. It is important that the Secretary of State and the British Prime Minister know we are interested and beyond that, we can demonstrate our interest by working with them to devise a way forward. It is not as simple as suggesting that one can tell people what they should do. No more than any of these other intractable problems, it requires a lot of discussion.

Deputy Ó Feargháil asked me whether I as Taoiseach could have a deeper engagement with the British Prime Minister. That is why the preparatory work is always done by senior civil servants who meet on a regular basis so that we get to a point where we can define what we consider might be a valid suggestion, for example, with regard to engaging with the parties. What I am saying here other than that I am willing to engage with the House on that basis? We will work with the parties here and in Northern Ireland and will be supportive of the process. We might not always get agreement but if we can take small steps in a number of different areas, it can build trust and understanding on the part of the citizens of Northern Ireland that we are serious about helping them to develop the economy and create a good infrastructure and opportunities for jobs and investment as a consequence.

Written Answers follow Adjournment.

Order of Business

The Taoiseach: It is proposed to take No. 13, motion re Standing Orders 90, 97A, 97B, 97C, 99, 107A, 107B, 107C, 107D, 107E, 107F, 107G and 107H; and No. 1, European Parliament Elections (Amendment) Bill 2013 [*Seanad*] - Second Stage.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 9 p.m. tonight and shall adjourn on the adjournment of Private Members' business, which shall be No. 137, motion re Health Service Executive, and shall be taken on the conclusion of No. 13 or at 7.30 p.m., whichever is the later, and adjourn after 90 minutes, if not previously concluded; the proceedings on No. 13 shall, if not previously concluded, be brought to a conclusion at

7.30 p.m. tonight and the following arrangements shall apply: the opening speech of a Minister or Minister of State, Deputy Emmet Stagg, and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order and who may share their time, shall not exceed five minutes in each case, the speech of each other Member called upon shall not exceed five minutes in each case and such Members may share time and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; and the following arrangements shall apply in respect of No. 1: the opening speech of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order, shall not exceed 15 minutes in each case and such Members may share their time, the speech of each other Member called upon, who may share their time, shall not exceed ten minutes, and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes.

The following business shall be taken tomorrow after Oral Questions: No. 14, motion re freedom of information, and No. 5, Industrial Development (Forfás Dissolution) Bill 2013 - Order for Second Stage and Second Stage. The proceedings in respect of the motion re freedom of information shall, if not previously concluded, be brought to a conclusion after 25 minutes and the following arrangements shall apply: the opening speech of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order and who may share their time, shall not exceed five minutes in each case, and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes.

An Ceann Comhairle: There are four proposals to put to the House. Is the proposal for the late sitting agreed? Agreed. Is the proposal for dealing with No. 13 agreed? Agreed. Is the proposal for dealing with No. 1 agreed? Agreed. Is the proposal for dealing with No. 14 agreed?

Deputy Billy Kelleher: Are we agreeing tomorrow's Order of Business?

An Ceann Comhairle: That is because of the business before the Order of Business tomorrow.

Deputy Billy Kelleher: So the Industrial Development (Forfás Dissolution) Bill is the morning's business?

An Ceann Comhairle: After the motion re freedom of information.

Deputy Billy Kelleher: Replacing the debate on the Health Service Executive.

An Ceann Comhairle: Yes.

Deputy Billy Kelleher: So we are deciding that now?

5 o'clock

The Taoiseach: Yes.

Deputy Billy Kelleher: We wish to oppose the taking of that business. According to the Order of Business, the following business shall be taken tomorrow-----

An Ceann Comhairle: No. The question is whether the proposal for dealing with No. 14,

28 January 2014

motion re freedom of information, be taken tomorrow is agreed to. We are discussing the arrangements.

Deputy Billy Kelleher: The arrangement is to have the debate tomorrow.

An Ceann Comhairle: Yes, but the motion states, "...freedom of Information shall, if not previously concluded, be brought to a conclusion after 25 minutes", etc.

The Taoiseach: If I might help the Deputy-----

An Ceann Comhairle: Tomorrow, we will start with Question Time at 9.30 a.m. The Order of Business will not be until later in the day. Between the end of Question Time and the Order of Business tomorrow, there will be a filler of business. For this reason, we must order it today. That is what we are doing now.

The Taoiseach: It is also that a motion takes precedence over statements. That is why it has to be put that way.

An Ceann Comhairle: Is that all right?

The Taoiseach: Fianna Fáil, the Deputy's party, had a motion in on health. We had the statements on health issued for tomorrow. So, its motion takes precedence over the statements and that is why it has to be done this way.

Deputy Seán Ó Fearghail: With respect, when the Whips met last week, we discussed the business for the week, which was to include statements on the HSE service plan. However, when Fianna Fáil subsequently tabled a Private Members' motion, as was our right, on health, the Government moved to remove the statements from the Order Paper that had been agreed. This is the point that Deputy Kelleher is making. It has now been replaced by the Industrial Development (Forfás Dissolution) Bill. That is certainly not in keeping with the discussion that we had at the Whips' meeting.

An Ceann Comhairle: I am sorry, but we are discussing the taking of the motion re freedom of information after parliamentary questions at 9.30 a.m.

Deputy Billy Kelleher: Yes, but we are also discussing-----

An Ceann Comhairle: The Order of Business will be taken in the normal way tomorrow after that. This is only to give notice that this is the business after Question Time tomorrow, as there would otherwise be no Order of Business to order anything.

The Taoiseach: When the Whips' meeting took place last Wednesday, it was agreed that Fianna Fáil would have the HSE statements tomorrow. The Deputy's party is entitled to, and did, submit a Private Members' motion on Friday that was also on a health issue.

Deputy Billy Kelleher: Yes.

The Taoiseach: The health Private Members' motion takes precedence over the statements. That is why it was moved. No other reason.

Deputy Billy Kelleher: We will need to debate this and call a division at some stage, be it today or tomorrow.

An Ceann Comhairle: We will not debate it now. This is purely for arrangement purposes. If the Deputy does not agree to it, I must put the question.

Deputy Billy Kelleher: Rather than divide the House-----

An Ceann Comhairle: I am sorry, but the Deputy is not entitled to debate this. Only parties that have an objection to the taking of something may.

Deputy Billy Kelleher: I have an objection to the taking of the Industrial Development (Forfás Dissolution) Bill.

Deputy Emmet Stagg: That will be tomorrow's Order of Business.

An Ceann Comhairle: The question is on the proposal for dealing with the motion re freedom of information. It is not about the industrial Bill.

Deputy Billy Kelleher: No motion will move the industrial Bill this evening.

An Ceann Comhairle: No. I am putting to the House the question on whether the proposal for dealing with the motion re freedom of information is agreed.

Deputy Billy Kelleher: That is fine. We have no problem with that.

An Ceann Comhairle: This is because it will be taken after Question Time. Is the proposal for dealing with No. 14 agreed to? Agreed.

Deputy Michael Healy-Rae: White smoke.

Deputy Seán Ó Fearghail: As the Taoiseach is aware, the European Court of Human Rights, ECHR, this morning announced its decision in favour of Ms Louise O'Keeffe, who believed that the State was liable for sexual abuse that she suffered while a pupil of Dunderrow primary school in 1973. We are all aware that these matters were considered by the High Court and Supreme Court, which dismissed her claim that the State was liable. Today's ruling will have significant implications for other victims of abuse in Irish schools. Apparently, there are approximately 135 cases pending. Will the Government apologise to Ms O'Keeffe for her dreadful experiences? Does the Taoiseach intend to introduce legislation to address the issues that arise out of the O'Keeffe finding?

During this weekend, we read of the intention of Mr. Justice Peter Kelly of the Commercial Court to retire mid-year before the pension changes are introduced. It has been widely reported that we may expect a greater exodus from the Bench in the near future. Has the Government planned for this mass exodus of expertise from the High Court-----

An Ceann Comhairle: That is not a matter for the Order of Business.

Deputy Seán Ó Fearghail: -----or will there be further delays for people and businesses who were due to have their cases considered? Will legislation be required to address the issues arising from these matters?

An Ceann Comhairle: Is there promised legislation?

The Taoiseach: No. On the latter matter, clearly-----

An Ceann Comhairle: I am sorry. I think Deputy Adams wishes to speak on the same

matter.

The Taoiseach: Gabh mo leithscéal.

Deputy Gerry Adams: Tá ceist agam maidir le reachtaíocht atá forógartha, the criminal law (sexual offences) Bill. I wish to raise the case of Ms O’Keeffe, in respect of whom judgment was passed finding that the State was liable for the sexual abuse that she suffered. This has significant implications for the State. The Government is on record as intending to enact legislation to strengthen the rights of victims and their families, to ensure that victims and their needs are at the heart of the justice process and that rights to information, advice and other appropriate assistance are met effectively and efficiently. In the case of Ms O’Keeffe, the Government, or at least the State, opposed every single approach she took-----

An Ceann Comhairle: I am sorry, but we cannot debate the issue.

Deputy Gerry Adams: That was under the previous Government, not the Taoiseach’s. When will the criminal law (sexual offences) Bill be introduced? Will it deal with issues such as this one? Will the State apologise to Ms O’Keeffe for what she had to go through?

The Taoiseach: Louise O’Keeffe should never have been subjected to this abuse. This was another example of the horrific regime and sort of environment that children and young people lived in. Her case today clearly indicates the scale of that historical abuse and the failures and inaction to protect children. The ECHR found this morning in Louise O’Keeffe’s favour under Articles 3 and 13 of the convention on human rights and she was awarded damages, along with costs. This judgment runs to 82 pages and will clearly require detailed consideration by the Government.

I might say for Members that, clearly, the protection of children is absolutely a priority for the Government. That is why a dedicated Department of Children and Youth Affairs was set up. That is why a referendum was held on children’s rights. That is why changing the way the State supports child and family services is not an option - only a major transformation of child protection will do.

For the information of Deputies, all schools are required to adhere to the child protection procedures, which give direction and guidance to school authorities and school personnel in the implementation of Children First when dealing with allegations or suspicions of child abuse. All primary schools fully implement the Stay Safe programme, which plays a valuable role in helping children develop the skills necessary so that they can recognise and resist abuse and potentially abusive situations.

Along with the Minister, Deputy Fitzgerald, I will officially launch the Child and Family Agency this Thursday. It will be the first agency dedicated to supporting our children and families and to promoting the development, welfare and protection of our children. The Minister, Deputy Fitzgerald, published the updated Children First guidelines and led a national effort to improve awareness of the need to report child protection concerns. That led to a major increase in reports, up by a third on 2011, to 40,000 referrals in 2012. She has published the heads of the Children First legislation. The revised Bill will be published in March. The legislation will place obligations on professionals and organisations to report suspected child protection concerns, to share information and to engage in interagency and multidisciplinary work.

Finally, the Minister for Justice and Equality has also commenced the Criminal Justice

(Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012. It is now the responsibility of every member of society to protect and to defend the vulnerable from this most serious of crimes. No longer will it be acceptable that ignorance or secrecy on the part of those with knowledge of criminal offences can protect those who perpetrate such crimes.

In answer to Deputy Adams's specific question on the criminal law (sexual offences) Bill, the heads of that were cleared last October and it is proceeding through the process. It will be later this year before it is published and enacted.

Deputy Michael Healy-Rae: Many young couples are waiting for the Bill to be passed by this House as it will enable them to purchase their local authority homes.

An Ceann Comhairle: Which Bill are you talking about?

Deputy Michael Healy-Rae: There is legislation promised which will allow young couples to purchase their homes which are owned by local authorities. We have been promised this Bill for a long time.

The Taoiseach: The heads of that Bill were cleared in December and it will be published in this session. We have seen incidents of this before, where young couples were able to purchase their homes that originally belonged to councils.

Deputy Pearse Doherty: Tá ceist agam ar thrí phíosa reachtaíochta atá forógartha agus tá ar an liosta a d'fhoilsigh Roinn an Taoisigh ag tús na míosa seo. The first piece of legislation is the NTMA (amendment) (No. 2) Bill, which is to enable management by the State Claims Agency to claim for third party legal costs, arising from tribunals and commissions of inquiry. When is that Bill expected to come before this House for debate?

The Taoiseach: This session.

Deputy Pearse Doherty: Is that next month or the month after?

The Taoiseach: I do not know. I would not want to lead the Deputy astray. The Bill is in the final stages of being drafted. It will be debated this session. I will provide the Deputy with an update when we know when it will be on paper.

Deputy Pearse Doherty: I appreciate that. The second piece of legislation is the amendment of the Constitution Bill. This is in section C of the list of legislation and it is about a constitutional referendum promised by the Government on the unified patent court. The Minister of State, Deputy Sherlock, said that referendum would take place in 2014. We see the legislation is in section C. Is it intended that the referendum will take place in 2014, as per last year's commitment? Will it be in the first half or the second half of the year?

The Taoiseach: There is no intention of having a referendum in 2014. I made that clear before. The Government will give consideration to the referendums it will hold in 2015. This legislation is at heads of the Bill stage, but there is no intention to hold a referendum in 2014.

Deputy Pearse Doherty: That will mean that this cannot be fully ratified until 2015, which will have implications for other European member states, as well as implications for the business sector, but that is a different debate.

The last piece is No.93, which introduces legislation to cater for the sale of loan books by regulated financial institutions to unregulated financial institutions. Is this a typographical error? It states in the list that the Bill is not expected for publication until 2015. The words “horse”, “stable”, “door” and “bolted” come to mind. These loan books are being sold as we speak by regulated financial institutions to unregulated financial institutions, and people are seriously worried about that. I hope that the Government has plans at least to publish this legislation during this session.

The Taoiseach: It is not listed for publication until next year, as the Deputy is aware. There were 61 contenders for publication in this session. There used to be three sessions in the Dáil year, but there are now just two. There are 41 Bills in the list and it is pretty crammed as it is. The work is ongoing in that area. The Deputy is right in that sales are taking place, but at the moment it is listed for next year.

Deputy Ray Butler: When is publication expected of the greyhound industry (amendment) Bill to amend and extend the Greyhound Industry Act 1958 and the Greyhound Industry (Amendment) Act 1993 and related matters? An Irish group has submitted a plan to bring Wimbledon Greyhound Stadium in London up to a world standard.

An Ceann Comhairle: That is good, we are all pleased about that.

Deputy Ray Butler: We would like to back this venture as the Irish taxpayer owns Wimbledon Greyhound Stadium.

An Ceann Comhairle: Thank you for the backing.

The Taoiseach: That dog has been whistled back a few times in the past. He is still running, so we will have to see what priority has been accorded to it by the Department of Agriculture, Food and the Marine. No date has been listed for it.

Deputy Billy Kelleher: I have gone through the legislative programme for the spring and summer of 2014, and in view of the huge criticism of the establishment of NAMA prior to the election of 2011, I can find no impending legislation to amend NAMA or abolish NAMA. Is it omitted by accident or by design? Is there any intention to bring forward amending legislation?

The Taoiseach: The Minister for Finance has made his views known on the way that NAMA is now performing, and the changes that have been brought about. It is not listed for any other legislative proposal. He is happy with the way it is moving.

Deputy Billy Kelleher: He is happy with it now.

Deputy Catherine Murphy: Given the importance of genealogical tourism, when will the civil registration (amendment) Bill come before the House? When is it likely to go through all Stages? It is critical if we are to have census substitutes for the 19th century searchable online and the absence of this legislation is an impediment to that.

The Taoiseach: It is on the A list. It is being drafted. I can give the Deputy an update on the stage of its development.

Deputy Bernard J. Durkan: There is increasing evidence of a housing crisis in the eastern region in both the private and public sector, where many families are now being split up and being relocated with relatives. Some of are actually homeless, some are moving from relative to

relative on a daily basis, and some have nowhere to go. There is an increasing number of people registering with us with whom we have no contact address. In view of this, might it be possible to have a debate on the housing issue before the housing (miscellaneous provisions) Bill comes before the House? At the moment it is impossible to acquire a home to rent or a home to buy anywhere in the eastern region.

An Ceann Comhairle: We cannot have a debate on that now.

Deputy Bernard J. Durkan: In the absence of the debate now, could we have it in the future?

As an afterthought, I would like to inquire about the current location of my old friend, the bail Bill.

The Taoiseach: Much progress has been made on the drafting of the heads of the bail Bill. That progress has been made since the Deputy last raised it. There should be no problem, with the exception of time, in having a discussion on housing. The Deputy raised this before, as did other Deputies. I have called on one of the Cabinet subcommittees dealing with this to put together a group that can concentrate on how we might deal with the issue of NAMA land banks, planning permissions that are issued and that are pending, and so on. The construction sector has a responsibility here as well. We can have a debate on this in the House before the Bill is published.

Deputy Peter Fitzpatrick: The criminal justice (victims' rights) Bill is supposed to strengthen the rights of victims of crime and their families and to give effect to a proposed EU directive. When is that due?

The Taoiseach: There is no date for the publication of that Bill yet. I will follow up on it for the Deputy.

Deputy Peter Mathews: The closure, by liquidation, of Mount Carmel Hospital means that jobseeker's benefit to 328 staff will amount to €4 million per year, and once-off redundancy payments from the social fund will amount to €8 million, while the VAT and PAYE lost as a result of the closure of the hospital will amount to €7 million. That is an annual loss of €11 million, a once-off loss of €8 million, leading to a total of €19 million in the first year----

An Ceann Comhairle: That sounds like a Topical Issue matter.

Deputy Peter Mathews: I understand that the reason NAMA refused the offer was a €2 million shortfall in its target price of €6 million for the assets of the hospital, given that €4 million was offered. It seems we need a debate on that.

An Ceann Comhairle: I suggest the Deputy puts it down for a Topical Issue matter and I will seriously consider it.

Deputy Paul Kehoe: The Deputy will have to provide the right figures.

Deputy Peter Mathews: It is the correct figure.

28 January 2014

Censorship of Publications Board Repeal Bill 2013: Second Stage (Resumed)

An Ceann Comhairle: A division was challenged last Friday on the question that the Censorship of Publications Board Repeal Bill 2013 be read a Second Time. In accordance with an order of the Dáil of 24 January 2014, that division must be taken now.

Question put: “That the Bill be now read a Second Time.”

<i>The Dáil divided: Tá, 30; Níl, 71.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Adams, Gerry.</i>	<i>Breen, Pat.</i>
<i>Boyd Barrett, Richard.</i>	<i>Burton, Joan.</i>
<i>Broughan, Thomas P.</i>	<i>Butler, Ray.</i>
<i>Collins, Joan.</i>	<i>Buttimer, Jerry.</i>
<i>Colreavy, Michael.</i>	<i>Byrne, Catherine.</i>
<i>Cowen, Barry.</i>	<i>Byrne, Eric.</i>
<i>Crowe, Seán.</i>	<i>Cannon, Ciarán.</i>
<i>Doherty, Pearse.</i>	<i>Carey, Joe.</i>
<i>Ferris, Martin.</i>	<i>Coffey, Paudie.</i>
<i>Grealish, Noel.</i>	<i>Conaghan, Michael.</i>
<i>Halligan, John.</i>	<i>Conlan, Seán.</i>
<i>Healy, Seamus.</i>	<i>Conway, Ciara.</i>
<i>Healy-Rae, Michael.</i>	<i>Corcoran Kennedy, Marcella.</i>
<i>Keaveney, Colm.</i>	<i>Costello, Joe.</i>
<i>Kelleher, Billy.</i>	<i>Creed, Michael.</i>
<i>Kitt, Michael P.</i>	<i>Daly, Jim.</i>
<i>Mac Lochlainn, Pádraig.</i>	<i>Deenihan, Jimmy.</i>
<i>McGrath, Finian.</i>	<i>Deering, Pat.</i>
<i>McLellan, Sandra.</i>	<i>Doherty, Regina.</i>
<i>Mathews, Peter.</i>	<i>Donohoe, Paschal.</i>
<i>Murphy, Catherine.</i>	<i>Doyle, Andrew.</i>
<i>Ó Fearghail, Seán.</i>	<i>Durkan, Bernard J.</i>
<i>Ó Snodaigh, Aengus.</i>	<i>English, Damien.</i>
<i>O'Brien, Jonathan.</i>	<i>Farrell, Alan.</i>
<i>O'Dea, Willie.</i>	<i>Feighan, Frank.</i>
<i>O'Sullivan, Maureen.</i>	<i>Fitzpatrick, Peter.</i>
<i>Pringle, Thomas.</i>	<i>Flanagan, Terence.</i>
<i>Smith, Brendan.</i>	<i>Gilmore, Eamon.</i>
<i>Stanley, Brian.</i>	<i>Griffin, Brendan.</i>
<i>Wallace, Mick.</i>	<i>Hannigan, Dominic.</i>
	<i>Harrington, Noel.</i>
	<i>Hayes, Brian.</i>
	<i>Hayes, Tom.</i>
	<i>Heydon, Martin.</i>

Dáil Éireann

	<i>Hogan, Phil.</i>
	<i>Howlin, Brendan.</i>
	<i>Humphreys, Heather.</i>
	<i>Kehoe, Paul.</i>
	<i>Kenny, Enda.</i>
	<i>Kenny, Seán.</i>
	<i>Kyne, Seán.</i>
	<i>Lawlor, Anthony.</i>
	<i>Lynch, Ciarán.</i>
	<i>Lynch, Kathleen.</i>
	<i>Lyons, John.</i>
	<i>McCarthy, Michael.</i>
	<i>McEntee, Helen.</i>
	<i>McGinley, Dinny.</i>
	<i>McLoughlin, Tony.</i>
	<i>Maloney, Eamonn.</i>
	<i>Mitchell O'Connor, Mary.</i>
	<i>Mulherin, Michelle.</i>
	<i>Naughten, Denis.</i>
	<i>Neville, Dan.</i>
	<i>Ó Ríordáin, Aodhán.</i>
	<i>O'Donovan, Patrick.</i>
	<i>O'Sullivan, Jan.</i>
	<i>Perry, John.</i>
	<i>Phelan, Ann.</i>
	<i>Phelan, John Paul.</i>
	<i>Quinn, Ruairí.</i>
	<i>Rabbitte, Pat.</i>
	<i>Ring, Michael.</i>
	<i>Ryan, Brendan.</i>
	<i>Spring, Arthur.</i>
	<i>Stagg, Emmet.</i>
	<i>Stanton, David.</i>
	<i>Tuffy, Joanna.</i>
	<i>Varadkar, Leo.</i>
	<i>Wall, Jack.</i>
	<i>White, Alex.</i>

Tellers: Tá, Deputies Seán Ó Feargháil and Colm Keaveney; Níl, Deputies Paul Kehoe and Emmet Stagg.

