



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 5 Márta 2014

Wednesday, 5 March 2014

Chuaigh an Leas-Cheann Comhairle i gceannas ar 9.30 a.m.

Paidir.

Prayer.

Ceisteanna - Questions

Priority Questions

Supplementary Welfare Allowance Payments

1. **Deputy Willie O’Dea** asked the Minister for Social Protection to explain the reason for abolishing the diet supplement scheme; the number of persons who will be affected by the abolition; the savings that will be made from the decision; and if she will make a statement on the matter. [10611/14]

2. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection to explain the reason for her decision to close the special dietary supplement scheme, which offered social welfare recipients who, for example, have coeliac disease or who have suffered a stroke a small contribution towards the cost of medically necessary diets, which are substantially more expensive than the typical food bills of people who do not suffer such conditions; her views on whether this will impose hardship; and if she will reverse her decision. [10608/14]

Deputy Willie O’Dea: This question arises from a recent announcement on the website of the Department of Social Protection to the effect that this allowance which has been payable since the early 1990s and which was designed to assist a small group of people to purchase food which was medically necessary for them has been withdrawn.

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 1 and 2 together.

The diet supplement, administered under the supplementary welfare allowance, SWA, scheme, is payable to qualifying people who have been prescribed a special diet as a result of a specified medical condition, at a cost of approximately €3.5 million in 2013. The numbers in receipt of the allowance have been declining in recent years, from 12,000 in 2006 to a current

figure of 5,900. The scheme was closed to new applicants from 1 February 2014. Existing recipients as at the end of January will continue to receive the diet supplement at the current rate of payment for as long as they continue to have an entitlement to avail of the scheme or until their circumstances change. This will allow existing customers to adjust to the new arrangements and anticipate how they will be affected by any future change in their circumstances. It also ensures no one will be immediately worse off by the closure of the scheme.

The background to the closure of the scheme for new applicants is as follows. During 2013 the Department commissioned the Irish Nutrition and Dietetic Institute, INDI, to update previous research, published in 2006 and updated in 2007, on the cost of healthy eating and specialised diets. Pricing for a selection of foods based on branded and own label foods was surveyed in a sample of retail outlets for each diet. These outlets included large stores, large low-cost stores, medium-sized stores and convenience stores. The research shows that the range of costs associated with a specialised diet is influenced mainly by the shopping location, with the lowest costs being in the large discount stores and the highest in convenience stores. In general, choice was found to be limited in convenience stores with regard to healthier options. The more specialised the diet, for example, gluten-free, the more the individual is required to frequent the larger stores to be able to purchase the necessary food. The research shows that the average cost across all retail outlets of the diets supplemented under the scheme can be met from within one third of the minimum personal rate of social welfare payment, that is, the SWA scheme rate of €186 per week. Accordingly, I decided to discontinue the scheme on the basis of this evidence and have no plans to reverse the decision. Payment of the supplement will continue to be made to existing recipients for as long as they continue to be entitled to the payment. If cases of hardship present, officials have the power to award a payment under the SWA scheme where there is exceptional need. That is how I would prefer the matter to be dealt with should or when cases arise.

Deputy Willie O’Dea: What the Minister is saying, essentially, is that we are moving from a situation where people are entitled to the allowance to one where it will be paid entirely at the discretion of the local social welfare official. What the Minister did not say, although I had included it in my question, was how much per annum the Government envisaged it would save through this measure. Two groups are particularly affected. First, there are people suffering from a coeliac disease. As the Minister will be aware, they were entitled to get their gluten-free food on a medical card but that concession has now been withdrawn. The special diet supplement has also been withdrawn.

The second category comprises people who have difficulty in swallowing and need liquidised diets because they may be stroke victims or suffering from throat cancer. Would the Minister agree that this is a very small and particularly vulnerable group of people? If her Department continues paying those already in payment and the numbers are dropping, will the savings not be minimal? Can the Minister tell us how much the Government will save as a result of this decision?

Deputy Joan Burton: I do not know if the Deputy does the family shopping, but if he was involved and particularly if he was shopping for anybody on a specialised diet, he would know what the report overwhelmingly shows, which is that in the larger, low-cost stores the availability and cost of the foods required has changed out of all proportion. The Deputy may be thinking of the previous situation whereby such foods were often sold in chemists at extraordinarily high prices. Currently, however, if one visits a convenience store, chain store, discount shop or supermarket, one will almost always find a significant section devoted to specialised diet food,

including gluten-free foodstuffs. In addition, a number of specialised bakers make gluten-free products which are now much more widely available.

The critical issue is that the cost of such items has fallen, so they are significantly cheaper. Some 75% of people in receipt of the dietary allowance are also in receipt of a pension or disability payments, so it is well within the income range.

Deputy Aengus Ó Snodaigh: On 1 February, the Minister brought about this change in a quiet, slíbhín manner, discontinuing a scheme which was aimed at people with a condition, such as coeliacs, stroke victims or those suffering from motor neurone disease. The Minister cited the report but it stated that there is an additional cost which has increased as a proportion of social welfare spending.

This is a means-tested scheme which is aimed at the poorest in our society, yet the Minister is punishing those who are not only poor but also suffer from a condition. Has the Minister looked at the prices of such products, even in low-cost stores? I have done so and the majority of them charge five times as much for gluten-free pasta. Similarly, gluten-free bread is three times the price of normal bread, while gluten-free cornflakes are double the price. That places a huge burden on people who depend on social welfare.

Deputy Joan Burton: I am glad the Deputy has acknowledged that the issue is the availability and cost of these products. They were once confined largely to chemists and like many chemist-based products in Ireland, particularly in the past, could be extraordinarily expensive. People involved in doing the family shopping will now see that nearly all stores, particularly the big multiples and low-cost discount supermarkets, have such foods available at much cheaper prices than heretofore. People with special dietary needs can obtain specific supplements via the supplementary welfare allowance scheme. That is a much better way of approaching it because the numbers availing of this scheme, as the Deputy will see from the statistics, have fallen dramatically. This is due to the availability and lower prices of such foods in the kind of stores I have mentioned.