Question declared lost.

Topical Issue Debate

Hospital Accommodation Provision

Deputy Jerry Buttimer: I thank the Ceann Comhairle's Office for selecting for discussion this important issue regarding the development of special facilities at Cork University Hospital for people with cystic fibrosis. This has been possible because of the outstanding fund-raising efforts and dedication of those involved in Build4Life in raising the necessary capital investment required. While Build4Life has raised much of the required funding, the HSE and management of Cork University Hospital have worked with it to ensure the delivery of facilities for the benefit of patients with cystic fibrosis.

In the past few months, a disagreement has developed between Build4Life, the HSE and Cork University Hospital concerning the use of funding for the development of a unit in Ward 5B in Cork University Hospital and the ring-fencing of beds for patients with cystic fibrosis. The ward has 20 beds, a proportion of which are to be designated for patients with cystic fibrosis. Build4Life understood that these beds would be ring-fenced and used only by patients with cystic fibrosis. It now appears that this will not be the case. There is much confusion around this issue. I hope that as a consequence of my raising it here and with the involvement of the Minister of State, Deputy Lynch, the HSE and Build4Life this issue will be resolved.

The Minister of State will be aware that this unit was developed at a cost of approximately €2.3 million, which amount was raised by Build4Life. She will also be aware that the Minister for Health, through national lottery funding, contributed €300,000 over two years to Build4Life towards the cost of this project and that the site was prepared by Cork University Hospital at a cost of €250,000. Everybody has invested time, energy and money in getting this project to the stage where it would benefit patients. Patients must be at the centre of everything we do in the health system. It is important that the needs of patients with cystic fibrosis are paramount in resolving disagreements over bed allocation.

I take this opportunity to pay tribute to all involved with Build4Life who, since its establishment in 2007, have raised huge amounts of money and whose fund-raising efforts to develop life saving isolated inpatient and outpatient cystic fibrosis facilities in all hospitals throughout Ireland are ongoing. The organisation has thus far raised €3.4 million, which is a huge amount. I do not propose to outline at this point on what this money has been spent. It is important a resolution is found to this impasse and that the investment by Government, the HSE and Build4Life is brought to fruition, thereby delivering access to isolated beds and other facilities for patients with cystic fibrosis.

I have been in contact with the HSE and hospital management on this issue. I have also met with and discussed the issues with representatives of Build4Life. Families and patients with cystic fibrosis want to ensure the new facility is operated in a long-term manner that is feasible and viable. I acknowledge that there has been a huge amount of dialogue by a long list of people on this issue. While that dialogue is to be welcomed it is important the group that has raised the money for this project is included in any negotiations or discussions with the hospital. This is about the delivery of the best possible outcome for patients. I am sure everybody wants to ensure that these beds are opened, thereby improving the health care provided to patients

with cystic fibrosis.

Through the relationship of the three groups involved, namely, the HSE, Cork University Hospital and Build4Life, real benefits for people with cystic fibrosis have been delivered. While it is important that the disagreement in regard to the use of beds in the new facility is resolved, it is vital that this long-term relationship is maintained. It is essential there is open communication between all involved in regard to how best to use the new facilities at Cork University Hospital for the benefit of patients with cystic fibrosis and their families. A world-class facility has been developed. It is not in anybody's interest that it should not deliver the best outcomes for patients with CF. I look forward to hearing the response from the Minister of State, who I know has a great interest in this matter. It is important the result is an outcome that delivers not only for the patients and families but the hospital.

Minister of State at the Department of Health (Deputy Kathleen Lynch): I thank the Deputy for raising this matter. Cystic fibrosis is Ireland's most common life-threatening inherited disease. The Government is acutely aware of the challenges that people with cystic fibrosis, and their families, face in managing their condition and fully acknowledges the need for, and supports, the provision of dedicated accommodation in an environment which allows appropriate isolation for improved infection control. Given the need to avoid the exposure of CF patients to possible sources of infection, the aim is to minimise, wherever possible, the need to admit such patients to hospital and instead to provide treatment on an ambulatory day care basis as close as possible to home. A cystic fibrosis clinical programme has been established as one of the HSE's national clinical programmes. Its aim is to provide the framework to ensure patients with CF receive optimal care to preserve and enhance their quality of life as well as improve health outcomes and well-being.

I commend Build4Life on raising €2.3 million to fund the development of a CF unit in Cork University Hospital. It is a tremendous achievement and I am pleased we were in a position to support it through the provision of national lottery funding of €300,000. Cork University Hospital has an adult and a paediatric centre for patients with CF and caters for the clinical needs of almost 25% of the CF population in Ireland.

In October 2011 a cystic fibrosis outpatient facility was opened to provide dedicated facilities. The project was completed with the local philanthropic support of Build4Life. Without that support, it would have taken far longer to provide the facility. Cork University Hospital, CUH, and the HSE minor capital funding programme also contributed. Again, I am pleased we were able to allocate €200,000 from the national lottery building fund to Build4Life toward this project.

Other significant investments in services for people with cystic fibrosis in recent years include the dedicated CF unit in the new Nutley wing at St. Vincent's University Hospital, built at a cost of €29 million and opened in 2012; the development of a new purpose-built dedicated ambulatory outpatient facility at Beaumont Hospital for patients with CF; and the introduction of newborn screening for cystic fibrosis, launched in July 2011. Babies diagnosed through newborn screening have improved nutrition and lung function, fewer admissions to hospital, require fewer antibiotics and have improved survival. The new cystic fibrosis drug, Kalydeco, was made available in February 2013. It is estimated that approximately 120 patients will be suitable for treatment with the new drug. I know from personal experience that it has made a remarkable difference to people's lives.

28 January 2014

Other capital projects under way include a dedicated paediatric outpatient unit at University Hospital Galway, a day unit attached to the paediatric outpatient department at Mayo General Hospital and a unit in the Mid-Western Regional Hospital, Limerick.

The HSE and Build4Life are working together closely to resolve any issues to allow this service to commence as soon as possible. I assure the Deputy that the Government is fully committed to providing the best possible services for CF patients and we will continue to work with all stakeholders.

I call on the Deputy to allow the debate to finish at this stage. As he is probably aware, we are involved in a process in Cork that we hope will reach a conclusion shortly. I trust the process and its conclusion will ensure the CF unit will be built shortly and will provide all the necessary safeguards Build4Life has sought. The meetings are ongoing and we will have another meeting at the end of this week. They have been successful and constructive meetings and I would appreciate it if the process was allowed to continue.

Deputy Jerry Buttimer: I thank the Minister of State for her reply. Certainly I have no wish to add anything that would do anything to damage the resolution. I commend the Minister of State and I know she has been involved in the process. It is important we reach a resolution. In the interests of all concerned I wish to put on record that it is important that we reach a resolution. I thank the Minister of State for her reply.

Drainage Schemes Status

Deputy Michael P. Kitt: I am raising this matter not for the first time. I have raised the issue of flooding in Kiltiernan-Ballinderreen area in south Galway previously. The Jennings O'Donovan & Partners report was published in November 2010 and set out clearly a review of the south Galway flood study report. Progress has been disappointing. We had flooding there in 1995, which I remember in particular. We saw serious flooding there in 2009 when there was no access to houses or farms. One of the councillors in the area, Councillor Bridie Willers, said at a public meeting recently that she and her family had to leave her house for three months. Despite the fact that good work has been done by the Office of Public Works and Galway County Council, they have not yet tried to tackle the foremost issue facing the people, that is, the issue of trying to get the water out to the sea or to drain to the sea from Kiltiernan to Brandy Harbour.

I received a letter during the week from Councillor Michael Fahy. He was informed by the acting director of services in Galway County Council, Liam Gavin, of the position on 20 January. The letter stated:

I refer to the above Kiltiernan Ballinderreen drainage scheme and your letter concerning progress on this scheme. Galway County Council have had discussions with the OPW concerning this scheme. Galway County Council are currently revising the scheme with an intention of bringing the cost benefit ratio to a level acceptable to the Office of Public Works. The review will be completed in the coming weeks and will be submitted to the OPW for approval and funding.

If there is one term that really annoys people in south Galway more than anything else it is "cost-benefit analysis", because they have been hearing it for years. The other term they have been listening to is "consultants", and we have all heard about consultants in recent times.

If the Minister could give the go-ahead for the project, it would be welcome news. I saw the following headline in *The Connacht Tribune* last week: “Week of the storms from hell”. Naturally, it was referring to the damage done to our coast, which the Minister of State has seen for himself. However, in the case of the people of south Galway it is a good deal more than that. They suffered in 1995, 2009 and again in recent weeks. There is a reference in the newspaper to ten roads and up to ten houses threatened by the heavy rain that has fallen in recent times with the bad weather. One particular farmer, Mattie Hallinan, from Ballinderreen, is a member of the Galway flood project team. He described the situation as serious. He said ten roads were blocked and ten houses were under pressure. He further stated that now is the time to widen or clear the Ballinderreen-Kiltiernan water channel and bring it out to the sea to provide instant relief from flooding in the area. He said the water needs to get to the sea and that the work must start from the sea back.

I realise the Minister of State has been in south Galway. I can think of at least six Ministers who have been in south Galway. Every time hopes have been raised. Perhaps I will tell the Minister of State about some of the things that have happened when I have asked supplementary questions. For the moment, all I can say is that when the Minister of State gets the report from Galway County Council, I hope he looks on it favourably. The Minister of State has been looking at flood mitigation works and coastal protection. However, in this case we are dealing with people who have been waiting for years to have the water drained. We need to widen the channel and get the water out to the sea to relieve the flooding. These people have been cut off from their houses and livestock and they are rather concerned about the next fall of rain in south Galway.

Minister of State at the Department of Finance (Deputy Brian Hayes): I thank Deputy Kitt for raising this important issue. I confirm that I have been in discussions with the Minister of State at the Department of Education and Skills, Deputy Ciarán Cannon, about this issue for some time. As the Deputy knows, I have visited the area and I have seen the scale of the problem. I suspect one of the reasons my predecessors have also been there and seen the problem is that if we could have found an easy solution, we would have found it some years ago. We are conscious of the issues in the Kiltiernan-Ballinderreen area. In 1995 my Department funded €317,000 towards the cost of the scheme following requests from the flood action group. Payment was made to the trustees of the group in the period 1995 to 1997. It was a clear condition of the approved funding that responsibility for all aspects of the works, including ongoing maintenance, lay with the group.

Due to the history of flooding in the south Galway area and because of its particular geological features, such as karst limestone, the Office of Public Works commissioned a major flood study of the region in 1997. The study concluded that while a number of engineering solutions would alleviate some of the flooding problems in the area, none of the proposals was economically viable on the basis of a standard cost-benefit analysis. In addition, the environmental impacts of some of the proposals were unacceptable. As such, the OPW could not recommend proceeding with any of the proposals without further investigation.

Following the severe flood event in 2009, a south Galway steering committee comprising representatives of the OPW and Galway County Council, with which the office has a very good working relationship, was established to consider what mitigation works might be carried out in the area. A review of the south Galway flood study report was completed in 2011 and recommended both structural and non-structural proposals. Non-structural measures included planning controls, monitoring of flows at key locations, and refining the calibrations models.

28 January 2014

Structural proposals included engineering solutions at various locations in the area, including Kiltiernan and Ballinderreen. It was envisaged that if any works suggested by the review were found to be economically viable and environmentally acceptable, they would be taken forward with funding under the OPW's minor flood works scheme.

It is worth noting that under that scheme, approximately €1.5 million has been allocated to date to projects in the south Galway area out of total approved funding of more than €6 million for the whole of Galway city and county. In other words, very substantial funds have been put in place by this and the previous Government in recognition of the scale of the geological problem that exists in the region.

The scheme proposed by the consultants in respect of Kiltiernan-Ballinderreen was considered in detail by the OPW. It was found that it did not meet an essential criterion for funding from the scheme in that the benefit-to-cost ratio was significantly below the minimum threshold. Following appeals by Galway County Council and the Irish Farmers Association, the OPW reviewed the proposals and concluded there was significant doubt regarding the extent of the benefit that would accrue from the works. For example, some roads that were previously subject to flooding had been raised by the council. In addition, the OPW was of the view that due to the unique landscape and geology of the area and its designation as a special area of conservation, the proposals might not be acceptable on environmental grounds. At a meeting of the steering committee in late 2013, Galway County Council agreed to re-examine its position with a view to amending the proposals to address these issues.

I assure the Deputy that if an application for funding for revised flood mitigation proposals is submitted to the OPW, it will be given every consideration, having regard to the eligibility criteria applying to the scheme and the overall resources available to the OPW for flood mitigation measures.

Deputy Michael P. Kitt: I referred to the letter that was issued by Galway County Council on 20 January indicating that its review of the proposals will be completed in the coming weeks and thereafter submitted to the Office of Public Works for approval and funding. I hope the Minister of State will look favourably on the revised proposals. I will give him a copy of the letter, which is signed by Mr. Liam Gavin, acting director of roads and transportation, marine and general services at the council. It is important to note that this effort by Galway County Council is aimed specifically at ensuring the cost-benefit ratio is raised to a level acceptable to the OPW. Both the council and OPW are working well together and a great deal of good work has been done by both to deal with this problem. However, a great deal remains to be done in south Galway, as became clear at a well attended public meeting last Thursday in Ballinderreen.

The original scheme was constructed by landowners to relieve significant flooding at Kiltiernan national school, where not only the school building was at risk but also nearby houses, land and roads. The flooding was particularly bad in 1994 and 1995. One of the roads that benefited from the work undertaken at that time was the Castle Taylor Road. It became clear during the flooding in 2009, however, that the existing channels were no longer providing optimal benefit. In fact, the protections offered by the original scheme were eroding as the structures deteriorated.

There is an urgent need to maintain and improve the drainage scheme, as identified in the study undertaken by Jennings O'Donovan and in the Arup report. The revised proposals to be submitted by Galway County Council will address the cost-benefit issue. I could talk at length

about flooding issues throughout the county of Galway, but I am concentrating on the situation in the southern region because it has caused particular hardship for landowners, householders, schools and farmers. In many instances, for example, animals have been cut off from the rest of the farm. There is enough paperwork in place. It is time now for action.

Deputy Brian Hayes: As I said, the steering group is in place. A copy of the letter to which the Deputy referred was given to me earlier by the Minister of State, Deputy Ciarán Cannon, who informed me of the very serious concerns among people in the area. If and when we receive an application from Galway County Council under the minor works scheme, it will be considered on the basis of the existing criteria.

As I outlined, a very significant funding envelope, both from this Government and the Government of which Deputy Kitt was a member, has been committed in recent years to south Galway by way of the minor works scheme. That allocation had regard to the particular difficulties arising from the geology of the area. We need a solution that will work. Simply throwing money at the problem in the run-up to one election or another is of no use to residents of the area. It is a pretence of which people should be wary. We need a solution that is hydrologically and economically sound and delivers for people in the area. The promise of delivery is not enough. The very difficult terrain in this part of south Galway makes finding a solution more challenging. I had an opportunity to meet people in the area and I am aware of the effects of the flooding within the community.

We will continue to work with Galway County Council to address the problem. If the revised application meets the criteria and offers an effective solution, I and my colleagues will be to the fore in advancing a positive outcome. The ball is very much in the council's court at this stage and we are awaiting its revised proposals.

Waste Management

Deputy Brian Stanley: I thank the Minister, Deputy Phil Hogan, for coming to the House to address this important issue. The fire at the weekend at a waste recycling facility in Ballymount industrial estate in Dublin posed a major risk to people in the locality and across the south of the city. This incident underlines the need for stricter regulation of the waste collection industry and the storage and processing of that waste. It is timely that the Department's consultation on waste management is due to close this week. I will be making a submission as part of that process.

A question arises as to who is responsible for monitoring the operation of premises such as the Oxigen facility in Ballymount. It is a huge premises which seems now to have been an accident waiting to happen. Waste can be very dangerous if not stored properly. My understanding is that in the case of this facility, different types of combustible material were stored alongside each other. That matter must be examined.

6 o'clock

That matter must be examined.

Does the licence issued by the EPA in respect of this plant deal specifically with the risk of fire there and with the air pollution which might be caused when a fire occurs? What is the

position with regard to air quality in the locality at present? When the fire started, people were told to keep their windows and doors shut and remain inside. However, they want to know now whether it is safe to breathe the air in the vicinity. There is massive concern about this matter. The privatisation of waste collection, etc., has given rise to an industry that is almost unregulated. The companies which operate within that industry are building huge facilities. It is important, therefore, that assurances should be given that the industry will be properly regulated by the Department and the agencies with responsibility in this area, such as the EPA.

Deputy Seán Crowe: I am also deeply concerned about the impact this fire is having on my constituency and on the area that lies adjacent to it. The fire is also having a huge effect on local businesses. Part of the difficulty involved relates to the lack of information. People have been informed that the fire may continue to burn for another week. I visited the area last night and on a couple of occasions in recent days. People have been told to stay indoors. Keeping one's doors and windows closed and remaining inside will not stop noxious fumes from entering one's home. Should the employees of local businesses remain indoors and not go to work? A difficulty arises in this regard. There is also a difficulty in the context of road signs for traffic. People trying to enter the area have been turned away and a number of roads not in the immediate vicinity of the fire have been blocked off.

This fire should act as a wake-up call. I am concerned about the lack of regulation of a number of factories in the area. It was lucky that the fire started at the weekend. Forensics will reveal how it began. I am concerned with regard to who is responsible for monitoring activities at the factories. A huge number of factories in the area house noxious chemicals, flammable liquids, etc. There is a time bomb waiting to go off in this regard. We need to consider who is responsible for carrying out inspections at these facilities. I would appreciate it if the Minister could visit the area at some stage and discuss matters with local businesspeople. It is not possible for businesses to close down for a week and send their employees home. Major concerns have arisen about the impact this fire is going to have on people's health. It would be extremely helpful for people in the area if the necessary signs, etc., could be put in place.

Deputy Catherine Byrne: I thank the Minister for the Environment, Community and Local Government, Deputy Hogan, for coming before the House to deal with this extremely serious matter. What happened at the weekend in Ballymount industrial estate and surrounding areas highlights the dangers involved in storing any kind of toxic material near residential areas. People in Inchicore, where I live, Walkinstown, Ballyfermot and elsewhere could smell the fire. I am really happy that Dublin Fire Brigade took command and dealt with the fire extremely well. Members of the brigade are still present at the site as the fire continues to burn. I had occasion to visit St. James's Hospital last week and I was informed that 60% of people from the area who attend the accident and emergency department there have respiratory problems.

On the evening on which the fire began, people were asked to stay indoors. I spoke to a young family who were obliged to leave the area and go to stay in their parents' house as a result of the fact that the smell from the fire had permeated their own home. I am pleased that the Garda is going to conduct an investigation into the cause of the fire. However, I remain concerned about the storage toxic materials near residential areas and the possibility of further incidents occurring in the future. In the context, I ask the Minister to commission a review of all toxic waste storage plants licensed by the Environmental Protection Agency, EPA, and to reassess their suitability for dealing with such waste in close proximity to residential areas. I also ask the Minister to examine the regulation relating to the storage of toxic material in such plants. I accept that Oxigen has stated that such material has not been stored at its plant for some time.

If that is the case, I wonder where it is actually being stored. I ask the Minister to deal with this matter in a serious fashion and to review the EPA's system for issuing licences to these plants.

Deputy Joan Collins: I woke at approximately 7 a.m. on Saturday and I could smell the fumes from the fire. The smell was similar to what one would get if plastic or rubber were burned. I went downstairs to check that there was nothing wrong because I thought the house was on fire. I went back to bed and when I woke later, I heard the news that the Oxigen plant was on fire. Smoke from the fire spread to many surrounding areas, including Inchicore. It made people feel as if their eyes were burning and caused them to choke. People became concerned when they were informed of the need to keep their doors shut, cover their faces, etc. It was not possible to contact the EPA at the weekend. I tried to do so a number of times and was eventually successful yesterday morning. I spoke to a man named Niall - I do not recall his surname - who informed me that it is normal to issue a warning of this nature and that it did not relate to the specific type of waste kept at the plant. When I inquired as to the type waste dealt with at the plant, he said that details could be found on the licence relating to the plant. When I located the licence, I must admit that it was like trying to read gobbledegook. I could not understand what it said at all.

The difficulty is that members of the public do not know what is being housed in plants of this sort. Nor do they know the type of hazardous waste involved, the time limit relating to its retention, to where it is moved or how this is done. That is the problem with private waste companies. People who live in built-up areas adjacent to these waste plants have many concerns. There are huge questions with regard to the Thorntons plant in Ballyfermot. During the summer, there are swarms of flies in the area and the smell coming from the plant is dreadful. People do not want jobs to be lost. However, they want any toxic or hazardous materials removed from their areas. Plants should be established outside our cities for the purpose of housing this type of waste. It should not be kept in built-up areas for any period.

There is a need for a public report to be compiled on this matter. That report must be written in plain language and provide details on what was in the Oxigen plant at the time the fire began, on how long it had been there and on the potential damage its being burned could cause. Everything must be put out in the open and questions must arise as to whether the plant should be rebuilt in the area in question and used for the purpose for which it has been used up to now. Members of the public should have a say on what is built in the area. These are three matters on which the Minister is probably in a position to intervene and about which he can inform us.

Deputy Michael Conaghan: I have a number of concerns and questions I wish to raise with the Minister in respect of the fire which began on Saturday last at the Oxigen plant in Ballymount. On Saturday morning, the first thing people noticed was the odour coming from the fire. The smell was distinctly different from what one would normally associate with a fire. It caused people to choke, it blocked their noses and it caused nausea. Obviously, this was an indication that something serious was occurring. Later in the day, media reports indicated that there may have been toxins in the air as a result of the fire. This caused people distress and a number of them telephoned me as a result. I am trying to establish whether there were toxins in the air and whether there are any implications for the health of people who live and work in the surrounding area.

The buildings at the plant look very insubstantial. Did this contribute in any way to the intensity of the fire and the speed with which it spread? We have been informed that the bales of waste at the site were so tightly compacted that they were impervious to water and that this

delayed firefighters in bringing the fire under control. Are there rules relating to the baling of waste - I am sure there are - and where these adhered to? There have also been reports of asbestos being stored at the site. I am sure this is hardly permissible. Were there any practices, processes or procedures which led to this plant being the subject of the type of conflagration witnessed at the weekend? Did the EPA raise any concerns with Oxigen about the plant?

A rigorous review should be carried out of all waste plants. The Thorntons' facility has caused upset and concern and given rise to health issues for people in the Ballyfermot area. In the context of their proximity to population centres of this size, it may be time for the companies involved to close their plants and transfer operations to areas where the safety of workers, management, local residents, etc., can be guaranteed.

Deputy Barry Coven: As other speakers have said, the smoke that darkened the skies and shrouded Dublin in a toxic haze on Saturday terrified many local residents caught in the middle of it. The cause of the massive fire which consumed the Oxigen plant at Ballymount is as yet unknown, whether deliberate arson or otherwise. Residents and employees have suffered from the toxic fumes. The firefighters of the fire brigade are to be commended. It was sheer luck it was a damp and dirty January day which helped to keep the fire under control.

The EPA, Environmental Protection Agency, personnel were quickly on site to measure the environmental impact on the city. The toxic nature of the fire and the difficulties in keeping it in check, despite the weather conditions, underline the dangers presented by these types of facilities and emphasises the pressing need for enhanced security arrangements.

A number of issues need to be addressed in the aftermath of this fire. Local residents were trapped in their homes and it is crucial that the circumstances and cause of the fire is known. How effective was the response and what can be done to stop such a fire occurring? The plant had recently ceased receiving hazardous waste materials which would have made an unfortunate situation even worse.

I ask the Minister if the Department will ensure that a full investigation by the EPA is undertaken, including a review of the security procedures and safety checks to ensure that such an event is avoided in the future. Will an evaluation be carried out of the response to the fire such as the warning to the public? Was decisive action taken to protect the area? We must ensure that everything will be done as soon as possible to ensure the environment of the area is protected.

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I thank the Deputies for raising this important matter.

Last Saturday morning, at approximately 3 a.m., the Dublin fire service responded to an emergency call reporting a large fire at the Oxigen environmental waste facility in an industrial estate at Ballymount, Dublin. In coordination with An Garda Síochána, the Dublin fire service has been managing the incident since that time. The fire service has worked since early Saturday morning to bring the fire under control and at one point as many as 75 of its personnel were on the site. There was significant traffic disruption in the area as a result of the incident. A large plume of smoke hung over the area on Saturday and Sunday, although high winds over the weekend helped to disperse the plume somewhat.

The Environmental Protection Agency has been on site since early on Saturday. It is liaising closely with the fire service and has been monitoring air quality in the area. The EPA advised

anyone in the path of the plume to keep windows and doors closed. It also provided general health advice to adults and children with lung problems, adults with heart problems and older people in regard to outdoor activity in particular. The EPA continues to monitor the situation and is providing regular updates through the media and on Twitter. Once the situation on the site has been brought under full control, the EPA will take steps to commence a full investigation in the normal way. It is too early at this stage to say what was the exact cause of the fire. The Garda Síochána and the fire service will be moving to commence their own separate investigations into the circumstances of the incident.

Like other Deputies, I am very concerned about the fire and I am particularly concerned about the possible impact on residents in the area. I am also relieved that there have been no injuries reported and that all staff at the plant are safe and fully accounted for. Smoke is still rising from the affected area but I am pleased to report that the situation is significantly improved. Three units of the fire service remain at the scene and continue to work to bring the fire under control which they expect to complete within the next 24 hours. I commend the fire service, An Garda Síochána and the EPA on their work. This is a significant incident and the fire service very quickly mobilised considerable resources to tackle and contain the fire. The facility is licensed by the EPA to accept household and commercial dry recyclables, construction and demolition waste and hazardous waste. It is not yet known whether any hazardous waste was caught up in the fire, but I expect such issues to be addressed in the various investigations. I will report to the Deputies on the conclusion of those investigations and examine the criteria associated with storing toxic materials near residential areas.

Deputy Brian Stanley: I thank the Minister for his reply. I commend the emergency services on how they dealt with the fire. Such incidents must be prevented. It is not satisfactory that half the city was covered in black smoke. Businesses were forced to close and residents were exposed to toxic fumes.

I refer to similar facilities such as Thorntons Waste Disposal in Ballyfermot which is situated in a densely populated area whose residents are concerned. I ask for an examination of such plants because I question whether they should be located in such locations. Proper regulation of the industry is required. I ask the Government to take action as it has now been three years in power.

The investigation of this fire must also investigate the manner in which this material is stored and the mix of materials stored in close proximity to each other. Fire prevention measures must be examined. It is not good enough for a company to stack and store this material without having fire prevention measures in place. This fire has caused a significant problem for the local authority, the Garda Síochána, the residents and for employees. Good regulations must be in place to ensure the proper storage of this material.

Deputy Seán Crowe: It is hoped that lessons have been learned as a result of this fire. Other speakers referred to the number of other such facilities in this area and other parts of the city and country. Who regulates and monitors these plants to ensure they are in compliance with Irish and EU law? I ask whether the local authority or the EPA is responsible for carrying out an audit of such facilities.

This fire happened at a weekend which allowed the emergency services to get to the location quickly. Belgard road fire station is a major incident centre for the three surrounding counties. I am concerned about the lack of resources available to the Belgard fire station. I am concerned

about some circumstances in which a fire could wipe out half my constituency. Lessons need to be learned and an audit must be carried out without delay.

Deputy Catherine Byrne: I thank the Minister for his reply. I hope the review will commence soon. I am glad that no one was injured in the fire. I ask the review to include information on the numbers of local people who required medical attention because of breathing difficulties. I spoke to people who said the smoke had affected them.

I note that asbestos was being stored at the facility. I am concerned about the effects of melting asbestos which is highly toxic. I am pleased the Minister of State will carry out a review to consider the location of such plants in residential areas.

Deputy Joan Collins: What is required is a speedy review and report on the implications of this fire. We need to know how the fire started and what was being stored in the plant. The EPA is the licensing authority. It knows what could have been stored in the plant. Many of these plants have been in place for many years when the regulation of waste disposal was non-existent. Any report should set out in plain language what the plant contained. I was told there could be asbestos there but I am not sure. The report must be in plain language and there must be a public debate on how close these plants are to built-up areas and on the possibility of setting up a plant which could take this toxic waste, including chemicals.

Deputy Michael Conaghan: There is talk of wind borne toxicity. We need to establish if that is the case and the long, medium or short-term effects on the health of people. The character of the smoke was completely different from any kind of smoke people experienced from fires in the past. The health issue is very important. This industry seems to have a very fast and loose attitude to regulations. I mention Thorntons in Ballyfermot, and I am not saying Oxigen is exactly the same. Any accommodation with the rules and the law has to be dragged out of it. These plants sit in the middle of a community and every year there are odours, smells, noise and dirt. This industry needs to be reviewed from the top down. It is not fit to be situated in residential areas. Its history so far has been irresponsible to the point of reckless. It is time the Minister, who is very well able to wield the big stick, cleaned up this industry and moved it to places where danger is avoided. There is also the question of incineration. I thank the Minister for his response and am sure he will act on the matter.

Deputy Barry Cowen: I thank the Minister for his response and join him in paying tribute to the emergency services on the manner in which they responded to the fire and on the work they continue to do. I am glad there will be investigations by the Garda, the fire service and the Environmental Protection Agency. Will the Minister come back to us with the results of those investigations? Thankfully, major injuries and death were avoided in this incident but, as Deputy Crowe said, if there are lessons to be learned, recommendations should emanate from any such reports which might allow the Minister to amend legislation, if required, to guarantee absolute safety for all those who live in the vicinity of these plants and to ensure nothing like this happens again and, more important, there is not the opportunity for anything like this to happen again. I mentioned the Garda and the fire service in the context of security adjacent to the site. If the EPA recommends alterations to the regulatory process and if that means amendment of legislation, the Minister should be committed to doing that.

Deputy Phil Hogan: I assure all Deputies that this matter is being treated extremely seriously by my Department. It is the least we could do considering the scale of the incident and how businesses and residences were so badly affected. I assure Deputy Crowe lessons will be

learned from the investigations being carried out. I do not have all the answers for the Deputies. I suppose that is to be expected. Otherwise we would not need any investigations. I will ask the EPA, the fire service and the Garda Síochána to initiate their own investigations into the fire, including the cause, as soon as possible once the fire is under control.

The treatment and management of waste is subject to a registration and permitting system in the local authorities and they are licensed by the EPA. This particular facility is licensed by the EPA, so it would have had to have gone through a permitting and registration system. The primary purpose of the permitting and licensing system is to facilitate the type of controls on waste facilities, which Deputies are anxious to see, and on what activities go on in those particular plants to ensure we have consistent and good waste management practice and high standards of environmental protection. As Deputies Stanley, Collins and Conaghan said, there is an opportunity in the context of the review of waste legislation to look at the enforcement regime we have around these particular facilities. I will undertake to look at that in the context of a new waste management policy in Ireland which, as was pointed out earlier, is the subject of consultation. I will ask the Department to ensure all matters raised by the Deputies are part of the investigation. The concerns genuinely raised on behalf of their communities will be reflected in the terms of reference of the investigations which are about to be commenced.

I will also examine the permitting and licensing system we have in regard to our waste management facilities. I share the concerns I hear anecdotally, which Deputy Conaghan mentioned, about people being less than strict in terms of adherence to the appropriate regulations in the waste industry. I hope we will be able to bring them into a new regime as soon as possible and ensure there is confidence in the permitting and licensing system we have and that there is safety for all.

I made financial support available to Belgard station in 2012. It was modest due to the times in which we are. New appliances were provided and improvements were carried out. One hopes, if resources permit, that we will be able to do a bit more in the future.

Standing Orders: Motion

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

That, notwithstanding anything in Standing Orders, the following amendments be made to the Standing Orders of Dáil Éireann relative to Public Business:

(a) Replacement of Chairman of the Inquiry Committee

In Standing Order 90, the insertion of the following paragraph after paragraph (3):

‘(4) Where the Chairman of a Committee which is conducting a Part 2 inquiry ceases to be a member of that Committee, the Dáil shall, by Resolution, appoint a Chairman from amongst the remaining Committee members.’;

(b) Perception of bias

By the adoption of the following additional Standing Orders:

‘Perception of bias – responsibility of member

97A. (1) If a member is a member of a Committee which is conducting or which

is to conduct a Part 2 inquiry, or is appointed to a Committee which is conducting or which is to conduct a Part 2 inquiry, and that member is aware of anything in his or her own behalf which might lead to a perception of bias arising in a reasonable person in relation to that member's participation in that inquiry, then that member shall recuse himself or herself from participating in that inquiry.

(2) A member may apply to the Committee on Procedure and Privileges for an opinion as to whether a perception of bias might arise in a reasonable person in relation to that member's participation in a Part 2 inquiry. The opinion sought shall result in a motion in relation to whether that member shall be a member of the inquiry Committee, in accordance with Standing Order 97C(4).

(3) In these Standing Orders, where reference is made to a perception of bias which might arise in a reasonable person, this means a perception of bias which might arise in relation to—

(a) a member's connection or dealings with any matter the subject of a Part 2 inquiry, where that connection or those dealings might lead to a perception of bias in a reasonable person;

(b) a member's utterances on the matter or matters the subject of the inquiry;
or

(c) any other relevant circumstances.

Removal from inquiry Committee in relation to perception of bias

97B. Where a member has recused himself or herself from a Part 2 inquiry, on the grounds that a perception of bias might arise in a reasonable person in relation to that member's participation in the inquiry, the Dáil shall resolve, as soon as is practicable, that the member be removed from the inquiry Committee.

Procedures re. perception of bias

97C. (1)(a) Any person may make a submission to the Committee on Procedure and Privileges claiming that a perception of bias might arise in a reasonable person in relation to a member appointed to take part in a Part 2 inquiry. Such submission shall be in writing and shall include evidence in support of the claim.

Provided that where the submission does not fulfil these conditions, the Committee on Procedure and Privileges shall inform the person of such, and afford them the opportunity to make the submission in the correct manner.

(b) The Committee on Procedure and Privileges shall, as soon as is practicable, consider the submission under paragraph (a), and give the member in question the opportunity to make a submission to the Committee in defence of his or her position, in such form as the Committee sees fit.

(2)(a) A member who seeks an opinion under Standing Order 97A(2) on whether a perception of bias might arise in a reasonable person in relation to that member's participation in a Part 2 inquiry, shall make the request to the Committee on Procedure and Privileges in writing, with a reason or reasons why the opinion is being

sought.

(b) The Committee on Procedure and Privileges shall, as soon as is practicable, consider the opinions sought under paragraph (a).

(3) Where the Committee on Procedure and Privileges has considered either a submission under paragraph (1), or an opinion sought under paragraph (2), it shall, as soon as is practicable, and if the member in question has not recused himself or herself from the Part 2 inquiry, make a report in relation to the participation of the member in the Part 2 inquiry, with a recommendation that, on balance—

(a) a perception of bias might arise in a reasonable person in relation to the member, or

(b) a perception of bias might not arise in a reasonable person in relation to the member.

(4) As soon as is practicable after its adoption of a report under paragraph (3), the Committee on Procedure and Privileges shall lay such report before the Dáil, and shall nominate one of its members to table a motion, as soon as is practicable, which—

(a) takes note of the recommendation in the report, and

(b) proposes that either—

(i) the member in question be confirmed as a member of the inquiry Committee, or

(ii) the member in question be removed from the inquiry Committee.

(5) The Dáil shall consider the motion under paragraph (4) as soon as is practicable.’;

(c) Committee on Procedure and Privileges

In Standing Order 99—

(a) the insertion of the following subparagraphs after paragraph (1)(c):

‘(d) receive a relevant proposal from a Committee which proposes to conduct a Part 2 inquiry,

(e) from time to time consider and issue such guidelines as it considers appropriate in relation to—

(i) Part 2 inquiries, and

(ii) other Committee business where a power to send for persons, papers and records has been conferred,

in accordance with sections 19 and 79 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, and

28 January 2014

(f) as part of its responsibility for overseeing procedure in Committees, consider matters relating to perception of bias in respect of a Part 2 inquiry, for the purpose of preserving the integrity of the Part 2 inquiry as it is being conducted by the inquiry Committee.’,

(b) the insertion of the following subparagraph after paragraph (2)(e):

‘(f) power to give consent in writing to the giving of a direction or directions in relation to persons, papers and records for Committee business, other than Part 2 inquiries.’,

and

(c) the deletion of paragraph (4);

and

(d) Part 2 inquiries

By the adoption of the following additional Standing Orders:

‘Part 2 inquiries

107A. (1) The Dáil shall approve the conducting of Part 2 inquiries in accordance with these Standing Orders.

(2) A Committee which proposes to conduct a Part 2 inquiry shall make a relevant proposal in that regard, under Standing Order 107B, to a Committee designated by the Dáil under these Standing Orders to receive such proposals.

(3) The Committee designated to receive relevant proposals shall cause those proposals to be evaluated and shall make a relevant report on those relevant proposals.

(4) The terms of reference for a Part 2 inquiry must be approved by the Dáil, in accordance with Standing Order 107E, and no Terms of Reference Resolution shall be passed, or be declined to be passed, by the Dáil, prior to the consideration of the report prepared under paragraph (3).

(5) The publication of final or interim reports of a Committee conducting a Part 2 inquiry shall be approved by the Dáil in accordance with Standing Order 107G.

CPP to receive notice of relevant proposal

107B. (1) The Committee on Procedure and Privileges shall be the designated Committee under Standing Order 107A(2) to receive notice of a relevant proposal from any Committee which proposes to conduct a Part 2 inquiry.

(2) The Committee on Procedure and Privileges shall from time to time devise and lay before the Dáil rules and procedures relating to evaluation of relevant proposals, including rules and procedures relating to any consultation on and method of assessment of relevant proposals.

(3) For the purposes of these Standing Orders, except where otherwise indicated,

“Part 2 inquiry” means an inquiry under Chapter 1 of Part 2 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

(4) For the purposes of these Standing Orders, except where otherwise indicated, interim and final reports in relation to Part 2 inquiries shall mean interim and final reports under sections 33(1) and 34(1) of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

Relevant proposal

107C. A relevant proposal under Standing Order 107A(2) shall address or contain, insofar as is practicable—

(a) the type of Part 2 inquiry proposed pursuant to sections 7 to 11, inclusive, of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013;

(b) the matter or matters the subject of the proposed inquiry, to specify, as far as is practicable, the conduct, events, activities, circumstances, systems, practices or procedures to be inquired into, including—

(i) the dates on which, or the periods during which, the conduct or events occurred, the activities were undertaken, the circumstances arose, or the systems, practices or procedures were in operation,

(ii) the location or area where the conduct or events occurred, the activities were undertaken, the circumstances arose, or the systems, practices or procedures were in operation, and

(iii) the persons to whom that conduct or those events, activities or circumstances relate, or whose activities, systems, practices or procedures are to be inquired into;

(c) whether the matter or matters relate to a function of the Dáil;

(d) the reason the matter or matters ought to be the subject of a Part 2 inquiry, rather than being examined through other forms of parliamentary investigation;

(e) in relation to the Committee proposing to conduct the inquiry—

(i) the reason that it, further to its existing orders of reference, considers that it ought to conduct the inquiry, or

(ii) the changes, if any, to its existing orders of reference, which are, in its opinion, necessary for it to conduct the inquiry;

(f) the anticipated time schedule for the proposed inquiry, including whether it is proposed to conduct the proposed inquiry in a single period or in phases;

(g) the changes, if any, to statute law, which are, in the opinion of the Committee proposing to conduct the inquiry, necessary to conduct the inquiry;

(h) a draft Terms of Reference Resolution, which shall state, *inter alia*, whether the Committee proposing to conduct the inquiry, in conducting it—

28 January 2014

(i) proposes to make findings of fact, including findings of fact that may impugn the good name of a person (depending on the type of inquiry proposed), or in relation to relevant misbehaviour,

(ii) proposes to make recommendations arising from—

(I) its findings of fact, or

(II) the findings of fact made by another Committee in conducting another Part 2 inquiry if the terms of reference for that other Part 2 inquiry expressly state that its findings of fact may be used in other Part 2 inquiries,

(iii) proposes that its findings of fact, if any, may be used by another Committee in conducting another Part 2 inquiry,

(iv) has or is to have the power to send for persons, papers or records;

and

(i) such other matters in relation to the proposed inquiry as the Committee on Procedure and Privileges considers appropriate.