Deputy Willie O’Dea: I do not understand what the Minister is at here. She seems to be suggesting that the reason for this change, which was brought in through the back-door and not publicly announced, is to encourage people to go to the larger stores and get the stuff cheaper. Basically, however, this is a cost-saving measure. Will the Minister tell us how much she thinks the Government will save off the social welfare bill as a result of this change? Does she agree that the people being hit - a small voiceless minority - are among the poorest people in our society who can therefore least afford the change? From that point of view this change is regressive. Can the Minister tell us how much she envisages the Government will save on this change?

Deputy Joan Burton: I told the Deputy before that 75% of the people currently in receipt of the scheme are either on a pension or disability payment. As the Deputy will know from his knowledge of social welfare, they are some of the people on the higher levels of weekly social welfare payments. The supplementary welfare allowance scheme rate is €186 per week. Somebody on an invalidity or retirement pension, or various kinds of illness and disability payments, is likely to receive significantly in excess of that in personal rates. The Deputy will be aware of that but perhaps that will clarify the matter.

Because nobody currently on the scheme is losing and they are all staying on the scheme

so long as their medical circumstances indicate that they qualify for it, I do not anticipate any significant savings on this. I do anticipate a better way of dealing with this through the supplementary welfare allowance system of a special payment for people with particular needs. This does reflect changes in prices and availability.

Deputy Aengus Ó Snodaigh: The old saying goes, “If it’s not broken, don’t fix it.” The Minister’s own report said that an additional financial burden is being placed upon current beneficiaries of this scheme. Future applicants would obviously also have benefited.

The cost of these diets for coeliacs, stroke victims or people suffering from motor neurone disease has increased in the period covered by the report from 35% of social welfare income to 40%. That contradicts what the Minister said. Not every town and village in the country has one of these big multiples, so there is an extra cost for people who have to go out of their way to visit such outlets.

I do the weekly shopping so I know the prices involved. Ordinary pasta in Tesco costs 47 cent but gluten-free pasta costs €2.50, which is over five times the amount. I can quote similar price differentials for bread, crackers and cornflakes. Luckily there is a range of such products now, but the problem is that they still cost substantially more than normal foodstuffs. The poorest in our society are thus being penalised so I am asking the Minister to reverse this change. If the numbers applying for the scheme are dropping it would obviously be less of a cost, so I cannot see the logic behind this in any shape or form.

Deputy Joan Burton: The weekly cost of the specialised diets in the study ranged from €35.66 to €73.97. That is a range of 19% to 40% of the lowest rate of social welfare payment, which is a supplementary allowance of €186 per week. The number in receipt of the supplementary welfare allowance in the social welfare system is extremely small. As I indicated, almost all recipients of the allowance are on a much higher rate of social welfare payment than the minimum rate because these specialised diets are followed on health grounds. If there are cases of hardship, the individual in question should speak to officials in the social welfare service. The numbers on the scheme are falling for the reasons the Deputy outlined, namely, the greater availability and reduced cost of the relevant food items. Those who look after people with special needs will be aware that these foods used to be extraordinarily expensive and only available in specialised outlets.

Deputy Aengus Ó Snodaigh: They used to be available in chemists to medical card holders.

Deputy Joan Burton: When we checked the position, we found that, by and large, those who availed of the scheme had free travel. In a significant number of cases involving individuals with a severe illness, their carers are also entitled to free travel. The report addresses all of these matters.

Rent Supplement Scheme Eligibility

3. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection if she will raise the rent caps for rent allowance to reflect the rapid rise in rents in many areas across the country to address the problem of landlords refusing to accept rent allowance; her views on whether these caps are now contributing to a growing homelessness crisis; and if she will make a state-

ment on the matter. [10610/14]

5. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if her attention has been drawn to the fact that the current rent supplement thresholds for Dublin city and county are totally unrealistic and are resulting in increased homelessness in the city including a high level of families and will increase the threshold pending the long-awaited housing assistance payment. [11006/14]

Deputy Richard Boyd Barrett: Two years ago I informed the Minister that her decision to cut the cap on rent allowance, combined with the policy of landlords of refusing to accept rent allowance, would lead to homelessness. She responded by promising that would not be the case. I propose to introduce several people in the Visitors Gallery who are either homeless, about to become homeless or have been made homeless in the past year or two as a direct result of the current caps on rent allowance and the policy of landlords of refusing to accept rent allowance. As a result of these factors, they simply cannot get homes. I will provide further details. Will the Minister tell our visitors what they are supposed to do?

Deputy Joan Burton: I propose to take Questions Nos. 3 and 5 together.

There are approximately 78,000 rent supplement recipients for which the Government has provided more than €344 million in 2014. While the Deputy may find it difficult to accept, there are clearly many tens of thousands of people in receipt of rent supplement. Following an extensive review of the private rental market, revised maximum rent limits were introduced from Monday, 17 June 2013 until 31 December 2014. The purpose of the review is to ensure the availability of accommodation for rent supplement tenancies, not to provide access to all housing in all areas - a point the Deputy raised on previous occasions - while ensuring maximum value for money is achieved. Despite the overall pressures on the social protection budget, there have been increases in the rent allowed in Dublin, Galway, north County Kildare and Bray.

I am aware of the difficulties facing people in sourcing accommodation and the latest *Daft.ie* rental report indicates that the number of advertised rental units in Dublin had declined from 6,700 in 2009 to fewer than 1,500 at the end of 2013. The report also states rent levels are static in areas outside Dublin, including Cork, Galway and Limerick cities. All prospective tenants, including those seeking to access rent supplement, are finding it increasingly difficult to secure appropriate accommodation owing to the reduced availability of rental properties, particularly in Dublin. Increasing the maximum rent limits for rent supplement will not resolve this difficulty owing to the reduced level of supply and would result in further increases in rental costs for all persons renting, including those who are working and students.

That approximately 78,000 people are in receipt of rent supplement, of whom almost 30,000 are in the Dublin area, shows a significant number of landlords are accommodating applicants under the scheme. The Department continues to monitor trends in the private rental market to determine the impact on rent supplement recipients. Departmental officials administering the rent supplement scheme have considerable experience in dealing with customers under the scheme and will continue to make every effort to ensure their accommodation needs are met and that the residence is reasonably suited to their residential and other needs.