CPP consideration of relevant proposal

107D. When considering a relevant proposal made pursuant to Standing Orders 107A(2) and 107C, the Committee on Procedure and Privileges shall consider—

(a) whether a proposed Part 2 inquiry should be conducted;

(b) if it should not be conducted, whether an alternative course of action should be considered;

(c) if the inquiry should be conducted—

(i) the Committee by which it should be conducted;

(ii) the manner, under sections 7 to 11, inclusive, of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, in which it should be conducted; and

(iii) the draft Terms of Reference Resolution for the proposed inquiry;

and

(d) such other matters in relation to the proposed inquiry as the Committee on Procedure and Privileges considers appropriate.

Relevant report and Terms of Reference Resolution

107E. (1) The Committee on Procedure and Privileges shall cause to be prepared a relevant report under Standing Order 107A(3) on any relevant proposals it receives for a Part 2 inquiry and shall, as soon as is practicable after its adoption of the relevant report, lay the relevant report before the Dáil, and a member nominated by the

Committee on Procedure and Privileges shall table a motion to consider the relevant report and the recommendations contained therein.

(2) The relevant report shall make recommendations in relation to the matters contained in Standing Order 107D, and may include the draft Terms of Reference Resolution in relation to the relevant proposal, with any amendments thereto which are considered appropriate by the Committee on Procedure and Privileges, for consideration by the Dáil.

(3) The Dáil shall consider the relevant report and the recommendations therein and shall neither pass nor decline to pass a Terms of Reference Resolution under Standing Order 107A(4) in relation to the relevant proposal until such consideration has been given.

Subsequent inquiry

107F. If a Committee conducting a Part 2 inquiry wishes to conduct a consequential inquiry not covered by the Terms of Reference Resolution passed by the Dáil, it shall give further notice in writing of an additional relevant proposal to the Committee on Procedure and Privileges, to which additional relevant proposal the provisions of Standing Orders 107A to 107E, inclusive, shall apply.

Part 2 inquiry reports

107G. Notwithstanding the generality of Standing Orders 85 and 86, where a Committee conducting a Part 2 inquiry makes an interim or final report, the report shall first be sent to the Clerk of the Dáil, who shall as soon as is practicable arrange for its circulation to members. Where members have been circulated with such a report by the Clerk of the Dáil, the Dáil may, where the report is an interim report, subsequently order that the report be laid before the Dáil and made public, and shall, where the report is a final report, order that the report be laid before the Dáil and made public.

Duty of member to uphold integrity of inquiry

107H. It shall be a general duty of a member to uphold the integrity of a Part 2 inquiry, including maintaining the confidentiality of deliberations and documents relating to the inquiry.’”

Under the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, certain new Standing Orders are required to provide the framework for an Oireachtas inquiry to be established, to operate and to report. These Standing Orders have been drafted in accordance with requirements of the Act. Their legal context has been considered in detail and they have been discussed and approved by members of the Committee on Procedure and Privileges, chaired by the Ceann Comhairle, Deputy Barrett. The Standing Orders are before the Dáil for approval and, once in place, a framework will exist for future Oireachtas inquiries to be established.

Enhancing the role and powers of the Oireachtas committees is at the heart of the Government’s reform agenda. The Houses of the Oireachtas (Inquires, Privileges and Procedures) Act 2013 and the Standing Orders before the House are part of that. Since taking office less than three years ago, the Government has established a new Oireachtas committee structure, encour-

aging more public involvement in law making by introducing the pre-legislative stage at committee and giving committees additional roles in the budget process and with a post-enactment review of legislation.

The Standing Orders before the House make provisions in four areas, namely, the replacement of a chair of an inquiry committee, bias in regard to the subject matter of an inquiry, expanded terms of reference of the Committee on Procedure and Privileges and a gateway mechanism which includes provisions on the consideration of inquiry reports.

The first change is to Standing Order 90. This provides that where the chair of an inquiry committee is to be replaced, the Houses of the Oireachtas will appoint the chair. Under the normal circumstances, the replacement of an Oireachtas committee chair would be an election at the committee, but this new Standing Order is required under section 21(7) of the Act. The next change requires two new Standing Orders 97A and 97B which relate to the concept of objective bias. Addressing the issue of bias is vital not only to the functioning and fairness of an Oireachtas inquiry but also to how that inquiry is perceived by those involved in an inquiry and by the wider public. The test of bias is set out in the Act, namely, where the perception of bias might arise in a reasonable person in regard to any connection, dealing or utterance on the part of the relevant member of in any other relevant circumstances. The CPP, as the appropriate committee under the Act, can consider any issue of bias and make recommendations to the Dáil on whether bias exists. It is a matter for the Dáil to remove any Member from the inquiry if bias exists.

The changes to Standing Orders will expand the remit of the CPP in line with the provisions of the Act. The CPP will have responsibility for evaluating inquiry proposals and making recommendations on them to the House. The House will establish any Oireachtas inquiry and, after it is finalised, order publication of the report. The CPP will act as an oversight committee when an inquiry is being undertaken, including by regulating issues of bias, approving compellability requests and providing guidelines on the conduct of inquiries and other committee business where compellability is involved. Guidelines for the operation of Oireachtas inquiries are currently being prepared and will come before the CPP in the coming days for discussion.

The proposed Standing Orders 107A and 107G outline how the gateway system will work. It will have three stages: first, any committee proposing to conduct an inquiry will make a proposal to the CPP; second, the CPP will consider the proposal and make a recommendation by report to the Dáil; and third, that report must be considered before the terms of reference of any inquiry are agreed by the Dáil. I do not doubt that an Oireachtas banking inquiry will be the first test of this new system. Such an inquiry must not have an impact on cases before the courts. Instead, it must focus on issues surrounding the economic collapse that have never been fully explored and establish the facts. Any banking inquiry will need to be split into a number of modules on the basis of very strict terms of reference.

Those who made the decisions which led to the economic collapse must come before the elected representatives of the people of Ireland. It is important for the people to hear directly from those who made the decisions which brought about the economic collapse about why they acted as they did. Any banking inquiry carried out by the Oireachtas will be established under the new structure. The impact of these changes is wider than that one inquiry. The Act and these Standing Orders will be available to facilitate the establishment of an inquiry by any Oireachtas committee, once approved by the CPP and by the Dáil. Irish parliamentarians from across the political divide will have an opportunity to work together, regardless of political af-

filiation, as part of an Oireachtas inquiry and on behalf of the Irish people. This is the next step in the ongoing process of political reform, which may take decades and is designed to rebuild the public's shattered confidence in our political structures.

Deputy Emmet Stagg: The Irish people deserve to know what happened in the Irish banking system in the run-up to the economic crisis and before the introduction of the disastrous 2008 blanket bank guarantee.

Deputy Billy Kelleher: That is bias.

Deputy Emmet Stagg: Since this Government took office in March 2011, when we were left to clean up the mess of 14 years of Fianna Fáil economic mismanagement, we have been committed to ensuring the Irish people get the benefit of a full and comprehensive inquiry. It is vital to understand exactly what happened and to learn from the mistakes that were made. Many issues surrounding the economic collapse have never been fully explored. We need to establish the facts of what happened. Over recent weeks, there has been a great deal of misinformation regarding the proposed banking inquiry, the timing of its establishment and its composition. Some Deputies on the Opposition side of the House who claim to want a banking inquiry appear hostile to every step forward the Government is taking to achieve this aim.

As Members are aware, a Bill to amend the Constitution and provide for the establishment of an Oireachtas inquiry system was published in the summer of 2011, not long after this Government came into office. A referendum was held in late October of the same year, but was defeated. Naturally, the defeat of the referendum resulted in some delays in establishing an inquiry. The Government had to assess the best way forward for an inquiry within our constitutional framework. In spring 2013, my colleague, the Minister, Deputy Howlin, published the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013. He noted at the time that the legislative proposals were drafted in close consultation with the Office of the Attorney General and external counsel. This was done to ensure the proposed new inquiry system would fully respect the constitutional parameters on parliamentary inquiries that were set down by the Supreme Court in the *Abbeylara* case. This important Bill was debated in the Oireachtas and passed in late June last year.

The Taoiseach announced in the Dáil last September that a banking inquiry would be held under the new Act. Since then, Oireachtas officials have prepared the necessary new Standing Orders of the House that are before us. These Standing Orders will facilitate the holding of a parliamentary inquiry. I would like to express my appreciation to them for the work they have completed. Under the 2013 Act, new Standing Orders are required to complete the framework for the establishment of parliamentary inquiries. These new Standing Orders, in effect, create the parliamentary system for establishing an inquiry. They give the Committee on Procedure and Privileges, CPP, the additional powers required under the Act to assess proposals and terms of reference, appoint the committee and deal with allegations of bias. A number of guidelines for the operation of parliamentary inquiries are also being established and will come before the CPP for consultation shortly.

Once this framework is in place, it will be up to each Oireachtas committee to submit a proposal to the CPP to hold an inquiry. The CPP will have the power to receive submissions from committees, provide guidelines to committees on the conduct of inquiries, give compellability consent and report to the Dáil. The Dáil will consider that report before it votes on any terms of reference for an inquiry. Importantly, the new Standing Orders also set out how allegations

of bias, or the perception of bias, can be dealt with. The CPP will be able to consider any issue of bias and report to the Dáil on the matter. As colleagues said over the weekend, we have to be sensible and practical about this issue. Many public representatives have commented on the Irish banking system and its role in the economic crisis. We must be aware of the danger of bias, or the perception of bias, on the part of Members who have made comments on or allegations against specific individuals who are to appear before the inquiry. This will be an all-party balanced committee. Nobody wants politics to be played with such an important issue.

Deputy Finian McGrath: Dream on.

Deputy Emmet Stagg: The CPP, which is an all-party committee, is playing a significant role in the establishment of the new inquiry system. In addition, the new Standing Orders lay out procedures for the replacement of the chair of the inquiry should he or she resign. If this occurs, the decision on the replacement chair will be made by the full Dáil rather than by the members of the committee. The timing of the new banking inquiry has been queried. The timetable and sequence of events that I have just outlined is perfectly clear. There is no big conspiracy theory here. If the proposed referendum had passed in October 2011, this banking inquiry would have been established over a year ago. Snide references to the timing of the banking inquiry and the upcoming local and European elections are ridiculous.

Deputy Billy Kelleher: Methinks the Deputy doth protest too much.

Deputy Emmet Stagg: No former Fianna Fáil Taoiseach or Minister, and no Green Party or Progressive Democrats politician, will be before the inquiry before the elections in May.

Deputy Billy Kelleher: What about the Opposition of the time?

Deputy Emmet Stagg: The 2013 Act does not allow for any inquiry findings to be passed onto the Garda. They can be given to the Dáil only. The Dáil can act on such findings by preventing repeat mistakes. It is clear that if the 2011 referendum had passed, Oireachtas inquiries would have had more powers. The failure of that referendum means that inquiries must be more restricted. We have reformed the Oireachtas committee system. The quality of the work being undertaken by Dáil committees is clear for all to see. The aim of the Government in establishing a banking inquiry has always been to find out what happened, how it happened and why decisions were made. It is about making the full facts available for the Irish people. It is about understanding what happened and making sure it never happens again. Indeed, we all know the personalities involved - those who have retired and those who are still in the Dáil. It is not and has never been about personalities. My party and I believe it is vitally important that the Irish people hear directly from those who made the decisions that nearly brought about the economic collapse of the country. It is only right that everyone, including former taoisigh, Ministers, bankers, regulators, civil servants and auditors-----

Deputy Barry Cowen: What about the current Taoiseach?

Deputy Emmet Stagg: -----is called to account for his or her actions and his or her role in the terrible economic crisis of the past few years, which has had such a terrible impact on so many Irish people.

Deputy Barry Cowen: The Deputy obviously does not want to be on it.

Deputy Billy Kelleher: It is clear that Deputy Stagg wants to exclude himself from any

form of Oireachtas banking inquiry that is to be established. I would like to be constructive in this debate. As someone who opposed the 2011 referendum, I strongly believe there must be a genuine separation of powers. The courts, as set up under the Constitution, are for good reason completely separate from the Oireachtas, which should conduct its own business. If we are genuinely concerned about getting to the truth of the matter regarding the banking crisis, the bank guarantee and what has followed since that time, as the Government seems to be, we could use an existing statute - the Commissions of Investigation Act 2004 - for a full investigation into the issues. It has been quite clear from the outset that politics is what this is all about.

Deputy Finian McGrath: Correct.

Deputy Billy Kelleher: There is no point coming into this Chamber and pretending it is about anything else. We need to be cast-iron sure in that regard. Not only were some people in this Chamber hostile to the Government's proposals, but the people were hostile to its proposals and they rejected them in 2011 on the basis of thus far and no further. They affirmed that powers should remain separate. Regardless of whether it is a banking inquiry or an inquiry into any other matter, the people have already expressed their views. The motion before us is to circumvent their views. It is to try to establish some form of inquiry by amending Standing Orders in the pretence that it will be non-political.

I remind Deputy Stagg that I have been a Member for 21 years. I have yet to come into this Chamber when it was not political. I expect it to be everything because it is a political Chamber. We have an adversarial democracy. Regardless of whether it is people on this side of the House, the other side of the House or more importantly people with nothing to do with this who could be called before inquiries in the time ahead, I make a certain prediction that we will be back and forth to the Four Courts time and again because people's good names will be taken prior to any findings. Last week, the Committee of Public Accounts was undermined by some of its own members pirouetting before microphones in an attempt at one-upmanship.

Is this a genuine attempt to establish inquiries in the Houses of the Oireachtas to inquire into matters of public interest? The Government could argue that it is. The people were asked to allow us to amend the Constitution to establish inquiries and they correctly rejected it because separation of powers is critical.

Objective bias is one issue and Deputy Stagg reinforced the view that the CPP will frequently need to make decisions on objective bias. The Chief Whip stated that the CPP would decide on the issue of objective bias and on the membership of the committees, and then it will refer it to the Parliament, as if this Parliament were not subservient to Government. Is the Chief Whip living in a fantasy world?

Deputy Emmet Stagg: The Deputy's party Whip has agreed to this.

Deputy Billy Kelleher: I am just making points I believe will have major repercussions in times ahead.

Deputy Emmet Stagg: The Deputy should tell his party Whip.

Deputy Billy Kelleher: The Government has a majority in Parliament. Will it apply the Whip in deciding membership?

Deputy Paul Kehoe: That is democracy.

Deputy Billy Kelleher: Will there be a full Whip system in place? The key issue is whether there can be objective analysis of a prospective committee member's interests or of whether he or she has expressed biased opinions in a previous time. We can see how these issues can sometimes play out in the case of jury selection in courts. However, we must be honest about what we are trying to achieve in this Chamber. I have seen nothing yet in the efforts of the Government to try to get to the truth in any matter that it is genuinely interested in trying to unearth what happened or perhaps what did not happen because Deputy Stagg and his colleagues already have a preordained view regardless of what they might say. Most people in the Chamber have a preordained view or have expressed views that would be considered objectively biased.

We need to be very conscious of the emphatic decision of the people in the autumn of 2011. Our track record has not been good in this case. At the time of the Abbeylara judgment, the Ministers, Deputies Howlin and Shatter, left much to be desired in their commentary as responsible members of a committee. A former Member is before the courts taking a case against the Committee on Procedure and Privileges. As that High Court case has not played out yet, we are very much operating in a vacuum. If this is to be a genuine effort, let it be the case. However, as I said in 2011, I believe we are going down a route that the people do not want us to take. We are certainly going down a route that the Constitution does not permit. More importantly, many people will be in the Four Courts trying to vindicate their good name prior to ever appearing before an investigation committee, be that an investigation into banking, Irish Water or any other matter.

Deputy Aengus Ó Snodaigh: It is a very interesting debate and if we had got it off the ground some months ago we might be further down the track of the banking inquiry. I understand the reasons behind it. The Joint Committee on Public Service Oversight and Petitions was established to have these debates and schedule them over the period of its existence. The referendum saw off that aspect of that committee, which was established on the same kind of basis as the Committee of Public Accounts. It was intended that it would not have a Whip imposed and that it would deal with issues as they arose and deal with facts. The people in their wisdom disagreed with the proposal and we have to accept the outcome of that. I do not believe we properly debated or defended the proposals for the Houses of the Oireachtas to have those investigative powers. We all made mistakes in that debate. Some people used it for party political purposes, which was regrettable, and it sidelined the Dáil and parliamentarians.

Why should parliamentarians in this Parliament be more shackled than parliamentarians in other jurisdictions? We need only look across the water at the investigations in the British House of Commons in recent times. I am not saying that is the be-all and end-all and the United States also has a system. How have they managed to deal with the desire for parliamentarians to investigate and do the work for which they have been elected? I believe we will struggle with this. I also believe it will be difficult to deal with the perception of bias, but we must do so. It is our duty to try to ensure we have some mechanism allowing the Houses of the Oireachtas to establish an inquiry to make findings of fact - not to allocate blame or impose punishment or sanctions. It would be strange if we could not sit down and request witnesses to attend and for us to make a finding on the basis of the facts that they present. If witnesses are not willing to appear, it is possible to make a finding on that basis, once they have been given the opportunity to have their say.

I welcome the move by the Houses of the Oireachtas towards a banking inquiry or any other inquiry that will use this mechanism. I sat on the on the CPP and attended the Oireachtas Joint Committee on Justice, Equality and Defence going back to the Dáil's attempts to get a com-

mittee together to deal with the case of Judge Brian Curtin. We had to try to find Members who had not said anything about Judge Curtin and we found them, believe it or not. However, in this case, given the passage of time and the collapse of the economy based on a series of events around the banking crisis, it would be very difficult to find Deputies who have not spoken about the banking crisis, including who caused it and who did not. If they have not spoken on it at this stage, I do not believe they are doing their job and I do not believe they are doing their constituents a service. In addition, every political party represented in this House has made a comment and we are associated with those comments. However, that should not prevent us from sitting on a committee of inquiry. We have a view and everybody in the country has a view. It would be almost impossible to find a jury if it were necessary to put a jury together. That does not mean that one will not set aside one's views and listen to facts as they are presented. I have studied history. Often I would approach a set of facts with a preconceived idea. Part of a historian's training is to go back and consider the facts. They either confirm where one came from or totally change one's view of life. We are big and open enough to do that.

That is what will be asked of us if this or any inquiry is set up. We need to be very careful to defend the rights of parliamentarians to have a view, even if they sit on a committee. The problem arises if one's view is so rigid that one is not willing to listen to the facts as presented. Such an inquiry would be a good thing for democracy in Ireland.

Deputy Richard Boyd Barrett: People would like to see an inquiry into the banks and to see the main players in the crisis brought into a public arena and questioned. From that point of view, I welcome the idea that this House be involved in attempting to do that. That is part of what we are here for and what democracy is. It involves opening issues of public concern to public scrutiny, for questions to be asked from all points of view and for the public to make its judgment. There is, however, an insoluble problem, and it is the reason for the defeat of the Oireachtas inquiry referendum: such a committee is not capable of making findings of fact. Anybody who knows what the Oireachtas committees are like knows that is the case. How the hell can a political committee made up of different political perspectives, with all the inevitable political manoeuvring and competition that goes on at these committees, seriously come to a finding of fact on the banking crisis when we know that there will be different perspectives, judgments and so on? I am not even sure it is possible to have what one could meaningfully describe as an objective, definitive analysis of the banking crisis. What the Government could do is put the main players up in front of the public, ask them all the questions that people can think of from all the different perspectives and let the public make its judgment. The proceedings can be summarised in a report which people can study and analyse but the Government cannot come up with a definitive position on it.

I understand why Fianna Fáil is set against the inquiry. It is afraid that it will be a chance to bash Fianna Fáil.