Under the housing assistance payment, HAP, scheme, responsibility for recipients of rent supplement with a long-term housing need will transfer from the Department of Social Protec-

tion to local authorities. Officials in the Department are working closely with those in the lead Department, the Department of the Environment, Community and Local Government, to pilot the HAP scheme in the Limerick local authority by the end of March, with further roll-out to selected local authorities later in the year.

Deputy Richard Boyd Barrett: That is all very interesting, but it makes not a whit of difference to the people in the Visitors Gallery. Charlene is living in Citywest and must drag her five children across town to school in Shankill every day. She has been in and out of homeless accommodation for two years. Ilona and Donatus will be evicted in the next few days and have to move to homeless accommodation. I have been in contact with the Department about the case for three weeks as it will not vary the rent cap by approximately €100. Noleen was made homeless because her landlord increased her rent and had to move into homeless accommodation. She is now living in dilapidated, substandard accommodation under the rental accommodation scheme. Peter who has mental health problems has been in a homeless hostel for three years. Kirin, an elderly woman, has been in a homeless hostel in Dún Laoghaire for several years and cannot find a rental property anywhere.

The Minister indicated that 1,500 rental properties were available in 2013. Does she know how many of them fitted the criteria of being available to people on rent allowance or falling under the cap set by the Department? I bet she does not know that only nine of the 1,500 properties fitted her Department's criteria in the whole of 2013. What is everybody else supposed to do? People are being made homeless. I beg the Minister to do something for the individuals in the Visitors Gallery and the large number of people who are arriving in tears and desperate at politicians' clinics with their children because they do not want to end up in homeless hostels on the other side of the city or on the street.

Deputy Joan Burton: I do not want to comment on individuals' circumstances because people are entitled to their privacy. The Deputy may speak about people in the tones he has just used, but it is not wise of him to make throwaway remarks on the floor of the House about their personal circumstances. I will not comment, except to state I do not understand, in the case of two of the people who the Deputy has indicated have been homeless for more than three years, the reason he has not been working with the relevant local authority - I presume Dún Laoghaire-Rathdown County Council of which he was once a member - to ensure the individuals in question secure permanent accommodation under the schemes that have been developed nationwide. Is he suggesting he has in mind a particular type of accommodation that only he will authorise, rather than the various housing organisations which are providing accommodation, particularly for individuals who have been homeless for a long period? I am at a loss as to the reason he has not worked with the local authorities to seek to help people. While I understand he wishes to make big statements in the House, I would prefer if he worked with the local authority to help the individuals in question. It must be distressing to have one's personal circumstances outlined in the Chamber in the manner the Deputy has just done, without regard for privacy.

10 o'clock

Deputy Aengus Ó Snodaigh: The Minister's response to Deputy Boyd Barrett is disingenuous in the extreme. To ask any Deputy from Dublin to go and work with the local authority is an absolute failure to understand that the local authorities in this city cannot cope with the problem that is being created by underfunding and under-investment in social housing. Deputy Boyd Barrett quoted figures. I will quote one that I have looked at for the last number of weeks.

We are talking about families who are being made homeless, who are being put into homeless accommodation or who are being split up across relatives because landlords have sold on houses or properties are unsuitable. How many three-bedroom family properties are available in Dublin 8, 10 and 12 to those on rent allowance? There is only one, and it is student accommodation, which is absolutely useless to anybody with a family. In that area, there is none.

An Leas-Cheann Comhairle: Thank you, Deputy.

Deputy Aengus Ó Snodaigh: That is the area I represent and I guarantee that every other Deputy in the House can say the same.

Waiting for three years for a pilot scheme down in Limerick is not good enough and does not address the housing crisis in Dublin. This is a crisis and I am asking the Minister if she has had emergency meetings with her colleague Deputy Jan O'Sullivan, the Minister of State with responsibility for housing. Will she look at increasing the cap for rent allowance as a temporary measure? That is very specific. It will not address the problem for everybody, though, as there is not enough availability.

An Leas-Cheann Comhairle: I ask Members to please observe the time limits on these questions.

Deputy Joan Burton: I appreciate the Deputy's remarks. This is something we have discussed over a number of years. We have a problem in that a number of years ago we were building as many as 90,000 units, many of which were in the wrong places. That level fell dramatically after the crash. The critical way to resolve this crisis is for the construction industry, in particular, to return a rate of house building of 25,000 to 30,000 units a year, rising to twice that. We all know people who are having enormous difficulties at the moment. We also have a situation whereby when someone leaves a lovely home and moves to smaller accommodation when they are retired or widowed, the local authority pulls the house apart and puts up steel shutters. There it then sits. We are actually losing supply through the actions of some local authorities. I am more familiar with my own local authority in Fingal and Deputy Ó Snodaigh's in the city than I am with Deputy Boyd Barrett's. It is an issue of supply, however, and that issue will only be solved by getting the construction industry working again and developing public housing programmes through housing associations and local authorities. We are agreed on that as the ultimate response. Driving rents up is not necessarily the proper response.

Deputy Richard Boyd Barrett: I have permission from every one of these people to raise their cases. They asked me to do so. They are from Dún Laoghaire but also from Wicklow and Dublin city centre. That is how desperate people are. We have gone everywhere and they have gone everywhere, including Threshold, Focus, the local authority and welfare sections, but there are no council houses. Maura, who is in the Visitors' Gallery, has been on a housing list for 14 years and was told recently by the local authority that it would be three more years before she is housed. That is 17 years. Ilona and Donatus are facing eviction next week because the community welfare officer will not vary the cap by €100. Charlene is in a hotel with five children and does not even know if she will have that hotel room tomorrow. She could be sleeping in a car, and she has to bring those five children across to Shankill. How would the Minister feel if she were in that situation? I know that if it were me, I would not give a damn about reviews, meetings and discussions that have been going on for years or plans to get the construction industry going. I would just ask the person who has the power to do it to ring up community welfare officers and tell them to vary the caps to enable people to get a place to rent. Then, yes,

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let us have the social housing. We cannot wait for that now, however. We need emergency action to prevent people from being driven into homelessness. I beg the Minister to do this.