Deputy John Lyons: That is objective bias. The Deputy should be careful.

Deputy Richard Boyd Barrett: The real problem is the question of bias and trying to define it.

In his opening remarks Deputy Stagg spoke of the reckless mismanagement of the economy by Fianna Fáil. He followed up by saying we need an objective inquiry. I agree with him that the reckless mismanagement of the economy by Fianna Fáil was a huge contributory factor to the crisis. He has prejudiced himself.

28 January 2014

Deputy Emmet Stagg: The Deputy need not worry. I do not want to be on the banking inquiry.

Deputy Paul Kehoe: We are putting Deputies Kelleher and Cowen on it.

Deputy Barry Cowen: The Government will have a vote on it.

Deputy Richard Boyd Barrett: The idea that we can find anybody who will consider this objectively and who does not have a prejudice is nonsense.

Deputy Emmet Stagg: All the people in Fianna Fail are talking about it. I never opened my mouth about it.

Deputy Richard Boyd Barrett: If I say that Deputy Stagg was solely and singularly responsible for the entire banking crisis, that I blame him for absolutely everything, no matter what he tells me, no matter what evidence I hear, and hold to the view that it was all Deputy Stagg's fault, one could call that bias. If I happen to say I think it was Deputy Stagg's fault but I am interested in hearing the evidence to see whether it was his fault that is not bias, that is opinion. Everybody has an opinion. I am deeply worried by the question of who will decide who is biased and who will exclude them.

Deputy Billy Kelleher: The Government will.

Deputy Richard Boyd Barrett: The Government will. That is not acceptable.

Deputy Emmet Stagg: The Deputy will.

Deputy Richard Boyd Barrett: Let us face the fact that everybody has an opinion, and perspective. No such opinion or perspective should be excluded.

Deputy Paul Kehoe: I will bring the Deputy into a dark room.

Deputy Richard Boyd Barrett: The fact that the Minister of State, Deputy Kehoe, has a wry smile on his face tells its own story. He wants to set this thing up in such a way that it works to the political advantage of the Government. That is the reality. Let us not pretend otherwise.

This business of excluding people on the basis of supposed bias has to be taken out of the proposal; otherwise, I cannot accept it. I want the inquiry to take place.

I do not really understand why we have a different system for choosing the chairperson from the one we normally use. The Oireachtas Joint Committee on Finance, Public Expenditure and Reform is the appropriate committee to inquire into banking. That is what it does. If it puts forward a proposal to do so and we consider it acceptable that the committee examines areas connected with finance and banking all the time, why the hell do we have to have a special procedure? In this case it may turn out to be the same person, which is sort of immaterial. I do not quite understand why there is a different procedure except that I smell a certain political rat at work as people try to manipulate things.

Deputy Finian McGrath: It is important to remind ourselves that we were all elected in 2011 on the issues of the economy, jobs, banking and reform of the political system. That was the mandate from the people: "Go in there, do your best and reform the whole system, in particular the Dáil." It is also important to have real reform, not to rush decisions and to have Standing Orders that are fair, balanced, accountable and transparent. We must not play politics

with any Standing Orders or inquiries. The people want the truth and the facts. They do not want political spin or point-scoring. The purpose of the inquiry is to access the truth and facts and learn lessons for the future of this country. If we do that we will make the Dáil relevant and will follow up by having good and effective reform. The shenanigans about the Committee of Public Accounts, PAC, yesterday and today show us that we need to be very vigilant on this issue. Silencing dissenting voices, such as that of my good friend and colleague, Deputy Shane Ross, and the whistleblowers, should never be an option in this debate.

I have a solution for the many views presented in this debate today. I would be in favour of an independent inquiry and having an independent financial expert, possibly somebody with a financial and banking background but also an international judge, to chair this inquiry. This person could perhaps come from abroad.

Deputy Paul Kehoe: Deputy Ross.

Deputy Finian McGrath: Some of my colleagues have spoken about a commission of investigation. At the start of the peace process in Northern Ireland, George Mitchell was brought in, as was General John de Chastelain, who dealt with the arms. They were brought in because they were independent, objective and very professional, and by God did they deliver. We should consider having an external, independent person come in to give us an objective, definitive analysis. That is what the Irish people want and demand. I strongly support that position.

In respect of this motion, the defeat of the Oireachtas inquiry referendum and the Abbeylara judgment mean that the inquiries legislation is somewhat restricted. A committee cannot make findings of fact against a third party but it can make findings against the officeholder. The Standing Orders provide for five different types of inquiry and the draft document on these runs to 12 pages. There is a technical amendment on page 3 to the effect that the Dáil, not the committee, appoints the chairperson.

7 o'clock

For example, if the chair has to be replaced for any reason, then it will be the Dáil which will have responsibility for replacing the chair.

Pages 4, 5 and 6 outline the first of the two substantive Standing Orders, with this first Standing Order dealing with the issue of bias. If there is a perception of bias from someone on the committee or the chair, including if someone perceives themselves to be biased, then the committee must seek the opinion of the CPP, which will then consider the matter and make recommendations to the Dáil. However, as my colleagues have said, while there is an issue of bias, everybody has had a view on the banking crisis. In fact, if any Deputy had been in the House for the past couple of years and did not have a view, I would be very worried about them. If the perception of bias comes from a third party, then that third party must make a submission to the CPP, which will then consider the issue and make a recommendation to the Dáil.

Page 7 contains a technical amendment which is designed to beef up the powers of the CPP, including providing the CPP with the power of compellability to particular committees that are making inquiries. It gives the CPP the power to issue guidelines and it provides it with a new role to deal with perceptions of bias. In regard to bias, it is important to note that “any utterances”, whether in Chamber or the media and so on, will be considered to represent bias. As I said, the vast majority of Deputies and Senators have all expressed some view, and the bias issue is dealt with very strongly.

Pages 8, 9 and 10 contain the key Standing Order. If a committee wants to run an inquiry, it must submit a proposal. This Standing Order sets out the guidelines for what this proposal should contain, including the type of inquiry and the relevant dates, persons, organisations and so on. The CPP will then consider the detailed proposal and lay a motion before the Dáil, which will make a decision whether or not to give approval for the inquiry to proceed.

In conclusion, I ask the Government to consider the whole idea of having an independent person carry out this inquiry.

Deputy Lucinda Creighton: I welcome the opportunity to speak on the changes to Standing Orders in regard to the creation of the banking inquiry. The “perception of bias” test, as part of these Standing Orders, is a welcome innovation in how we do our business in the Dáil and the wider Oireachtas. The onus of this test is on the actual appointed member of the committee to excuse himself or herself in the event of the perception of bias, which will certainly test the honour of many of our Members.

Fianna Fáil tells us that the banking inquiry is an election ploy on the part of the Government in order to remind the general public of the role that party had in arriving at the worst financial crisis ever in modern history. In September 2012, the Central Bank Governor, Professor Patrick Honohan, said that an inquiry was not necessary and that any information relevant to his brief that could be covered by any potential Oireachtas inquiry is known to him and has already been released. However, I believe it is the Taoiseach’s words which should ring the loudest in the minds of all of the Members who will participate and have the task of running this inquiry, when he said: “The objective should be to determine, without fear or favour, and with dispassion and integrity, all of the...facts...that led to the collapse of the banking sector”. If the members of this inquiry act truthfully to this objective, this House can and will bring credibility to its work and pride to our Parliament, a pride that has been lacking, quite frankly, for many decades. Indeed, as Deputy Kelleher said, this should be the absolute standard to which all committees, not just the banking inquiry, should do their business. From what I can glean, the general public are sick to death of grandstanding by Deputies, which does absolutely nothing to change or improve public policy or to advance the public interest, which should be the core of everything we do in this House.

The media and the legal system are already lining up to scoff at the idea that those who have a democratic mandate from the people they serve have the intellectual capacity, or the principled desire, to fulfil the genuine objective of finding facts rather than creating headlines. This is a real opportunity to prove those naysayers wrong and to restore some confidence in the political system. Therefore, whether or not Fianna Fáil will be damaged by an inquiry into events that occurred surrounding its time in office should not be a consideration for Members of this House.

With the greatest respect to the Governor of the Central Bank, his own view that all information has been revealed equally serves as no justification not to hold a banking inquiry. The reality is that we still do not know many of the facts that led to the collapse of the banking sector, for example, the dissenting voices on the night of the guarantee, board members’ understanding and knowledge of property risk exposure or how the bonus culture incentivised reckless lending. These are three major subjects that have yet to be addressed in public or understood fully. The impact of bonuses, and understanding the damage they did, is more important now than ever, particularly when we read today that AIB has privately discussed with the Department of Finance the return of bonuses in all but name. In phraseology that George Orwell would

be proud of, the news agency Bloomberg reported that AIB were considering the return of so-called “executive incentives”, in other words, a return to the bonus culture that many of us believe contributed to the banking crisis.

Let us have a full and frank inquiry to understand these facts before we walk blindly back into the same flawed decisions that brought this country to its knees. I genuinely hope the Members of the Oireachtas fulfil this mandate and serve the entire nation, not vested interests, narrow political point-scoring and posturing.

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I thank the Members opposite for their varying contributions. It is horrifying to think that one party objected and is distancing itself from what we are bringing about here in changing the Standing Orders. Deputy Kelleher could not even say that he welcomed this banking inquiry. It is not too often that I praise Deputy Finian McGrath but I have to say he made an excellent contribution with regard to finding out the truth and the facts of exactly what happened in the past, as well as learning for the future. Deputy Kelleher could not even bring himself to say that. Perhaps he was hiding something that no one else in this House is aware of, but what we are doing here is-----

Deputy Billy Kelleher: A Leas-Cheann Comhairle, with all due respect-----

An Leas-Cheann Comhairle: Is the Deputy raising a point of order?

Deputy Billy Kelleher: I am. I indicated at no time that we were opposing this. I said at the outset that I was highlighting the difficulties that I see with this particular inquiry, not just in the context of banking but across all issues with regard to any committee.

An Leas-Cheann Comhairle: Thank you, Deputy. That is very clear.

Deputy Billy Kelleher: The import of the Chief Whip’s snide remarks in this House has done no justice to this debate from the word “go”.

An Leas-Cheann Comhairle: Thank you, Deputy Kelleher. I call the Minister of State to conclude.

Deputy Paul Kehoe: Deputy Kelleher should listen back to his contribution.

Deputy Billy Kelleher: I listen back to him every day of the week.

Deputy Paul Kehoe: He spoke about democracy. We are in a democratic Parliament. Nonetheless, every time we enter the Dáil, we are entering a political Chamber.

Deputy Billy Kelleher: That is correct.

Deputy Paul Kehoe: We want to separate politics from this committee.

Deputy Billy Kelleher: He is not making a very good start.

An Leas-Cheann Comhairle: Order, please. The Minister of State, without interruption.

Deputy Paul Kehoe: Deputy Creighton rightly quoted what the Taoiseach said when he was announcing the setting up of the banking inquiry. This is an opportunity to showcase the committee system. What we are doing here is changing Standing Orders to give this commit-

tee the powers and the opportunity to showcase what we can do as a Dáil, as a Parliament and as elected representatives. What the general public is looking for is the truth regarding what happened in the past, be it political or policy decisions. This is about learning for the future to make sure we do not make the same mistakes again. The Oireachtas banking inquiry will no doubt be the first test of what we are changing here today. This is about findings of fact. It is not about proving somebody guilty. We have our own courts system under our Constitution and as an Oireachtas, we respect that. What this committee is being set up to do is produce findings of fact - what happened, where it happened, how it happened, who made the decisions and why those decisions were made - and to make sure those decisions are never repeated.

There is general agreement within the Chamber that Members of Parliament through the committee system should have an inquiry and play a major role in finding out what happened. The passing of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013 last July was a positive step in that it gave direction. The Dáil's approval of these Standing Orders will move the matter forward to the next stage for the Seanad to approve these Standing Orders in respect of the CPP and the necessary guidelines. This Government has been very proactive about building this inquiry going back to when we held the referendum in autumn 2011. To say this is some political stunt-----

Deputy Billy Kelleher: I did not say that it was a political stunt.

Deputy Paul Kehoe: You did.

Deputy Billy Kelleher: I just mentioned it.

Deputy Paul Kehoe: The Deputy should go back and read what he read into the record of the House. We gave the people an opportunity in a referendum in 2011 to start this banking inquiry. Unfortunately, we did not get that referendum over the line. We had to reflect on what happened. We brought the Oireachtas (Inquiries, Privileges and Procedures) Bill forward last year, the Taoiseach announced the banking inquiry in December and we are now changing Standing Orders. This is an opportunity for the committee system to showcase what the Houses of the Oireachtas can do. People are crying out for reform and I believe this is the beginning of that reform.

Deputy Billy Kelleher: Why did you shut down the Committee of Public Accounts? There has been interference with that committee on a regular basis. The Minister for the Environment, Community and Local Government has interfered with it with regard to the docklands. There is continuous interference with the committee.

An Leas-Cheann Comhairle: We are concluding.

Deputy Paul Kehoe: Deputy Kelleher has never interfered in anything, which is why we are where we are. I commend the motion regarding changes to Standing Orders to the House.

Question put and declared carried.

European Parliament Elections (Amendment) Bill 2013 [Seanad]: Second Stage

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I move: "That the Bill be now read a Second Time."

In commending the European Parliament Elections (Amendment) Bill to this House, I am

asking Dáil Éireann to continue the long-established practice of implementing in full the recommendations of independent constituency reviews.

The Bill provides for the implementation of the recommendations in the report on European Parliament constituencies 2013, which was presented to the Ceann Comhairle on 25 September 2013. It is a short Bill providing for the election of 11 MEPs in Ireland for the 2014 to 2019 parliamentary term.

The Bill has four sections. Section 1 provides that the principal Act referred to in the Bill is the European Parliament Elections Act 1997. It is that Act that is being amended. Section 2 provides, by amending section 15 of the principal Act, that the counties and cities listed in the new third Schedule of the Act will be those in existence on 1 January 2013. Section 3 provides for the substitution of the Third Schedule of the principal Act. The new Third Schedule sets out the name of each constituency, the counties and cities that each constituency will be comprised of and the number of members that will be elected for each constituency in European elections held after 1 January 2014.

The major change from the current configuration is that there will be three constituencies instead of four. The reason for this change is that the Electoral Act 1997 specifies that there shall be three, four or five members in a European Parliament constituency. Given that 11 members are to be elected for the 2014 to 2019 parliamentary term, having four constituencies is not a viable option since it is not possible to allocate 11 seats across four constituencies of three, four or five members.

I will set out, for the record of the House, the configuration of each of the three constituencies. The three-seat Dublin constituency remains unchanged. This will be comprised of the counties of Fingal, Dún Laoghaire-Rathdown and south Dublin, along with the city of Dublin. There will be a new four-seat Midlands-North-West constituency. This will be comprised of the counties of Cavan, Donegal, Galway, Kildare, Laois, Leitrim, Longford, Louth, Mayo, Meath, Monaghan, Offaly, Roscommon, Sligo and Westmeath, along with the city of Galway. In effect, this new constituency consists of the current North-West constituency, along with five counties which were in the former East constituency, but it will not contain County Clare. The new South constituency will be comprised of the current South constituency along with four counties from the former East constituency and County Clare. It will consist of the counties of Carlow, Clare, Cork, Kerry, Kilkenny, Limerick, North Tipperary, South Tipperary, Waterford, Wexford and Wicklow, along with the cities of Cork, Limerick and Waterford.

The population per MEP in the three constituencies ranges from 409,276 to just 424,356, which is a very narrow range in terms of the variance of population per MEP. Thus, there is a very fair balance of representation between the three constituencies. The Dublin constituency will see its representation closely aligned with the other constituencies in the State. There is a considerable degree of continuity in the arrangement of the constituencies in spite of the change from four to three. The new Midlands-North-West will subsume the current North-West constituency along with the northern part of the East constituency, while the new South will take in the current South constituency, along with Clare and the southern part of the East constituency. The Dublin constituency will remain unchanged.

The previous Constituency Commission reported in 2012 and recommended no change to the European constituencies at that time. In the normal course, constituency commissions were only set up following a national census of population. However, with the impending accession

28 January 2014

of Croatia to the European Union, the European Council decided in June 2013 on a new allocation of seats to member states in the European Parliament. The Electoral, Local Government and Planning and Development Act 2013 provided for the amendment of electoral law to allow for the setting up of a constituency committee in the circumstance that the allocation of seats to the European Parliament had been changed but a census was not held or due to be held. The European Parliament constituency committee was duly set up and reported on 25 September 2013. This Bill provides for the implementation of the recommendations in the committee's report.

As I said in my introduction, this is a short Bill. It has the specific purpose of providing for new constituencies in which 11 MEPs will be elected to represent the State in the European Parliament for the 2014 to 2019 parliamentary term. I commend the Bill to the House.

Deputy Barry Coven: Unfortunately, this legislation unfairly deprives Ireland of stronger representation in Europe. It earmarks Ireland for a reduction in seats as part of the accession of Croatia as the 28th state in the Union. The reduction from 12 to 11 seats facilitates the reduction in numbers in the European Parliament and the accommodation of the Croatian delegation at a time when Ireland most needs a strong voice.

The decision to cut the numbers was made at intergovernmental level in June 2013. Unfortunately, the Government failed to voice strong opposition. The specific constituency format of large, sprawling areas reflects the recommendations of the Constituency Commission. I acknowledge the Minister's comments on the commission's independence, but it was obliged to act under the constraints set by the new seat level.

Over time, Ireland has lost more than one fifth of its representation in the European Parliament, having been cut from 15 to 12 and now to 11. This hits us disproportionately hard. The reduction in numbers was implemented without any meaningful consultation with the European Parliament's Committee on Constitutional Affairs. The Irish voice is weak in that Chamber at a time when the Parliament's power and influence have grown. It is important for Ireland that we seek a better deal from Europe on, for example, retrospective capitalisation to help get our economy going again.

With only 11 MEPs, the workload of the Irish representation will be even more thinly spread across 20 committees, where the majority of the European Parliament's work is done. Will our voices be severely limited on these critical committees?

The number of MEPs for each country is roughly in proportion to its population. Under the Lisbon treaty, no country can have fewer than six or more than 96 MEPs. However, the Parliament's current numbers were set before the treaty's entering into force. Those numbers will be adjusted for the next mandate of the European Parliament. For example, the number of MEPs from Germany will be reduced from 99 to 96 while Malta's numbers will increase from five to six.

The European Parliament's constitutional affairs committee was not given the opportunity to have an independent input into the decision making process behind the selection process for the seat reduction. All Irish MEPs opposed this omission. The new sprawling constituencies laid out in the Bill reflect the constraints placed on the Constituency Commission through no fault of its own but by virtue of the agreement to reduce the number of seats to 11.

Consider the manner in which the European Parliament's powers have evolved. During the past two decades, the Parliament has expanded significantly in terms of its influence and power.

It has evolved from what was essentially a consultative body in 1973 to a powerful part of the European machinery. One would have thought that this rendered Irish seats and their representation of our people's interests even more important than was initially the case.

By introducing the co-decision procedure in certain areas of legislation and extending the co-operation procedure to more still, the Maastricht treaty marked the beginning of the Parliament's metamorphosis into the role of co-legislator. It gave the Parliament the power of final approval over the membership of the Commission. This represented an important step forward for the Parliament's political control of the EU's Executive.

The Amsterdam treaty extended the co-decision procedure to most areas of legislation and reformed it, placing the Parliament as co-legislator on an equal footing with the Council. The appointment of the President of the Commission was made subject to the Parliament's approval, thus increasing its control over the Executive. The Nice treaty further extended the scope of the co-decision procedure. Co-decision has become the most widely used legislative procedure and covers particularly important areas such as the Common Agricultural Policy, CAP, and justice and security policy. The Parliament's role in the preparation of future treaty amendments has become even more significant.

This series of treaty changes from Maastricht to Amsterdam, Nice and Lisbon introduced and developed the concept of co-decision powers. This means that the Parliament shares power with the Council of Ministers. Its overall effect creates a bicameral system with the Commission as the Executive.

As EU competency has extended across several areas, including tighter fiscal control through the fiscal compact treaty, the role of the Parliament has become more important than ever before. Ireland needs to have a strong voice fighting our corner in the Parliament. No matter how minimal, the reduction in seats deprives Ireland, a small country on the geographical fringes of the Continent, of a much needed voice in what is an increasingly powerful chamber. This change has also created and will create many difficulties for our representatives, given the geographical sprawl of the Constituency Commission's proposals. However, I do not hold the commission to account for this. It had to work under the tight constraints placed on it by the decision taken at intergovernmental level. This is not a question of having a dissenting voice among the Irish representatives. Rather, I question the reasoning behind not allowing the European Parliament's constitutional affairs committee a meaningful input into the process that brought about the decision. As the Minister and others have stated, the commission was constrained. We respect its decision and its independence in arriving at a conclusion in meeting the demands placed upon it by this agreement.