Deputy Aengus Ó Snodaigh: The Minister is not responsible for housing, but I asked her if she has had or will have continuous crisis meetings to address this issue. A pilot scheme in Limerick does not address it. The plan to get the construction industry going will not address it in the short term. It will take at least five years if the Government puts the money into local authorities, which it is not doing. The Minister mentioned boarding up of houses. Local authorities have not been given the money to put those properties into the condition required. Dublin City Council has a whole range of bedsits, which are now illegal under EU legislation. The council needs the money to change them.

I have asked, as a stopgap measure, that the Minister consider the threshold. I am not and have never been in favour of subsidising private landlords. I have always argued that the money should be going into social housing directly through the local authorities. It is a stopgap measure to help some families in this city in particular - I presume it is the same in some of the other cities - where matters are now at crisis point. I ask the Minister to take emergency action.

Deputy Joan Burton: Deputy Boyd Barrett referred again to the fact that this is an issue around supply. During the boom we built too many houses, a huge number of which were in the wrong areas. Dublin now has a recovering economy with many people returning to work and many workers and students renting privately in the region. It is a major centre for students - the biggest in the country. Without a doubt, the problem is supply. I reiterate to Deputy Boyd Barrett what I have just said to Deputy Ó Snodaigh. The way to approach this issue is to increase the supply of houses.

Deputy Richard Boyd Barrett: Sure, but in the meantime-----

Deputy Joan Burton: To answer Deputy Ó Snodaigh, the Government has undertaken a series of innovative approaches to increasing supply. We are talking about a shortage of supply, but Deputies are simply saying that the short-term solution is to increase rents to private landlords. What will be the effect for all of the people at work, many of whom are on low incomes?

Deputy Richard Boyd Barrett: It puts a roof over their heads.

Deputy Joan Burton: Their rents will be increased by the State arbitrarily as a major player in the market. If Deputy Boyd Barrett wants to solve the problem, I invite him to sit down and work on the solution. I feel the utmost sympathy for the people who are in the Visitors Gallery, but Deputy Boyd Barrett comes in here and mentions a whole lot of very private personal circumstances. He said those people agreed that he could do that. If he wants a solution, however, he should work at it. Working at it means working at increasing the supply.

Deputy Richard Boyd Barrett: I am working at it every day. I am begging the Minister.

Poverty Data

4. **Deputy Willie O'Dea** asked the Minister for Social Protection the percentage of the population who live below the poverty line, measured as 60% of the median income; the actions she is taking to reduce this number; and if she will make a statement on the matter. [10612/14]

Deputy Willie O’Dea: This question arises from the latest statistics which show that at least one in six people in Ireland lives below the internationally accepted poverty line. The Government is committed in its programme for Government and both parties’ election manifestos to reducing the incidence of poverty in Ireland. I am anxious to know what progress the Government has made.

Deputy Joan Burton: The at-risk-of-poverty rate is one of a number of indicators used to measure different aspects of poverty. It captures those on low net incomes, but on its own gives only a partial picture of poverty. The official measure of poverty in Ireland is consistent poverty, which measures individuals who are both at risk of poverty and experiencing basic deprivation. Despite the economic crisis, the at-risk of poverty rate was lower in 2011, at 16%, than in 2007, when it was 16.5%. The Department is awaiting publication of the latest poverty figures from the 2012 CSO survey of income and living conditions, known as the SILC survey. It is a pity that, by and large, the data are only available a full year or more in arrears. A key determinant of the at-risk of poverty rate is the impact of social transfers. In this regard, the Department recently published a study by the ESRI analysing the role of social transfers in poverty alleviation. The study compares the at-risk of poverty rate before and after social transfers and has found that in 2011 the at-risk of poverty rate reduced from 55% to 16%. In other words, if we did not have a strong social welfare system and a strong level of payments, 55% of people would be at risk of poverty rather than 16%. These social transfers lifted almost 40% of the population out of poverty. This applies to pensioners, in particular. This reflects the continuation of substantial State investment in the social protection system, despite the constraints of the economic crisis. A key element of this investment has been the maintenance of core weekly rates of welfare payments since the Government took office. Deputy Willie O’Dea will know that in his party’s time the weekly rate was reduced by €16.40 for everyone, except pensioners.

Last Friday I published a social impact analysis of the main welfare and tax changes to take effect in 2014. This analysis has found no significant change in the at-risk of poverty rate as a result of these measures, thereby confirming the ongoing role of social transfers during the recession. The analysis is available to download from the Department’s website. The Government’s objective is to reduce the rate of consistent poverty to 4% by 2016 and to 2% or lower by 2020. That is the objective of the programme for Government.

Deputy Willie O’Dea: An internationally accepted standard regards the poverty line as equivalent to 60% of average income in a society. Anyone below that level is judged not to have sufficient on which to live with a reasonable degree of dignity. The latest available figures which I agree are dated show that at least one in six people - almost 750,000 people - was living on an income below that level, or approximately €208 a week for an individual. Why are no updated figures available? I suspect that as a result of the recent regressive budgets, that figure has probably increased, but we do not know. When will the figures be available? Why did the Government decide to revise its targets for reducing the rates for those at risk of poverty and living in consistent poverty?

Deputy Joan Burton: The figures are collected in the SILC survey of incomes and living conditions. The information is collected by a variety of bodies in conjunction with the CSO, with an input from bodies such as the ESRI and modelling by means of the SWITCH model. I would prefer if the figures were much more up to date. More recent figures such as those in this year’s analysis of the social impacts with the latest modelling by the ESRI will show that there has been no significant change in the at-risk of poverty rate as a result of the measures in the budget. I refer to people in low-paid work compared to those on a social welfare income. There

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has been much academic debate and criticism about what is and is not included in the SWITCH model. For example, the value of having a medical card for a family on social welfare is not in our type of SWITCH model, whereas it is included in other jurisdictions. The Deputy will know that the medical card is a very valuable entitlement which is available to those on social welfare as opposed to a person on a middle-level working income.