Deputy Brian Stanley: We are debating a *fait accompli* and merely ratifying a decision that has already been made for us. It reduces the representation of the Twenty-six Counties from 12 MEPs to 11. I recall a time not too long ago when there were 16 MEPs. For this reason, my party must oppose the Bill. As with much of what emanates from Europe, we are being told what to do, not asked what we want or how it might be done differently.

Our main reason for opposing the changes outlined in the Bill is the reduction in the number of MEPs, further reducing whatever influence Irish MEPs have over decisions taken at a higher level. To all intents and purposes, those decisions are not subject to democratic accountability. The Bill also dilutes the overall representation of Nationalists. It is important that we have a strong presence in Europe and plenty of MEPs to fight the State's corner and stand up for Irish

interests.

The constituencies will be too large geographically. For example, the townlands of Johnstown in the Minister's constituency and Durrow will be in the same constituency as the Inishowen Peninsula and Achill Island.

Deputy Phil Hogan: We will look after them.

Deputy Brian Stanley: I know, but Mr. Pat The Cope Gallagher, MEP, will have a job getting around all of that. It will be difficult. MEPs will be remote. The area is huge. The same applies to the South constituency. At least the previous constituencies of Dublin, East, South and North-West had some kind of geographical coherence. It might be argued that the old provincial regions and Dublin no longer have much relevancy, and certainly not in the context of wider European representation, but I would argue that the new system of constituencies other than for Dublin, which is being retained, further dilutes the identity of the voter within the institutions to which he or she elects. Importantly, it is also arguable that this change further distances MEPs from those who elect them and who he or she represents. I remember when most people would have been able to roll the names of their MEPs off their tongues. Even with just 12 MEPs, however, a *vox pop* would show that most people in our towns would now find it difficult to name their local MEPs.

Debate adjourned.

Health Services: Motion [Private Members]

Deputy Billy Kelleher: I move:

That Dáil Éireann agrees that the 2014 national service plan of the Health Service Executive is inadequate to meet fully all of the growing demands being placed on the health services and that the lack of sufficient resources will not be in the best interests of patient care and this is already evident in accident and emergency departments.

I wish to share time with Deputies Keaveney, Browne and Cowen.

The reason I put down this motion is quite clear. The last three Estimates that have been presented for the HSE service plan have been inadequate in providing funding to maintain the services in a manner that is safe for patients and that allows front-line services to provide the care that they want to give to patients not just in accident and emergency departments, but also in ambulance services, acute hospital setting and care for the elderly. Looking through the HSE service plan, it is quite evident that it does not have sufficient resources to ensure that we can deliver services to the people who need them. Time and again, we have listened to eminent professionals - senior clinicians, front-line staff - saying that they simply cannot maintain safe services in emergency departments in our broader hospital system throughout this country. That is why we decided to put down this motion.

I would like to put on the record my distaste at the decision by the Government not to allow for a full debate in the plenary session of this Parliament on the HSE service plan. That was signalled by the Government last week. This was in Government time. Fianna Fáil decided to table a Private Members' motion, and then the Government decided that it would pull the six hour debate on the HSE service plan tomorrow. That will deny many Members in this Chamber the chance to contribute to the debate on the HSE service plan and the lack of services that will

flow from it. The Government has decided, in an arrogant way, to remove any form of debate from this Chamber on the HSE service plan. The Minister knows as well as I do that Private Members' time only allows for three hours of debate this evening and tomorrow evening. Due to Standing Orders, a large number of Deputies will not be able to make a contribution. The HSE service plan deserves scrutiny because it outlines the blueprint for spending in the year ahead. We already know in January that services will be cut back in 2014 and as we get to the end of 2014, as happened in 2012 and 2013, we will see a cut in services that are primarily targeted at the most vulnerable in our society, so that we can live within means.

The Minister has said that he has his spending indicators on a monthly basis right through the year, but since he has taken charge, every year there is panic by August, cuts in September and pain in October for many people whose services have been withdrawn. This is why we have put down the motion tonight. More importantly, the Government has decided to withdraw six hours of debate tomorrow which would have allowed Deputies on all sides to make a meaningful contribution, to go through the HSE service plan for 2014 and to highlight their concerns and the deficiencies in it. The deficiencies are quite stark, and it is not just me, the Fianna Fáil spokesperson on health, saying this. The director general is also making the same point. He said that it would not be possible to meet fully all of the growing demands being placed on the health services. He also said that, in particular, some service priorities and demographic pressures may not be met. We already know that this is a sanitised version of what the director general wanted to say, but when the HSE service plan was submitted to the Cabinet by the Minister, his colleagues jumped up and down and said that they had to politically sanitise the director general's statement. The director general was saying quite emphatically that the funds being presented for the Estimate in October were not sufficient in any way and it would not be possible to provide a safe system of health in this country. This is why we believed it was appropriate to have a debate in Private Members' time, but also for all Deputies to be able to contribute to the debate on the HSE service plan in this Chamber tomorrow for six hours. It was a shameful decision by the Government, the Minister or the Chief Whip, or all of them.

For a number of years, expenditure and savings in discretionary medical cards were itemised in the HSE service plan. However, there is no reference in this year's service plan to discretionary medical cards. When I put down a Dáil question recently to the Minister of State, Deputy White, he was clear in stating that there is no such entity as a discretionary medical card. I cannot understand how there can be no such entity as a discretionary medical card, because we have been debating the issue for some time in this Chamber, and the Minister has been contradicting the fact that there has been a targeted attempt at removing and reducing the number of discretionary medical cards in the system. Now we find that they do not exist at all and there is no such entity, but there is such an entity. Over 90,000 people had discretionary medical cards at one stage, and I can assure the Minister they are a very important entity to those people who rely on them to deal with their illnesses and disabilities.

I know what is happening. The Government wishes to erase the word "discretionary" from its accounting practice. It wants to be able to reduce the number of discretionary medical cards awarded every year. Great play has been made by the Minister about the fact that many of the people who had discretionary medical cards are now moving towards being awarded a full medical card under the Health Act 1970. That may be the case, but many more people should be qualifying for discretionary medical cards because of the precedents that were set over many years. These are precedents that were based on basic humanity and decency, and on assisting people through a very difficult time in their individual lives or in their family lives, dealing with

28 January 2014

financial issues and also sickness, disease, disability and so on. Erasing that word shows that there has been a fundamental change in policy regarding discretionary medical cards. People will be let sink or swim. If they qualify under the financial guidelines of the 1970 Act, they will get a medical card, but if they do not, then the other aspects of their circumstances will not be taken into account. I believe there is a targeted approach, and the fact that it is not mentioned in the HSE service plan and the fact that the Minister of State claimed that there is no such entity as a discretionary medical card, is an indication to me that there has been a major change in policy on this issue.

Whether we count them in the accident and emergency department, or in the corridor outside the emergency department, or in the ward where it is not in a designated area, there were 410 people on trolleys today in our hospitals. I remember in the past when the Minister would be apoplectic with rage and indignation on this side of the House if we had those figures. He said it was a central tenet of his stated policy to eradicate waiting times in emergency departments and to reduce dependency on trolleys in emergency departments for excessive hours. That was the Minister's stated policy.

Most criticisms I level at the Minister are reasonable and I heartily endorse all measures he introduces with which I agree. In adjudicating his efforts to address the problem of people waiting on trolleys, however, one need only examine the figures for January. More important, recent data show a 2% increase in the number of people on trolleys in 2013 compared with 2012. The Minister's policies have led to a reversal in this area.

The special delivery unit established under Dr. Martin Connor created some impetus and resulted in a brief respite in terms of the numbers on trolleys. However, recent developments indicate that the unit is quickly losing momentum for a number of reasons. The embargo on recruitment to front-line services continues and staff continue to operate under serious pressure. Furthermore, the HSE decision to reduce the number of people who can access long-term residential care and respite care means patients are being kept in hospitals for longer than is necessary. Having repeatedly stated that a person should only be in hospital if he or she needs hospital care, the Minister should know that this is the wrong approach. Many of those who are in hospital should be at home or in step-down facilities. The absence of a determined effort to increase capacity in after care indicates that the Minister is not prioritising step-down facilities, home care packages, home help supports and so forth and his policies in these areas are not having the desired effect.

Senior clinicians, consultants in emergency medicine and representatives of the Irish Emergency Medicine Trainees Association have pointed out that patient safety is being jeopardised daily in our emergency departments. The Minister appears to dismiss these concerns as if clinicians are making them up. I have met and listened to the concerns of nurses, doctors, non-consultant hospital doctors, janitors and members of every other profession working to make our emergency departments function under extremely difficult circumstances. I suggest that rather than dismissing their concerns, the Minister should listen to those who assist the people who are admitted daily to our accident and emergency departments. They will tell him that there are major problems with the system. If he chooses not to believe them, he need only examine the Irish Medical Organisation's trolley count figures for January, which show we have a major problem in our emergency departments. The provision of care in emergency units is a key aspect of the Minister's policy on the Health Service Executive.

Having read through the HSE service plan, it is clear we must wait for the detail of the re-

gional plans because the meat will be in the provision of services at local level where the impact of cuts will be felt in services for the disabled, elderly and others.

When I raised the issue of general practitioners with the Minister previously, he stated that global comparisons show that Irish GPs are well paid. He also denied there was a crisis in primary care and general medical practice. I beg to differ; there is a major problem in primary care. If, as the Minister claims, general practice is a lucrative area, why do many general practitioners view boarding an aeroplane as a career option? The answer is that they have been left with no choice. I am not advocating directly for general practitioners - the issue at stake is primary care, another central plank of the Minister's mission statement both as an Opposition spokesperson and a Government Minister. He has failed in the past three years to pursue a meaningful policy that will have a significant impact on the provision and expansion of primary care. He speaks, for example, about the roll-out of primary care centres. This is tinkering at the edges because the bottom line is that general practices, one of the critical components of ensuring the delivery of primary care, are under serious stress. If the Minister does not wish to listen to the concerns of general practitioners, he should listen to their patients who will soon find it more difficult to see their general practitioner on a same day basis and may have to wait for one or two days for an appointment.

While the motion is welcome, it should be taken in conjunction with the six hour debate promised by the Government for tomorrow. It is shameful that the debate will not take place because the Government could not be bothered to listen to the views not only of the Opposition but also of Deputies on the Government backbenches.

Deputy Colm Keaveney: It cannot have escaped the notice of the Government Deputies that the wording of the motion is taken, almost word for word, from a recent statement by Mr. Tony O'Brien, director general of the Health Service Executive. It is worth placing Mr. O'Brien's words on the record for the attention of Government Deputies. He stated that "it will not be possible to meet fully all of the growing demands being placed on the health services. In particular, some service priorities and demographic pressures may not be met". The Government's amendment proposes to flatly contradict the director general of the HSE.

I will return to Mr. O'Brien but I propose first to address the substantive part of my contribution to the continuing failure to secure appropriate resources for the mental health sector. This comes at a time when levels of mental ill health are increasing and many communities are experiencing serious, tragic and shattering levels of suicide. Sadly, the mental health services continue to be Cinderella of the health service. There has been a fundamental failure to build on the progress made by previous Governments, including in the Mental Health Acts of 2001 and 2008 and the full adoption of A Vision for Change in 2006. Instead, the Government is cherry-picking from A Vision for Change, selecting those aspects that save money and ignoring and dragging its feet on those aspects that require resources.

The ongoing closure of St. Brigid's Hospital in Ballinasloe is a perfect example of this approach. Recently, a sum of €3.1 million was spent on providing a state-of-the-art facility that will now be closed. Patients are instead being moved to Galway before an adequate unit to accommodate them has been identified. The accommodation chosen is in a unit that only last year was criticised by the Inspectorate of Mental Health Services. This pattern of failing to link capital spending with current spending is to be found throughout several areas of the health service.

28 January 2014

The decision to close St. Brigid's Hospital was taken on the back of a highly curious process that seemed designed to deliver on a decision that had already been made. This approach is typical of nearly every consultation process undertaken by the Health Service Executive under this Government. It simply ticks the boxes as part of an exercise that does not constitute a genuine engagement with communities, medical professionals or service users. Members of the public see through this tactic, the outcome of which is the destruction of faith and trust in local HSE management.

The Government has actively undermined the ethos contained in A Vision for Change, a strategy that is built on a recovery model that recognises the necessity of a collaborative relationship between service users and medical professionals. Furthermore, the policy envisaged that service users would be included in policy formation and decision making. The National Service Users Executive, which was established under A Vision for Change to represent service users, recently recounted to me how it has been bullied by the HSE to the point that it can no longer function. Last October I received a letter from the HSE clearly stating that service users participating in meetings with the HSE would not be treated as equals alongside medical professionals or other public servants. This approach flatly contradicts the letter and spirit of A Vision for Change and fundamentally undermines the parity of esteem essential to the recovery model.

I recently met representatives of Mental Health Reform who expressed frustration at the delays in the delivery of promised mental health funding for 2013. The HSE National Service Plan 2014 indicates that certain initiatives, including the appointment of new staff for community mental health teams allocated for 2013 and 2014, will be "specifically targeted towards the latter half of 2014 to allow ... savings to be utilised on specific services on a timing delayed basis". As stated by Dr. Shari McDaid, director general of Mental Health Reform:

Unfortunately, mental health needs do not operate on a timing delayed basis, and the decision to delay until the latter half of 2014 the appointment of next year's promised 250-280 new staff and the remaining staff due from 2013 will have a real human cost. Yet again, we are seeing mental health services suffer the drip-drip effect of delays.

Only yesterday, I received a response to a question I tabled to the Minister for Health in September 2013, which confirms the Government's deliberate policy of delaying the recruitment of new staff in the mental health sector. As of 30 November last year, only 137 of the 459 promised posts had been filled. The question of how many of these staff are actually working on the ground remains unanswered. These posts form part of the commitment in the programme for Government to ring-fence €35 million a year for mental health services. This promise was betrayed in budget 2014 when a cut of €15 million was imposed on the service. There is still no clarity in regard to how much of the €35 million allocated in 2012 and 2013 was actually spent. Having spoken to those working in our mental health services and from information provided to me in response to a parliamentary question, I strongly suspect that it has not been spent. The reduction by €15 million to €20 million in last year's budget in the amount ring-fenced may simply be the Government recognising the magnitude of the under-spend that has already occurred in mental health services.

Mental health services are struggling and are being starved of resources. Only recently those working in the mental health service in east Galway told me that HSE expenditure on services in that area were €3 million under budget at the end of October last year. They fundamentally believe that not one red cent of this money will be spread across the mental health budget. The Minister needs to confirm if this is so and to provide an explanation for it.

At the end of September 2013, some 413 children were more than a year on a waiting list for a first appointment. This means that 413 children in some level of mental distress were waiting more than a year to be seen. The demand on child and adolescent mental health services is running at 13% above the anticipated level. At the same time, research published this year by the Royal College of Surgeons in Ireland shows that the rate of children and young people with a mental disorder in Ireland is higher than anywhere else in Europe or the USA. There are individual and collective tragedies waiting to happen. This issue needs to be addressed urgently by whoever is running the Department of Health.

I believe the issues arising in the mental health service area, and in the health service generally, are the result of two key but related causes. First, the Department of Health is weak, unable to properly manage the budgetary process, suffering from a lack of confidence and support from Cabinet and lacking the ability to manage and control spending. The back-of-an-envelope approach taken to the budget and the HSE service plan has severely undermined public confidence in the service. The farcical nature of the so-called probity measures targeting savings from the medical card scheme, the reduction from €113 million to €23 million, and the miraculous appearance of €108 million in unspecified other savings from payroll are but examples from a catalogue of many in this regard. Second, and most significant, we do not know to whom the Minister is listening. He is not, given the creative editing of the commentary of the director general of the HSE, Mr. O'Brien, listening to him. To be fair to Mr. O'Brien, he appears to have that rare gift for telling it as it is. He bluntly told the Cabinet: "It will not be possible in 2014 to fully meet all of the growing demands placed on the health services." However, as someone decided that this might alarm the public, when the service plan was published the next day, this had been changed to, "It will be very challenging in 2014 to fully meet all of the growing demands."

It is important the Minister listens to those on the front line. Observations or complaints from medical professionals, their unions and professional bodies, are, at best, being ignored and, at worst, the messenger is being attacked. It is not enough to send departmental officials to nod, smile and empathise with staff on the front line; we need to see action. However, this is not happening. The Minister, who I know is a listening man, needs to listen to what patients and service users are saying. I call on officials to demonstrate confidence in HSE management and the Minister by way of a process of engagement.

Morale within the health service is poor. This will eventually affect the quality and delivery of service and the patient. It is not good enough to only listen to people. We need action. It is essential in the public interest that the Minister engages properly with the service plan production and that we work together to ensure we achieve outcomes in the interests in the citizens of this country.

Deputy John Browne: I too welcome the opportunity to contribute to the debate on this motion regarding the Health Service Executive. I agree with Deputy Kelleher's comments in regard to the Government's decision to withdraw the six-hour debate tomorrow on the HSE service plan, which would have provided more Deputies on this side of the House, and on the Government side, with an opportunity, to have an input into the service plan for 2014.

It appears to me that the Minister and director general of the HSE are poles apart in that while the director general has outlined the amount required for the provision of services in 2014 the Minister is not willing to make available the necessary funding to provide all of the services required to meet the needs of people throughout the country over the next year. As stated ear-

28 January 2014

lier, this was clearly spelled out by the director general when he stated: "It will not be possible to meet fully all of the growing demands being place on the health services." While the HSE national plan has been published, we have not yet had sight of the plans for the regions. The executives of HSE south would normally by this stage have explained the cuts and reductions to services in 2014 to the people on the ground. It is strange that this has not yet happened. I encourage the Minister to ensure that the service plan for HSE south is made available as quickly as possible.

While many issues are, perhaps, dealt with in the small print they are not set out in the overall detail of the HSE service plan. The Minister will be aware that the provision of speech and language therapy for children is one of the great scandals of recent years, with children waiting two and three years for services. I recently received a letter from a constituent, a mother of a child who is two years and eight months old, cannot speak and has many other problems, for whom she recently applied to the HSE for an assessment of needs in terms of his development. The response from the HSE was that her child may not obtain services for a year or 18 months, which caused her great concern. In my constituency of Wexford, as I am sure is the case in every other constituency, there are delays of two and three years in respect of speech and language service provision. The letter from my constituent goes on to state that she was told by the HSE that if she has the child privately assessed by a psychologist, this assessment will not be accepted by HSE south. It is strange that a psychologist's report, paid for by a parent, is not acceptable to the HSE. I ask that the Minister make available funds for the provision of speech and language services for children throughout the country.

8 o'clock

I wish to raise the issue of the ambulance service, which is creaking at present but not only in my constituency. The Minister will be aware that throughout the country we have had major problems with the ambulance service. We have a situation whereby there is not enough manpower and vehicles are not in the appropriate condition. There have been many cases where gardaí and ordinary people have taken people to hospitals because the ambulance service has been delayed or has taken so long to come to meet the needs of the patient. I gather €130 million will be spent on the ambulance service in this country in 2014. Scotland is a comparable country but £240 million will be spent in Scotland on ambulance services during 2014. The ambulance service needs a leg-up and extra resources but I do not see this anywhere in the HSE service plan. Perhaps when representatives from the HSE south come to explain their services there will be an increase in money, but I doubt it.

The discretionary medical card is one of the major ongoing issues within the system. People come to our clinics on a daily basis suffering from cancer and other serious illnesses. It is practically impossible to get a discretionary medical card nowadays. There has been a major change in the attitude of the Minister and the HSE in this area. The Minister for Health, Deputy Reilly, is a general practitioner. I have had situations where a GP has put on the relevant medical letter "end-of-life situation". Yet we must fight, argue and make representation after representation to get a medical card for such a person. That should not be the case. It is a shame and, as Deputy Kelleher has pointed out, nowhere in the HSE service plan are discretionary medical cards mentioned.

Mental health was touched on by Deputy Keaveney. We all bought into A Vision for Change. As the Minister is aware, the old St. Senan's Hospital in Enniscorthy closed down. The walls have come down and nice new buildings have been built, which we welcome. Many

people were sent home to the community. However, in recent months many of the nurses and staff who were working in the community have been withdrawn into the residential care houses because of a lack of staff. This is a genuine area of concern. People were very good at providing outreach services in the community. Now, we find that the staff are being withdrawn and the people in the communities are left without visits from the community nurse. The scheme had been so successful.

A Vision for Change was one of the enlightened decisions taken by politicians in this House and there was buy-in from all sides. It has been implemented by this Government. However, there is a lack of funding in mental health services at present. This was one of the major planks of the programme for Government. I remind the Minister that he said he would ring-fence €35 million annually from within the health budget to develop community mental health teams and services as outlined in A Vision for Change. That money does not seem to be coming on-stream despite the fact that the Minister of State, Deputy Lynch, has said on several occasions that the money is ring-fenced for extra staffing. However, the extra staff are not being provided. Now we have a situation whereby the nurses who were working in the community are now being withdrawn to the residential areas.

There is an issue with accident and emergency departments. A new accident and emergency department is being built in Wexford General Hospital. I understand an extra ten staff will be required to open the new accident and emergency department, which is coming near fruition. Will the Minister indicate whether an extra allocation of money will be made available to provide the extra ten staff for Wexford hospital? Will we see what has happened in other parts of the country, that is, new buildings remaining closed for months or years? I call on the Minister to ensure that the essential extra funding is made available for the new building at Wexford hospital.

We have long waiting lists at accident and emergency departments. People are on trolleys. As Deputy Kelleher said, the numbers increasing on trolleys in recent weeks are alarming. They disappeared for a while but we now have over 400 people on trolleys. We have a significant increase in the numbers on trolleys in Wexford hospital. Waiting lists are soaring at the hospital. They have increased by 57% in a year. Certain areas of the HSE service plan have not been working in 2013 and certainly will not work in 2014 when one considers the dramatic reduction of funds to be provided by the HSE.

I emphasise to the Minister the importance of the fair deal scheme. The fair deal scheme worked reasonably well. However, now when I inquire about the scheme or make a new application, I am told to send in the application but that the officials do not know when I will get the money. This means a significant number of people are taking up hospital beds when they could be out in the community and in nursing homes under the scheme. It is essential that extra moneys are made available for the fair deal scheme. Nursing Homes Ireland has stated clearly that the service plan is projecting a reduction of 939 persons to be supported by the nursing home support or fair deal scheme in 2014. That is a substantial reduction. It is not a wise decision for the fair deal scheme not to continue as heretofore.

Deputy Barry Cowen: The motion states categorically and plainly, as has been said by my colleagues, that the 2014 national service plan of the HSE is inadequate to meet fully all the growing demands placed on the health services. The lack of sufficient resources will not be in the best interests of patient care. This service plan provides for fewer people to be treated as inpatients, fewer people to be treated as outpatients and fewer people to be treated as day cases

28 January 2014

in hospitals throughout the country this year. The service plan means that far fewer people will have medical cards by the end of 2014.

Let us consider the discussion on the service plan that took place at the Oireachtas Joint Committee on Health and Children earlier this month. It was interesting to hear members of the HSE outline a series of measures that do not necessarily have a significant cost but are none the less absent from this service plan. They said they would like to have developed a national perinatal pathology service at a cost of €420,000 this year but they are not in a position to do so. They would like to have seen phase 2 of the intermediary care service at a cost of €4.4 million but they will not be doing that this year. They said they would like to have done more in the area of health and well-being initiatives at a cost of €1.5 million but will not be doing so. They were keen to roll out an extension of BreastCheck at a cost of €500,000 in the current year but they will not be proceeding with that. Nor could the HSE or the Minister secure Government resources for a €40 million proposal that would review home care and community support services, develop a new model of service delivery and maintain home help hours at 2013 levels despite the cuts. The proposal would provide home care packages and support for early discharge from hospital while reducing the level of entry to long-term residential care, but this will not materialise. They could not get an extra €25 million to meet the increased demand for dental treatment services and stop the growing loss of dental treatment services through the country and at various locations in my constituency.

One of the previous speakers quoted what the HSE chief executive, Tony O'Brien, had to say before a Cabinet meeting at Christmas. He said, "It will not be possible to fully meet all of the growing demands being placed on the health services". After the meeting, however, the spin was in overdrive, with Mr. O'Brien stating that it would merely be "very challenging" in 2014 to meet all of the growing demands on services.

Colleagues have dealt with the pressures on hospital emergency departments. Will the Minister clarify what is happening in regard to the fair deal scheme and offer assurances regarding the issues we have outlined in this regard? Age Action Ireland has expressed concern about the impact the service plan will have on the sickest and most vulnerable, including older people. The plan acknowledges that waiting times for a nursing home bed under the fair deal scheme will increase in 2014. In fact, it states that 700 fewer beds will be funded under the scheme this year compared with the target for 2013.

Deputy Colm Keaveney outlined the issues arising in the area of mental health services provision, including the frustration on the part of patients that the delivery of the promised funding for 2013 and 2014 will be subject to delays. Deputy John Browne referred to the situation in the regions, where health service managers have a right to know the true extent of the cuts proposed in the 2014 plan. I understand the Midland Regional Hospital in Tullamore and the hospitals in Mullingar and Portlaoise have started the year in the dark in this regard. Will the Minister not do the honest and decent thing by publishing the full plan without further delay? We need to know what the full and real effect will be in terms of the ability of health service providers throughout the regions to deliver front-line services.

Deputy Browne mentioned the consternation that has been expressed in regard to ambulance services in Wexford. Similar concerns arise in respect of the service in Offaly, Donegal and throughout the country, as we have heard from various Deputies in recent weeks. The re-configuration of staff and of moneys serves only to re-emphasise the fact that moving the deck chairs around does not address the underlying issue. If the risks associated with the policy of

cuts and efficiencies are not addressed, there will be obvious and unfortunate consequences for ambulance services throughout the country.

The failure on the part of the Minister to provide adequate time for a debate of this magnitude has put paid to the prospect of the representatives of the people in this House obtaining a fair and adequate explanation of the situation as it stands and as proposed for 2014 in the context of the proposed service plan for the health services.

Minister for Health (Deputy James Reilly): I propose to share time with Deputies Peter Fitzpatrick and Pat Breen.

Acting Chairman (Deputy Bernard J. Durkan): That is agreed.

Deputy James Reilly: I move amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“agrees that the 2014 national service plan provides a comprehensive basis for the Health Service Executive, HSE, to continue to deliver safe and high quality health and social care services to the general public throughout the year;

notes that the overriding priority reflected throughout the 2014 national service plan, at a time of undoubted financial constraint, is the commitment to patient safety;

notes that the HSE has set the advancement and implementation of the Government’s programme of health reform at the centre of its service planning for 2014; and

notes, in particular, the progress that has been made in reducing the waiting times for patients on trolleys in emergency departments, with a reduction of 8,814 in the year to 27 December 2013, down 34% from 2011.”

I welcome the opportunity to address the House regarding the 2014 national service plan for the health services. As Deputies have pointed out, this is a time of significant challenge for the health system as a consequence of the emergency financial situation the State has had to address in recent years. Conveniently, all of the speakers opposite omitted to explain how we ended up in that financial morass. Fortunately, as a result of the hard work of the Irish people, we are now emerging from it.

Along with significant and sustained financial pressure on the health system and reductions in health and social care funding and workforce numbers, the health services have also had to respond to significant demographic pressures, with the population of the State increasing by 8% and the proportion of persons aged 65 and over growing by one fifth since 2008. Several Deputies referred to Mr. Tony O’Brien’s statements before and after the Cabinet meeting in December. The differences in his second statement are reflective of the decision at that meeting to provide an additional €47 million, which makes the delivery of the service plan much more achievable. Nonetheless, we are facing a serious challenge in 2014. Indeed, it might well be the most challenging year so far for the health services.

The 2014 service plan outlines a comprehensive response to these challenges. Fundamentally, it is about patient safety, with the emphasis throughout on enhancing and improving measures in that regard. The plan also reflects our focus on reform and builds on the significant progress we have made in implementing our historic programme of reforming initiatives. The

evidence of our success thus far in these two areas - reform and patient safety - can be seen in the year-on-year reduction in the number of patients on trolleys in our hospitals. Despite the significant challenges, we have not only ensured that the health services are responding to the day-to-day pressures of providing high quality care with reduced resources but have also begun putting in place the building blocks of a health service fit for the 21st century. Since the publication of our strategy for reforming the health services in November 2012, we have set about redesigning a health service that provides access according to need rather than ability to pay, enables best health outcomes for available resources, and treats patients at the lowest level of complexity that is safe, timely, effective and efficient, and as close to home as possible.

In 2014, we are implementing the money-follows-the-patient funding system in hospitals on a phased basis, building on the work we did in 2013. Participating public hospitals will be paid for the actual level of activity undertaken rather than receiving a set annual grant. This will support greater efficiency in hospitals and help to enhance patient safety. It will also ensure a patient-centred service. Simply put, if there is no patient, there will be no payment to the hospital. We will continue the work on hospital groups that we began in 2013, appointing new group chief executive officers where required and developing memoranda of understanding between the Health Service Executive and each group. In addition, we will be seeking new industry partners, including from abroad, in the areas of pharmaceuticals, medical devices and other areas of research. The objective is not just to improve health care but also to create jobs in these areas.

Embodied in hospital groups is the fundamental principle of system reform whereby care will be given at the lowest level of complexity and as close as possible to home. This reflects our desire to empower health service staff, within a robust system of governance, to make better decisions in the interests of patient safety. Alongside this reform of hospital groups, we will be working on the establishment of new community areas, with associated governance and organisational arrangements, following the completion of the review of integrated service areas. We will implement new internal management structures with specific programmes relating to shared services, procurement, human resources and information. This builds on the abolition last year of the HSE board and establishment of the HSE directorate, and will be complemented by reform of the Department of Health. Our shared goal is to enable the health sector to respond in a more effective way to patients' health needs and empower health service staff.

Signal among these reforms, as set out in the 2014 service plan, is the establishment of a patient safety agency, initially on an administrative basis within the HSE structure. This will represent a major step in improving safety and quality. The agency will have an advocacy role in regard to patient complaints, supporting patients by directing them to the appropriate provider or agency that can provide a response to the issues they raise. If patients do not obtain satisfaction, the agency will be able to help them to advance their complaint in another forum. Based on a detailed analysis of complaints throughout the system, the patient safety agency will provide national leadership for patient advocacy services, including the health service charter, You and Your Health Service. The agency will also focus on leadership and capacity-building for patient safety, clinical effectiveness, adverse-event learning and clinical audit.

Patient safety is our watchword and the number one priority in respect of both clinicians and health system management. It must be fully built into governance, management and accountability systems throughout the health services. In 2014, there will be a particular focus on the priority areas of medication safety, health care-associated infections, HCAI, and the national early warning score, NEWS. The plan also seeks to implement the recommendations contained

in the reports of the Health Service Executive and the Health Information and Quality Authority regarding the maternal death at Galway University Hospital in 2012, by targeting necessary patient-centred improvements in maternity care.

Our programme of reform extends beyond the health services into addressing the growing incidence of chronic illnesses and the challenges of an aging population. In 2013, we published *Healthy Ireland - A Framework for Improved Health and Wellbeing*, which sets out a whole-of-government and cross-sectoral approach to addressing the demands placed on health and social care services. The commitment in the 2014 service plan to the health and well-being reform agenda set out in *Healthy Ireland* is critical in terms of enabling the required shift in emphasis towards health prevention, promotion and improvement in the years ahead.

The Government is not unfamiliar with the need to achieve savings. It is reflected in the service plan in the shape of €619 million worth of savings measures, which reflect an additional €47 million in health funding provided by the Government in the Revised Estimates. As already outlined, this target is challenging. The House will be aware that as part of budget 2014, I sought an objective verification process to focus on medical card probity, for which the original budgetary target was €133 million. The outcome of the verification process is that €23 million, rather than €133 million, has been targeted in medical card probity. This takes account of the progress already made on probity and of the Government's commitment that everyone who is entitled to a medical or GP-visit card will have that entitlement guaranteed. I reiterate for the benefit of the House and the public that no person who meets the eligibility conditions for a medical card will be affected by this measure. In fact, the 2014 service plan provides an additional €35 million to meet the cost of new applications for medical and GP-visit cards this year. The Government will ensure that those who are entitled to medical cards will continue to hold them.

The implementation of the Haddington Road agreement is now well advanced in most sectors and is delivering on its objectives. The agreement involves a demanding set of targets for the health service, which accounts for approximately one third of the overall public service workforce. The focus and responsibility of HSE management is on the delivery of the necessary savings and a HSE national assurance and support team is working with managers to ensure that measures to deliver these savings are implemented. Under the service plan, the €108 million in pay-related savings form an integral part of the overall savings target. This will be subject to a separate process and will, of necessity, remain unspecified and be held centrally by the HSE until measures to realise these savings have been agreed between the Departments of Health, the Taoiseach and Public Expenditure and Reform.

Of course, we are going to achieve significant savings from reference pricing and generic substitution. Price reductions of the order of 30% per item reimbursed have been achieved since 2009 and the average cost of items reimbursed is now running at 2001-02 levels. It is anticipated that reference prices will be set for 80% of the off-patent market by the end of this year. We introduced the first reference price in November of last year for atorvastatins and the HSE now pays 70% less for these products compared to what it was paying last May. This will ensure that the medicine prices in Ireland fall towards European norms. This year will also see continuation of the HSE's preferred drugs initiative to facilitate the most cost effective prescribing, particularly in respect of high-cost medicines and the continued full-year impact of pricing agreements concluded with the Irish Pharmaceutical Healthcare Association, IPHA, and the Association of Pharmaceutical Manufacturers in Ireland, APMI, which will result in savings of €28 million in 2014.

28 January 2014

For people and patients, a key barometer of the success of our reform programme must be the performance of emergency departments and waiting lists. I am proud to report that there has been a 34% reduction in the number of accident and emergency department patients waiting for ward bed accommodation when one compares 2013 to 2011. That is almost 30,000 fewer patients waiting on trolleys. The figure for the number on trolleys in accident and emergency departments today stands at 327. The remainder are on wards, some on trolleys and some in beds. Two points need to be made in this regard. One cannot compare today's figures for those of years past because Ward Watch did not exist then and the trolleys and beds in wards were not counted. More importantly, outcomes for patients are absolutely proven to be much better when they are on wards and regardless of whether they are on trolleys or in beds. It is patient outcomes with which I am concerned.

Deputy Jerry Buttimer: Hear, hear.

Deputy James Reilly: The House will be aware that surges in demand occur around the new year and Easter. Such surges cause difficulties for everyone in the health services, especially patients. The key point is that health service staff are aware of these increases in pressures and, in conjunction with the special delivery unit, are working on measures to address them. This sustained focus and effort has seen a 3% reduction to date in 2014 compared to 2013. This, of course, is not of much comfort to patients who have been caught up in the situation and I acknowledge that. However, it should also be acknowledged that we have worked to address the ongoing problem of trolleys. We have made - and will continue to make - progress and we will continue to work to address this matter. Our commitment to addressing the situation is underlined by the targeted funding of €30 million available to better address areas of acute services which are likely to experience increased service demand. With this funding we will specifically seek to assist demand-led services such as emergency departments through the identification and utilisation of additional capacity and capability across the system.

When we came into government, there was no information available in respect of outpatient waiting times. Ours is the first Government to count the number of people on the relevant waiting list and in March of 2013 we indicated that over 384,000 people were waiting for outpatient appointments. Some of these individuals have been waiting for their appointments for more than four years. Some 103,000 of the 384,000 patients to whom I refer were waiting longer than a year for appointments. I have requested that no one should be waiting for longer than 12 months by the end of the year. I am pleased to say that despite the 10% reduction in staff, the 20% reduction in our budget, the 8% increase in population and the 20,000 additional people per annum who survive past the age of 65 - which is great but which increases the pressure on the system - in just nine months over 98,000 people have come off the list. That is an extraordinary achievement by the men and women who work in our health service and I take this opportunity to salute them.

Deputy Jerry Buttimer: Hear, hear.

Deputy James Reilly: More needs to be done-----

Deputy Barry Cowen: Hear, hear.

Deputy James Reilly: -----and it will be done. However, what I have just stated shows the great progress that can be made by means of reform.

The Deputies opposite were involved in a Government which had access to unprecedented

amounts of money. However, that Administration did not take advantage of this and institute the reforms that were so badly required. From 1997 to 2007, health spending quadrupled but accident and emergency departments became increasingly crowded and outpatient lists became longer and longer. We have also reduced the target for inpatient treatment from nine months to eight. Some 99.99% of the 41,287 adult patients on the elective waiting list were seen within eight months. That is also a very positive achievement, particularly in light of the downward revision of the target. A total of 95% of children awaiting inpatient or day-case surgery are waiting for under 20 weeks and 99% of patients awaiting routine endoscopy procedures are waiting for fewer than 13 weeks. This means that some targets have not been met and we have a plan to deal with that. We will deal with it.

I wish to bring to the attention of the House the significant service developments that are provided for in the 2014 service plan. In line with the commitment in the programme for Government in respect of universal health insurance, a GP service without fees at the point of use will be provided to an estimated 240,000 children aged five and under in 2014. Additional funding of €37 million was provided in the budget to meet the cost of this measure. This is critically important as a building block on the road to universal health insurance. A further €20 million has been earmarked to meet the commitment in the programme for Government in respect of mental health services. This funding will allow for continued strengthening of community teams, increased suicide prevention resources and clinical programme development and implementation and will support an extra 250 to 280 posts. These posts are in addition to the approximately 900 posts approved to date under the programme for Government commitment to mental health service development.

The 2014 HSE service plan includes provision of an additional €178 million for vital service developments, including €35 million for new medical cards and €30 million to meet increased demand across the acute service areas to which I referred earlier. Other priority service areas addressed in the plan at my specific request include additional funding of €4.5 million for the continued roll-out of diabetic retinopathy screening and treatment - thus ensuring that many people who would otherwise have gone blind will not do so - and €3.2 million to provide a service to undertake bilateral cochlear implants, with particular focus on five and six year olds in order that no one will pass his or her seventh birthday without having such implants inserted, if necessary, and thus miss out on the opportunity for near normal hearing. A total of €10 million is being provided for young people with disabilities leaving school and training and requiring emergency and residential needs placements so that their parents are not forced to spend the summer worrying about where their children will find a place in the autumn.

Almost €3 million is being provided for additional organ donation and transplantation resources to benefit patients and their families, in particular to allow for more live kidney donations. A total of €1.2 million will allow the discharge from hospital and required care in the community for special care children who have undergone tracheotomies in order to allow such children to grow up at home and not in hospital.

The primary focus of the HSE throughout this year will be to deliver the same level of front-line services with a reduced budget while ensuring that quality and safety are paramount. In this regard, the director general has highlighted that the Haddington Road agreement provides an important mechanism for delivering the service plan. I fully endorse those comments.

Speakers referred to the fair deal scheme. There has been a transfer of €23 million which will mean 700 fewer people in long-term care and not 900 fewer as stated. This will allow more

than 1,000 extra people to stay at home as a result of the introduction of new supports. More people will be availing of free GP care with more than 2.2 million entitled to and in a position to access free GP care during the course of this year.

The refrain from the other side of the House is that the health service is in chaos and that it will collapse. Chaos is 569 people on trolleys on a day in January 2011; chaos is not even knowing the extent of an outpatient waiting list; chaos is having no idea how long a patient must wait to have an operation, a wait which could run to one, two or four years. Despite the constraints, the system can now look after patients in a far better way. There has been a massive, 95% reduction in the numbers waiting longer than one year for an outpatient appointment, a reduction of 34% in the numbers enduring long waits on trolleys and all adult patients are being treated within the eight-month period set down for inpatient procedures once seen by a consultant.

Deputy Barry Cowen: Having seen the consultant.

Deputy James Reilly: Yes. In the past we did not know how long they had been waiting to see a consultant.

Deputy Barry Cowen: We know now.

Deputy James Reilly: Exactly. Deputy Cowen and his party were afraid to count them. They did not want to know - “sweep it under the carpet and say it ain’t so”. That has always been the Fianna Fáil way, going right back to Charlie Haughey; say it often enough and it is so. That is not the way this Government is going to behave and that is not the way we are going to run this health service. We are open and transparent and we engage with the front line. I warrant that no Minister has been to more hospitals in his first three years than I have been. I continue to engage with the system, I continue to support them and I salute the Herculean effort they make on our behalf every day.

Deputy Peter Fitzpatrick: This year remains an extremely challenging one for the health services. The scale of savings to be achieved remains considerable. However, the health service has already risen to the challenge of delivering significant savings while maintaining and improving the health services. Since the onset of the recession, there has been a 20% reduction in the health budget, amounting to over €3 billion, a reduction of 10% in staff numbers, amounting to 10,000 staff, and an increase of 8% in the population.

The Minister for Health expressed concerns about the number of savings targets set for the health services in the recent budget. He requested that a validation process involving the Secretaries General of the Departments of Health, the Taoiseach, and Public Expenditure and Reform examining these targets. Following this process, the savings in the medical card scheme has been reduced from €133 million to €23 million. The Government has agreed to provide an additional €47 million for the health budget for 2014. This additional allocation was made possible because of the recovery in the labour market. Projected levels of unemployment next year are lower than projected at the time of the budget. The remaining €63 million in savings is being provided for on an interim basis from pension provisions.