Deputy Willie O’Dea: The medical card has been valued at approximately €1,000 a year, which means that a single adult on the ordinary rate of social welfare is just on the poverty line. Does it not strike the Minister as curious that of the member states of the European Union, apart from Ireland, the last to publish this statistic did so last October, while we are still waiting? I take her point that the CSO compiles the figures.

Deputy Joan Burton: The CSO is completely independent.

Deputy Willie O’Dea: I have been reading the detailed information collated by the CSO, including numbers of animals. Does the Minister think it is reasonable that we know the number of goats in County Kerry in 2012, whereas we do not have information on the number of people who were living below the poverty line in Ireland in 2012?

Deputy Joan Burton: I am delighted that the Deputy wants the information and statistics to be published in a more timely fashion; he is singing my song in that regard. It is important that the CSO be seen to be independent from the viewpoint of the European Union and other international institutions. It organises its work programmes according to its own schedules. I agree with the Deputy that it would be preferable to have the information published in a more timely fashion. The critical achievement of Ireland which has been noted by economic commentators around the world and, in particular, the European Union is that our strong system of social welfare payments and the Government’s decision not to reduce core weekly social welfare payments means that the reduction in the at-risk of poverty rates through social transfers is among the highest in the European Union. Getting people back to work will also assist those at risk of poverty. The Department supports low-income families in work by means of family income supplement. These are the best ways of tackling poverty.

Question No. 5 answered with Question No. 3.

Other Questions

Employment Support Services

6. **Deputy Clare Daly** asked the Minister for Social Protection if she will cease the Gateway programme, on the grounds that it will force unemployed persons to work 19.5 hours in return for an extra €20 per week, which will not even cover the cost of getting to work, and will mean increased economic hardship and an erosion of jobs. [10438/14]

Deputy Clare Daly: This question relates to the Gateway programme. People are now expected to work for nothing. They are being frog-marched to collect litter or cut the grass for local authorities. If they refuse to do so, their dole payments will be cut and if they take on the work, they will end up poorer because it will not even pay them to go to work. I ask the Minister to abandon the scheme as it is undermining local authority jobs and simply massaging

the dole figures.

Deputy Joan Burton: That is the Deputy's view. Deputies on all sides of the House have asked me to increase the number of work opportunities for people who have been locked out of employment by the difficulties in the economy and desperately want to get back to work. If that is not immediately possible, they want to participate and contribute to their community through community employment and Tús schemes. The Gateway programme is part of a suite of initiatives offered by the Department of Social Protection which are designed to bridge the gap between unemployment and re-entry into the workforce. A budget of €19 million has been earmarked for the initiative in 2014.

Deputies on all sides of the House, including Deputy Clare Daly perhaps, have praised and are fully aware of the positive benefits of schemes such as the community employment scheme, Tús and the rural social scheme for both participants and the services they deliver to communities around the country. Participation promotes a sense of well-being. I am constantly asked by people if they can extend their participation in schemes because they really enjoy contributing to their local community. In particular, I highlight the personal benefits to the jobseeker of being able to engage in worthwhile work in the community. Gateway is modelled on these successful schemes, with the same level of pay and similar conditions at up to 19.5 hours per week. The ambition of the Government is that Gateway will build on these positive initiatives using the quality working environment, resources and opportunities available to county and city councils.

Recently there was an increase of 61,000 in people at work and we want more of the jobs becoming available to go to people who are long-term unemployed. They must find bridges and gateways back to work.

Additional information not given on the floor of the House.

However, over 180,000 remain unemployed for more than 12 months. Some 92,000 former construction workers are on the live register. In this context, Gateway is one of a range of measures available to break the cycle of unemployment. Responsibility for delivery of this initiative rests with the individual county or city council and there is an overall target to provide for 3,000 placements by year end. Participants are currently being selected by a random process conducted by the Department for recruitment by county and city councils. All participants have standardised conditions on the programme and participants will have the added benefit of working with a reputable employer and will have the opportunity to gain additional skills and access further opportunities.

Overall, Gateway can and will make a valuable contribution to improving the employability and work readiness of participants and it ultimately will help many long-term unemployed people to take the first step to re-enter the work force.

Deputy Clare Daly: This question specifically concerns Gateway rather than the other initiatives which we can deal with at another time. The idea that people who are unemployed do not currently contribute to their community is an insult and this does not provide an opportunity for people locked out of work. What personal benefit could there be for somebody to be decked out in a high-visibility jacket in order to pick up litter when that person ends up poorer than when he or she got up for work that morning? People want a job and by implementing this, the Government is undermining local authority jobs. There were 3,000 retirements from local

authorities in the past year and the Government, in essence, is replacing those people with this programme. As a result, young people leaving school are being denied an opportunity to get what was once a permanent and pensionable job in the local authority.

There is an example in the Minister's area of Fingal County Council, where the staff have been reduced by 20% over a number of years. As a result of this hollowing out of authorities because of the public sector recruitment embargo, from 1,300 staff there are now 21 people employed under age 30. That is consequent lunacy of a public sector recruitment embargo and the Government is patching the problem with this scheme, which is an insult to jobseekers and jobs.

Deputy Joan Burton: I beg to disagree with the Deputy and I am not sure she fully understands the scheme. I know people from the Deputy's side of the House have heavily praised community employment and Tús while seeking more places. The terms and conditions are exactly the same.

Deputy Aengus Ó Snodaigh: They are not.

Deputy Joan Burton: I do not understand why somebody like the Deputy would not correctly praise community employment for the opportunity it gives for people to participate in the community and for the services it helps to provide for the community. We should be clear that Gateway aims to improve the employability and work-readiness of participants. This can be done by providing good quality work opportunities with good employers in structured environments. That is the type of scenario available in county councils around the country.