A core objective of the health service plan is to maintain front-line services and prioritise safe, quality treatment for patients in a timely manner. Safety monitoring is a key priority. A comprehensive set of quality and safety indicators will be developed and monitored. Key reforms to be progressed include the establishment of a new patient agency to promote good safe-

ty practices in the health service and to provide advocacy support to patients; the establishment of a health care commissioning agency; a national pricing office; phased implementation of a money-follows-the-patient approach in acute hospitals; the establishment of hospital groups; a focus on actions to promote health and well-being; and the transfer of responsibility for child and family services from the HSE to the new Child and Family Agency.

A total of €35 million has been provided for an additional 60,000 medical cards. Approximately 420,000 children aged five years and under will benefit from free GP care as part of the move to universal health insurance. More than 90% of those aged over 70 will remain covered by either a medical card or a GP visit card.

Disability services will receive additional funding of €14 million and 130 additional staff have been provided to address priority needs in disability services. A total of €7 million is being allocated to provide an estimated 1,200 additional places for school-leavers. A total of €3 million is allocated to provide emergency placement for people with disabilities whose family circumstances have changed and who require an immediate and unplanned service response. A total of €4 million will deliver the required increase in services for children with disabilities, including autism. There will be no cuts to the level of home support and personal assistant hours. The target for the number of home service hours provided to people with disabilities in 2014 is 2.4 million. The target for the number of personal assistant hours provided to adults with a physical or sensory disability in 2014 is 1.3 million. The level of respite care will also remain the same as the 2013 level.

The priority for services for older people is to provide comprehensive home care and community support in order to maintain older people in their own homes and communities for as long as possible. The HSE provides home help and home care packages to approximately 56,000 people at any one time within an overall budget of €315 million. A total of 10.3 million home help hours are to be provided in 2014 and 10,870 home care packages.

The nursing home support scheme will continue to support over 22,000 people in long-term residential care at a cost of €939 million. An additional €20 million has been ring-fenced for 250 to 280 posts in the mental health services in 2014 to enable the strengthening of community teams, increased suicide prevention resources and clinical programme development and implementation.

The service plan provides funding for key service priorities in 2014 which include funding of €3.22 million to undertake bilateral cochlear implants; funding of €1.48 million to deliver patient-centred improvements in maternity care; an extra allocation of €8.3 million for cancer services; and €2.92 million for organ donations and transplantation services. Funding of €30 million has been provided to address waiting lists by increasing access to accident and emergency departments, day care and outpatient services. Funding of €3.1 million has been provided to implement a sustainable approach to the recruitment of non-consultant hospital doctors and to progress compliance with the EU working time directive.

Deputy Pat Breen: The biggest threat to the health service of our nation is the doom and gloom merchants on the Opposition benches who constantly question the Government's record on health, despite their party's dreadful record in that Department.

It is acknowledged that 2014 will be another challenging year for the health services, in particular, taking into account the savings of €619 million which must be achieved. In spite

28 January 2014

of the fact that the HSE must operate with fewer resources and fewer staff, it has managed to make real progress. For example, the mid-west hospital group in my region has seen a number of positive developments such as the commencement of the colorectal screening programme in Ennis and the neonatal screening programme in Limerick. A total of 7,472 additional in-patients and 11,094 outpatients were treated in the system. There is no denying the bottle-neck at the accident and emergency department at the Mid-West Regional Hospital at Limerick. It is particularly acute at this time of the year when, traditionally, there is a peak in the number of people attending emergency departments. Hospitals in Northern Ireland and the UK have witnessed similar increases since Christmas. However, the situation in the Mid-Western Regional Hospital in Limerick could be alleviated by reducing the disruption and extending the hours of operation of the services in Ennis. The idea of developing local injuries clinics and medical assessment units was to reduce the need for patients to present themselves at emergency departments.

The medical assessment unit in Ennis was closed for three and a half days earlier this month when the senior doctor who was scheduled to be on duty in the unit was off sick and there was nobody there to replace him, forcing Clare patients to travel to Limerick and putting the service there under further pressure. I am glad the HSE intends to promote greater use of these units this year. However, in order to do so, it is important it puts a staffing procedure in place in Ennis which will minimise any further disruption. In addition, the medical assessment unit in Ennis should be open on a seven-day basis which would eliminate the need for some patients to travel to Limerick at weekends.

The problems in the accident and emergency department in Limerick are causing a lot of distress and upset for patients and their families and for the staff who are working there. The solution is to have a new emergency department up and running as soon as possible. I understand that while work is well underway on the new facility, it could be 2016 before it is operational. It should be fast tracked. I put that question to Ms Ann Doherty and I know they will do their very best to open the new emergency department, hopefully, at the end of 2015.

I constantly receive complaints from constituents about the length of time they have to wait at accident and emergency departments. Given that this facility will not be opened in the short term, I urge the HSE to open additional beds in the interim to alleviate the situation.

I have always argued that a separate paediatric emergency department should be available in Limerick hospital given that paediatric services are no longer provided in Ennis. It is not acceptable that sick children who are attending the accident and emergency department must wait in the same area with adults, in particular at night and at weekends when the accident and emergency department is overcrowded with people coming from pubs and nightclubs being treated. I understand the HSE plan for 2014 envisages the development of an interim paediatric accident and emergency department and I urge it to proceed with that facility as soon as possible.

The Minister has an ambitious plan for our health service. He does not have the luxury of resources which the previous Administration had but in spite of this, he has embarked on a programme of reform which is delivering real and tangible results and I commend him on his work. I urge the Opposition to end the charade of political opportunism and to work with the Government to deliver a better health service to our people.

Yesterday, I attended a briefing by HSE mid-west in Limerick. I understand the local service plan hopes to keep the same service this year. We were told by the director that it was an

ambitious project. Given the limited resources and reduction in funding, it has put a plan in place which will try to keep the same service we had in 2013. I commend the local HSE in that regard.

Deputy Sandra McLellan: I welcome the opportunity of this Private Members' motion to address the situation in our public health service and the total inadequacy of this Government's budget for health and of the HSE's 2014 service plan. Sinn Féin will support the motion in the name of the Fianna Fáil Deputies as far as it goes. We agree, as the motion states, that the 2014 national service plan of the HSE is inadequate to fully meet all of the growing demands being placed on the health service. We also agree that the lack of sufficient resources will not be in the best interests of patient care and that this is already evident in accident and emergency departments.

That said, we are disappointed the motion does not go further. It makes no demands on the Government and puts forward no proposals for improvement and for the fundamental change, which is needed. This is disappointing but not surprising given that it was the Fianna Fáil leader, Deputy Martin, as Minister for Health, who set up the HSE in the first place. He maintained the unequal two-tier health system with its top heavy bureaucracy and its inequitable delivery of services both in terms of the public private division and in terms of regional disparities.

The current Fine Gael-Labour Party Government and the Minister for Health have talked much about reform but with little result. The reality has been that they have continued with the year-on-year cuts to our public health service which were begun by the last Fianna Fáil-led Government. A number of our Deputies have requested meetings with clinical directors in their areas to discuss the impacts of the health service cuts but some have been very slow to in coming forward to facilitate these meetings. For elected Deputies that is not good enough.

As I pointed out at the Select Committee on Health and Children today when we were dealing with the Revised Estimates for health, by the end of 2014, under the HSE's service plan, almost €4 billion will have been taken out of our public health service since 2008. In terms of staff numbers, a further 2,600 whole-time equivalents are to go in 2014 on top of the 12,500 which have gone since 2007. As the HSE admitted in the suppressed memo to Cabinet in advance of publication of the HSE service plan, the cuts being imposed in 2014 are unsustainable.

The statement earlier this month by the Irish Emergency Medicine Trainees Association that overcrowding in hospital emergency Departments is unequivocally dangerous for patients is a wake-up call for the Government. The trainees pointed out that over the previous two weeks, trolley numbers had exceeded 300 per day, and this came after the Irish Nurses and Midwives Organisation highlighted the increase in trolley figures in 2013 over the previous year.

The health cuts imposed by this Government, and reflected in the HSE service plan, are set to make the situation worse over the course of 2014. Hospitals are under severe pressure and the bed shortage is acute. This is compounded by the decision not to provide additional funding in the service plan for nursing home places, leading to more older people occupying acute hospital beds for longer as they await ever scarcer nursing home places.

Under the heading of care of older people and community care, the Fine Gael-Labour Party programme for Government states:

Investment in the supply of more and better care for older people in the community and in residential settings will be a priority of this Government. Additional funding will be

28 January 2014

provided each year for the care of older people. This funding will go to more residential places, more home care packages and the delivery of more home help and other professional community care services.

This Government is clearly renegeing on its commitment in its programme for Government to ensure the supply of more residential places for older people who need them. By its failure to live up to its own commitments, the Government is condemning older people, especially those with dementia, and their families to the misery of long stays in our public hospitals as they await nursing home places. This is first and foremost a terrible ordeal for those older people. Crucially, given the crisis in our hospitals, it means that acute hospital beds are being occupied by people who need long-term residential care and not long-term acute hospital care.

The first State-wide audit of dementia care carried out by Dr. Suzanne Timmons, consultant geriatrician at UCC Mercy Hospital, has just been published. It shows that one quarter of inpatients in our hospitals are affected by dementia. That is a huge percentage. The audit also shows that our health system is ill-equipped to deal with dementia. I cited this at the Select Committee on Health and Children today and I stress it again. The figures in the audit show that 91% of hospital wards have no access to psychology services while more than one third of wards have unfilled health care assistant vacancies. Dr. Timmons stated that the low standard of dementia care in hospitals continues to affect the overall well-being of patients. She also stated that for a person with dementia, it must be much more challenging and frightening and that if one is used to being at home with someone one recognises and is used to one's own routine, the acute hospital must be a very frightening place and that is why everyone who works in a hospital needs to improve their practices.

This will be growing problems which will need to be addressed but clearly Government policy is going in the opposite direction, as the service plan confirms. I urge the Government to change direction on the care of dementia, which is affecting increasing numbers of people as our population lives longer.

I want to take the opportunity presented to me by this health care debate to raise the imminent closure of Mount Carmel Hospital in Dublin. This hospital is being allowed to close with hardly a murmur from the Minister for Health. While it is privately owned, we have been told by the Irish Nurses and Midwives Organisation that at the time of last week's shock closure announcement, some 80% of the hospital's patients had been referred directly to it by the HSE from our public hospitals. Mount Carmel Hospital is not simply a private maternity hospital, as reported in the media. It has been providing a wide range of services and taking pressure from hard-pressed public hospitals. We are talking about 130 beds and 330 staff - 200 of them nurses - being removed from our health system. Why is this happening? Is it the case that the owners of Mount Carmel Hospital petitioned the High Court for liquidation at the behest of NAMA because their loans are in NAMA? This requires more detailed address by the Dáil and a detailed response from the Minister. I hope the Ceann Comhairle will accede to the request of Deputies for a Topical Issue debate on this pressing matter tomorrow or on Thursday. If something is not done in the next few days, this health facility will close, 130 beds will be lost and 330 experienced, qualified and dedicated staff will lose their jobs.

I wish to say a little more about the service plan. It has to be said that despite the untiring efforts of health workers, our service is not fit for purpose. The cuts introduced by Fianna Fáil, the Labour Party and Fine Gael have devastated front-line care. Some €4 billion has been taken out of our health services since 2008, while our people continue to pay the enormous debts of

bankers and financial speculators. Thousands of people, including seriously ill and disabled children, are facing the loss of their discretionary medical cards this year. Accident and emergency services in hospitals throughout the State are under threat. Funding for nursing home beds is being cut. The knock-on effect of this is to put pressure on hospital beds. Prescription charges have been trebled by a Minister who condemned them when he was in opposition. All of this sends a clear message to the sick, the disabled, the elderly and anybody else who depends on the health service that they are far less important to the Government than investors, speculators and the markets. This is a grave injustice. Any Government that persists with such a policy is morally bankrupt. Sinn Féin is telling the Government that health care is a basic right and that the health service must not be diminished any further. It is beyond time for radical changes in the Government's health policy. We need a change of direction and we need it now.

Deputy Pádraig Mac Lochlainn: Apparently, some Members of this House are disappointed that the media has been focusing on the Committee of Public Accounts in recent weeks. It has been suggested that the committee in question, rather than this Chamber, has been at the centre of parliamentary discourse. I do not know what Members are annoyed about, given that no Fianna Fáil Deputies are present for this part of the debate on a Private Members' motion that was tabled by their party. They have not had the courtesy to remain to hear contributions to the debate on their own motion. Equally, neither the Minister for Health nor the Ministers of State at the Department of Health are in attendance. I have stayed here until the very end of this evening's session to raise an issue that pertains to this motion, but the Deputies from the party that proposed the motion have not bothered to stay. The relevant Minister and Ministers of State are not here either. How can this place be taken seriously in that type of scenario?

Deputy John Perry: The Minister, Deputy Reilly, has just left because he has an appointment.

Deputy Pádraig Mac Lochlainn: Surely one of the three Ministers or Ministers of State could have stayed.

Deputy John Perry: I will pass the Deputy's remarks on to the Minister.

Acting Chairman (Deputy Bernard J. Durkan): One speaker, please.

Deputy Pádraig Mac Lochlainn: Deputies cannot complain about the Committee of Public Accounts when we have that kind of scenario in here.

Acting Chairman (Deputy Bernard J. Durkan): I ask the Deputy not to invite argument.

Deputy Pádraig Mac Lochlainn: Fair enough. Who would I be to argue with the Chair?

Acting Chairman (Deputy Bernard J. Durkan): Absolutely.

Deputy Pádraig Mac Lochlainn: I hold the Chair in high esteem.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy and I could spend the whole night arguing about this, but we would be wasting the Deputy's speaking time. We would not want to do that.

Deputy Pádraig Mac Lochlainn: I assure the Chair that I am happy to use one minute of my time to make that point.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy is so generous.

Deputy Pádraig Mac Lochlainn: As a representative of Donegal North-East, the best example I can give in dealing with the substantive issue in this debate is the case of Letterkenny General Hospital. As Deputies will know, a serious flood last year affected the hospital's new three-storey building as well as the older part of the hospital. Approximately 40% of the hospital's floor space was contaminated by flood water. It was an unprecedented level of crisis for a hospital in this State. The response of the hospital's management and staff to that incident, both on the night it happened and during the clean-up in the days that followed, was absolutely heroic. It has been a substantial challenge for them to hold the place together since that time. However, the hospital's accident and emergency department has been overwhelmed in recent weeks. Contrary to what some people have suggested, this is not solely as a result of the impact of the flood. It is a reflection of the historic neglect of the hospital.

Letterkenny General Hospital is the seventh largest hospital in the State. Each year, it takes in approximately 21,000 inpatients, which is considerably more than some hospitals that have higher budgets. It is remarkable that it is designated as a general hospital rather than a regional hospital as it should be. It deals with 21,000 inpatients. It has the lowest budget allocation per inpatient and the lowest allocation of staff in the State. That has been the case for many years. It has been suggested to me that last year's flood and the response to it took the spotlight from the hospital's inevitable medical staffing crisis. The hospital has approximately six medical registrars, measured as whole-time equivalents, when it needs 16 of them. There is a real crisis in terms of that key component. It is not possible to sustain all the specialties in a hospital and man a 24-hour accident and emergency unit in the absence of the required number of medical registrars.

I would like to conclude by speaking about the historic neglect of certain hospitals in various parts of Ireland. I refer, for example, to the manner in which junior doctors are allocated from the training hospitals. It is right that the taxpayer, through the HSE, subsidises those training hospitals. However, there does not seem to be a means of ensuring these key staff are allocated fairly to other hospitals. I want to use this debate to call for that to change. This is not some parish pump thing. The facts are the facts. It is a fact that Letterkenny General Hospital has the lowest budget allocation per inpatient and the lowest allocation of medical staff in the State. That was the scenario before the flood. We want to see the full restoration of Letterkenny General Hospital. I am not just talking in terms of capital. We need to ensure the hospital has enough staff to run effectively. I will make three recommendations in that context. First, Letterkenny General Hospital needs to be upgraded to regional hospital status. Second, there needs to be a fair allocation of staff and budgetary resources to the hospital, based on its number of inpatients. Third, and most immediately, there needs to be an allocation of medical registrars to the hospital, especially given that we have heard from the most senior staff at the hospital that it is facing a staffing crisis in this key area. I call on the Minister of State to pass this urgent message on to the Minister and Ministers of State at the Department of Health. The staff of the hospital should be met half way. The Government should respond to the heroism of the staff and management of the hospital by giving them what they need to do their jobs.

Acting Chairman (Deputy Bernard J. Durkan): Before the House adjourns-----

Deputy Thomas Pringle: I understood I had five minutes.

Acting Chairman (Deputy Bernard J. Durkan): Yes, you have.

Deputy Thomas Pringle: If we could prevent the cutbacks in the health services as easily as we prevented the cutting short of this debate, it would be a good turn of events. I welcome the opportunity to contribute to the debate. Deputy Breen referred to the doom and gloom merchants on the Opposition benches. I wonder whether he considers the chief executive of the HSE, Mr. O'Brien, to be a doom and gloom merchant, given that he has said that this year's HSE funding cuts may not be in the best interests of patient care.

9 o'clock

I wish to give two examples of the impacts of the cuts in funding to the HSE on my community in County Donegal. It ties in with the example given by Deputy Mac Lochlainn of the difficulties in Letterkenny General Hospital. Killybegs community hospital has 48 beds dedicated to respite care and long-stay care for elderly patients. However, today eight of those beds are closed because of the embargo the Government has applied in the health service. Those eight beds are closed because management will not replace staff, who have retired or are on sick leave, which would allow the hospital to operate to its full capacity. This means that many elderly patients are scattered around County Donegal, many of them 40 or 50 miles away from their homes in nursing home care because they cannot access a bed in their own communities.

That shows the impact the cuts in the health services have had in recent years. Those cuts are continuing because there is no sign of the embargo being lifted. If we want the health services to work for the benefit of the community, we need to ensure that beds in community hospitals are kept operational. Staff should be allocated on a temporary basis to ensure that happens. This ties into the problems Letterkenny General Hospital is having because patients cannot move out of the general hospital into community hospitals where many beds have been closed because of staffing shortages and the ongoing embargo. That indicates the crisis we have in community hospitals.

In the past week the community on Arranmore Island was faced with the loss of its public health nurse. This is an isolated community of 500 people - ten years ago more than 1,000 people lived on the island. As a result of the withdrawal of services and the difficulties in this recession, people have moved away and emigrated. This community had a vital link in having a public health nurse available full-time on the island. The HSE in its wisdom proposed to move this nurse from the island and replace her with a part-time nurse. Thankfully, the community mobilised and today that decision was reversed, which I welcome. However, the community should never have had to do this. The community should have been comfortable in the knowledge that despite all the threats it faces, the threat of the removal of health services should not have been one. It should have been able to look to rebuild the population on the island in the confidence that it would have the services for people. That decision was only reversed because the community mobilised and fought for a service to which it is entitled.

Those two examples give an idea of the crisis that many people face every day because of a lack of investment in our health services. In launching the HSE's service plan, Mr. Tony O'Brien stated that his overriding priority was patient safety and his next priority was treating patients in as timely a fashion as possible given the constraints the service is under. It is a sad indictment of a health service in 2014 that the best we can hope for is to treat patients safely and then in a timely fashion. We should be looking to invest in our health services and develop them so that they can provide for the people who need them most.

I wish to highlight some items that have been dropped from the HSE's service plan, includ-

28 January 2014

ing a reduction of €53 million in services for older people. In the next ten years the number of people over 65 will double and in hospitals such as Killybegs Community Hospital we will need to double the number of beds - not closing beds because of an embargo. We need an investment programme to double the number of beds available over the next ten years for that ageing population. There has been a reduction of €3.9 million in the colorectal screening programme. That is an investment that would save money in the long run and it indicates the Government's short-sightedness in the HSE service plan. BreastCheck has been cut by €500,000 preventing the further roll-out of that programme, which is also an investment that would save money.

The health services need investment and increased funding as opposed to this constant mantra of more for less, which is absolute rubbish.

Debate adjourned.

Estimates for Public Services 2014: Message from Select Sub-Committee

Acting Chairman (Deputy Bernard J. Durkan): The Select Sub-Committee on Health has completed its consideration of the following Revised Estimates for public services for the service of the year ending 31 December 2014: Votes 38 and 39.

The Dáil adjourned at 9.05 p.m. until 9.30 a.m. on Wednesday, 29 January 2014.