Existing work skills can be put into practice and during placements we want to see new skills being developed to enable progression. The aim of this is to help people get back to work. In Ireland and across the world, if a person goes to an interview having been out of work for one, two, three or four years, the chances of a person being successful are much diminished relative to cases where a person has been involved in the likes of education and training. We provide tens of thousands of places in this regard, including those in new courses such as Momentum and Springboard. Gateway is a small scheme and over a period there will be approximately 3,000 people getting an opportunity to progress back to work through employment with a local authority for 19 hours per week on the same terms and conditions as community employment. The people in the Opposition are always seeking more of that.

Deputy Clare Daly: The Minister is again refusing to deal with the question. People need a job if they are to get back to work. It is not that there is something wrong with people or there is a defect which means they must be retrained through picking up litter for a county council. These people need jobs. Some of these people may be in a later life after 25 or 30 years working, so at 50 they may find themselves unemployed for two years for example, despite being a highly skilled craftsperson, and end up doing this work with a local authority. It is ludicrous to think this will make them more fit for work. The Government is hollowing out jobs in the local authorities by outsourcing jobs for craftspersons and librarians. They are being replaced with a cheap labour scam, which is scandalous. Fine Gael would do such a thing but for the Minister to stand over this action is quite shocking.

Deputy Joan Burton: All I can say is that I meet many people who have unfortunately lost a job or business during the recession. My aim is very clear in helping people get back to work, self-employment and the rebuilding of business. The Deputy has extensive work experience and knows that when people go to an interview after being out of work for a long time - as is

the case for some unfortunate people, including those who worked during the building boom and made good money - the chances of being successful in an interview are very small unless a person has retrained, had further education, upskilled or been a participant in a programme which bridges the gap. That is the difference between somebody being long-term unemployed and getting back to work. I emphasise that this is a small scheme spread around local authorities in the country. There is a great deal of positive interest, particularly from people who, unfortunately, are long-term unemployed.

Social Insurance

7. **Deputy Willie O’Dea** asked the Minister for Social Protection the progress made to date to broaden the social insurance system to include the self-employed; and if she will make a statement on the matter. [10445/14]

Deputy Willie O’Dea: This issue arises from the fact that a report submitted to the Government in May 2013 recommended certain changes to make more benefits available to the self-employed under the social insurance scheme. Has any progress been made on that?

Deputy Joan Burton: Self-employed persons are liable for PRSI at the class S rate of 4%. This entitles them to access valuable long-term benefits such as the contributory State pension and contributory widow’s, widower’s or surviving civil partner’s pension. In September 2013, I published the report of the advisory group on tax and social welfare on extending social insurance coverage for the self-employed. The group was asked to examine and report on issues involved in extending social insurance coverage in order to establish whether such cover is technically feasible and financially sustainable, with the requirement that any proposals for change must be cost-neutral.

The group found that the current system of means-tested jobseeker’s allowance payments adequately provides cover to self-employed people for the risks associated with unemployment. In this context, the group noted that almost nine from every ten self-employed people who claimed the means tested jobseeker’s allowance during the three-year period from 2009 to 2011 received payment. Consequently, the group was not convinced there was a need for the extension of social insurance for the self-employed to provide cover for jobseeker’s benefit. The group also found that extending social insurance for the self-employed was warranted in cases related to long-term sickness or injuries. To this end, the group recommended that class S benefits should be extended to provide cover for people who are permanently incapable of work because of a long-term illness or incapacity through the invalidity pension and the partial capacity benefit schemes. The group further recommended that the extension of social insurance in this regard should be on a compulsory basis and that the rate of contribution for class S should be increased by at least 1.5 percentage points.

This recommendation will require further consideration in conjunction with the findings of the most recent actuarial review of the Social Insurance Fund, which indicated that the self-employed achieve better value for money compared to the employed when the comparison includes both employer and employee contributions. The self-employed pay 4% but employer employee contributions for somebody in employment amount to 14.75%. My colleagues in the Government and I will reflect on the findings of the advisory group and we are considering the recommendations, taking into account the economic position.

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Deputy Willie O’Dea: The report was submitted to the Government in May of last year. It is now approaching its first birthday and the Government is still reflecting. The recommendation was specific, that change be made to provide that at least those who take the risk to go into business for themselves and who become incapacitated as a result of developing a long-term illness should be brought into the social insurance scheme.

Is the Government giving any consideration to a voluntary system? The final recommendation of the report was that that should be done on a compulsory basis. Of course, an alternative would be a voluntary system.

Has any consideration been given to extending benefits to incorporate jobseeker’s benefit, also on a voluntary basis? The appendix to the report is interesting in that it sets out the various countries in the EU 28 and shows which countries provide for loss of employment or long-term illness. Countries that provide for these eventualities include Greece, Romania, Lithuania, Estonia, but in Ireland there is no cover for the self-employed who lose their employment or who become ill on a long-term basis.

Deputy Joan Burton: The net point here is to do with cost and economic sustainability. The actuarial study of the Social Insurance Fund showed what people know, which is that a self-employed person paying 4%, who is covered for areas such as maternity benefit and widow’s and survivor’s pensions and for the retirement pension, gets an extremely good deal compared to the person in employment for whom the contribution is a total of 14.75%.

As to whether we extend this cover, personally, I strongly agree with the recommendations of the advisory group. It makes sense. If a self-employed person becomes ill, he or she has no access, for instance, to an invalidity pension and may have no private insurance. However, as Deputy O’Dea will probably be aware, quite a number of organisations representing the self-employed were critical of the idea at this point in time of any increased contributions to cover the cost, but perhaps they should give more consideration to that position.

On the second point,-----

Deputy Willie O’Dea: I asked whether it could be done on a voluntary basis.

Deputy Joan Burton: -----the recommendation in the report states clearly that it would have to be mandatory, that a voluntary scheme in this type of situation would simply not work and one would not get a sufficient financial contribution to cover the numbers who over a period of time would be likely to benefit. By the way, this would be introduced on a staggered basis over a number of years.

Deputy Willie O’Dea: I do not agree with the notion that a voluntary system would not work. Voluntary systems have been put in place in other countries and they are demonstrably working.

I refer the Minister to the section of the report where the group discusses the attitude of some social welfare officials to the self-employed when they claim jobseeker’s allowance. Among certain sections of the Department of Social Protection, there seems to be an assumption that the self-employed are automatically not entitled to jobseeker’s allowance.

Deputy Joan Burton: As Deputy O’Dea read the report, he will be aware that the group carried out a specific examination. After I became Minister, I changed the method of assessment

which is carried out by social welfare assistants on the self-employed accessing jobseeker's allowance. For instance, if there is a catastrophic fall or collapse in a person's business, under the previous Government of which Deputy O'Dea was a member the assessment was based on earlier years' income statements when the business might have been fine. For both those involved in farming and fishing and in self-employment, the way the assessment is done now is that if there has been a catastrophic fall, the person can put his or her current financial position on the table to be examined by the Department. As the report shows, in fact, 75% of those so assessed accessed jobseeker's allowance. Of course, the reasons for not accessing jobseeker's allowance, because it is means tested, would include that the person's spouse or partner might well be working while the applicant has lost employment.

Social Welfare Appeals Waiting Times

8. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she is satisfied with the current appeals process operated by the Social Welfare Appeals Office; if she will reform the process in order to promote efficiency in having appeals decided and reduce appeal waiting times; and if she would consider putting the office on a statutory basis. [10338/14]

Deputy Thomas P. Broughan: In January, the Minister supplied me with detailed figures on the appeals process. I noted that it is a quasi-judicial process and that she had increased the staff to 41 to address the 38,000 appeals last year. Is there not still grave dissatisfaction with the appeals process? As her predecessor as social welfare spokesperson, I urged that the system be put on a statutory basis and given independence. That is still not the case. The bottom line is that we are still waiting on average six and eight months, respectively, for appeals to be decided, summarily or after an oral hearing. Although improvements have been made since 2011, it is still not acceptable.

Deputy Joan Burton: I thank Deputy Broughan for acknowledging the improvements. Significant improvements have been achieved but I agree that there is still more to be done.

The workload of the appeals office has increased dramatically in recent years. It is the cause of the problem. The number of appeals received annually has increased, from an average of 15,000 up to 2009. Close to 32,800 appeals were received in 2013, down from 35,500 in 2012. The sheer volume of appeals because of the number of those looking to the social welfare system, some of which is as a consequence of the economic collapse, merely means that there are significant extra pressures on the system-----

Deputy Thomas P. Broughan: They are the Minister's policies.

Deputy Joan Burton: -----which we sought to change.

Deputy Thomas P. Broughan: Some of the others.

Deputy Joan Burton: Significant effort and resources have been devoted to reforming the appeals process to manage this increased workload while, at the same time, recognising the need to ensure that quality and fairness are not compromised. An additional 15 appeals officers have been assigned to the office over the past three years, bringing the number up to 41. In addition, a new operating model has been introduced.

The measures that we have introduced have achieved significant improvements. The num-

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ber of appeals cases processed in 2013 increased by 18%, to over 38,400, which is the best outcome for many years since the crisis began. The number of cases on hands at the end of the year declined by 28%, to close to 14,800. Therefore, we are dealing with the backlog. At the same time, the average processing time reduced by 12%.

Additional information not given on the floor of the House

The Deputy asked if I would consider placing the office on a statutory basis. The appeals system was reformed in 1990 when the Social Welfare Appeals Office was established as a separate and independent executive with its own premises and staff. Appeals are now made directly to that office whereas previously they were made to the Minister. The chief appeals officer is legally obliged to submit an annual report to the Minister which is laid before both Houses of the Oireachtas.

Appeals officers are quasi-judicial officers who are required under law to be free and unrestricted in discharging their functions.

Deputy Thomas P. Broughan: The fact remains that we are talking about an average time of more than six months for a summary decision and eight or nine months for a decision after an oral hearing. I acknowledge that it used to take longer than a year.

To take one of the headings under which the Minister answered me in January, domiciliary care allowance, DCA, for 2012 and 2013, I note that just over half were granted on first application and then, following this lengthy appeal process, the proportion of successful applicants rose to 70% of the total. Does it show a fundamental flaw in the application process that such a significant number of the DCA applications were upheld on appeal? Our colleague, Deputy Nulty, found the same in the case of carer's allowance, which also rose to something approaching 70% from 50% at first instance. Does that identify that there is a fundamental flaw in the kind of information for which applicants are asked at the start and more support should be given to applicants at first stage on documentation and what must be provided? In the Northside Community Law Centre, we have for many years kept an anonymised case base of interesting cases and appeals. The Minister has started something similar in the Department. Is it not time information was generally available? There is a lack of transparency and the Minister should consider putting it on a statutory basis, but her Fine Gael colleagues will not let her.

Deputy Joan Burton: The Deputy made successful representations to me, on which I congratulate him, to continue departmental funding for the Northside Community Law Centre. I have been in it and met people there on a number of occasions. The work it does on social welfare issues and appeals is very important. We have transformed the way the domiciliary care allowance is handled. After becoming Minister, I brought in the parent organisations to discuss issues in detail and the biggest issue was dealing with children on the autism spectrum. On the advice of parents, we changed the forms and timeframe during which applications and appeals were made. As a consequence, the backlog of new applications has been eliminated. The same is true of carer's allowance. The working system in Longford has been transformed and we also transferred to new IT platforms. This caused an additional delay, but the outcome has been well worthwhile.

I am not sure what could be achieved by putting the system on a statutory basis. The appeals system was reformed in 1990 when the social welfare appeals office was established as a separate and independent executive with its own premises and staff. Appeals are now made

directly to the office, where previously they were made to the Minister. The chief appeals officer is legally obliged to submit an annual report and appeals officers are quasi-judicial officers required under law to be free and unrestricted in discharging their functions. Some applications could be much better prepared.

Deputy Thomas P. Broughan: What people fear is that the appeals process is used as a mechanism to deter them from making applications in the first place and that it is in thrall to wider public economic policy. In the case of the Government, the fact that it has a public policy on social welfare expenditure which the Minister's Fine Gael colleagues insisted on having makes it impossible to have true reform while the Government is in office.

Deputy Joan Burton: The greatest reform will take place when more people are back at work. An extra 61,000 people were at work at the end of 2013. That is the greatest boost to the economy.

Deputy Thomas P. Broughan: More people would be at work if we did not have the national debt.

Deputy Joan Burton: We are also expanding and spending €280 million on the family income supplement scheme. One of the problems with applications for important and sensitive schemes such as domiciliary care allowance is that the individual applicant does not put forward the best case for a child or carer. People often turn to a public representative who can give good advice on what may be required. The Citizens Information Centre, including the Money Advice and Budgeting Service, also do this and the Department funds them at a cost of almost €47 million. It is very important that, when people make applications for an important and sensitive allowance relating to medical conditions, they are well advised before making the application. In some cases, simple doctor's notes will not result in the application being granted.

Public Services Card

9. **Deputy Seán Kyne** asked the Minister for Social Protection if she will report on the progress of introducing the public services card; the numbers of persons who have been issued with the card; the locations at which the cards are being processed and issued; if she envisages any expanded role for the card; and if she will make a statement on the matter. [10436/14]

17. **Deputy David Stanton** asked the Minister for Social Protection with regard to the standard authentication framework environment, SAFE, for the new public services card, if she considered using biometric identifiers as a means of identity authentication; and if she will make a statement on the matter. [10465/14]

30. **Deputy David Stanton** asked the Minister for Social Protection the progress that has been made to date in the roll-out of the new public services card; the criteria used by her Department to invite persons to apply for the card; if it is her intention to roll out the card to all persons in the State; and if she will make a statement on the matter. [10464/14]

Deputy Seán Kyne: Tá mé ag iarraidh a fháil amach ón Aire cén dul chun cinn atá déanta ó thaobh na gcártaí seirbhíse poiblí, an méid daoine atá á n-úsáid agus na háiteanna ina bhfuil siad ar fáil. Iarraim ar an Aire ráiteas a dhéanamh.

Deputy Joan Burton: I propose to take Questions Nos. 9, 17 and 30 together.

Considerable progress has been made in the roll-out of the new public service card, PSC. Approximately 580,000 cards have now been produced. The purpose of the PSC is to enable people to gain access to public services more efficiently and with a minimum of duplication of effort, while preserving their privacy to the maximum extent possible. In this regard, the Department has developed, in conjunction with a number of other Departments, a rules based standard for establishing and authenticating an individual's identity for the purposes of access to public services. The PSC is designed to replace other cards in the public sector such as the free travel pass. Many pensioners have the PSC card with the FT designation indicating free travel. It proves very popular with pensioners to whom it is being rolled out. It will make it easy for providers of public services to verify the identity of customers.

The PSC is issued following a registration process. The legislation provides that an individual's photograph and signature and the verification of identity data already held by the Department are captured by the card. Existing legislation provides for the collection and storage of photographs or images in this context. The Department has recently deployed facial image matching software to help to detect and deter duplicate SAFE applications. For example, if someone goes in and has a photograph taken, it is matched with the stock of 580,000 photographs on the system. Facial recognition techniques are used to a high level. If someone applies for a PSC in Galway and is already on the departmental system, it will show that the person has a card in Athlone. We receive reports on a weekly basis.

Additional information not given on the floor of the House

Provision has not been made for further biometrics and there are no plans to alter the position.

Deputies may wish to note that the introduction of the card can, in addition to providing a more efficient service for customers, also help to deter and prevent irregularities. For example, the new card has led to the identification of 18 cases of facial matches. Some prosecutions are pending as a result and it is estimated that, at a minimum, the level of fraud detected and stopped to date amounts to in excess of €1 million.

Face-to-face registration is taking place countrywide in 55 offices of the Department for individual applicants for a personal public service, PPS, number and people applying for or in receipt of social protection payments or benefits, including jobseeker payments, free travel entitlements, child benefit payments, State pensions and one parent family payments. A table of the relevant locations has been provided for the Deputies.

Selected low-risk customers have also been invited to avail of a "postal" registration process which involves utilisation, with consent, of information already provided for other Government agencies, for example, a photograph supplied in connection with an application for a passport. In addition, selected pensioners over 66 years who collect their payments at a post office will be invited, commencing early next month, to register by post, including providing a passport standard photograph.

The PSC project has been earmarked as a key initiative in the new public service reform plan; the aim is to "expand the use of the PSC to cover a greater range of services". PSC registration is being expanded to encompass all departmental scheme customers and over time the adult population of Ireland. In this regard, the Department is in discussions with a wide range of other public bodies to extend the client registration service and the use of the PSC. Recently

the PSC was included in regulations as an acceptable form of ID for upcoming local and European elections.

Deputy Seán Kyne: This is a wonderful initiative and the verification and facial recognition techniques will go a long way towards preventing fraud. The Minister mentioned the free travel pass. Does she envisage rolling out the card in such a way as to verify journeys that take place rather than the blanket funding given to transport providers in order that the State can save money?

Deputy David Stanton: What are the plans to use medical cards or the unique health identifier in conjunction with this card?

Deputy Joan Burton: I assume many transport providers have technology to verify journeys taken, either on a spot check or a complete basis. People taking the train must go to the ticket office and I presume these verification methods will continue.

In reply to Deputy David Stanton's question about other activities, we are looking at that issue. There are discussions taking place with the Road Safety Authority on the issue of people being registered as part of their driver licence application and with the Passport Office in the case of passports. We have also had approaches from the Garda Síochána in the case of age cards. Some developments are further down the road. If we were to liken the card to a football pitch, only one quarter is used; we have a lot of space and capacity on the card which could be used in conjunction with other Departments and public services. We currently have an assistant secretary who is identifying those kinds of opportunities and the potential for co-operation. However, it is important that we ensure at all times the privacy and security of individuals.

Written Answers follow Adjournment.

Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Jerry Buttimer – the passing of an anti-gay Bill into law in Uganda; (2) Deputy Paudie Coffey – the need for replacement financial services sector jobs in Waterford; (3) Deputy Timmy Dooley – the need to provide funding for the upgrade of Kilrush marina in County Clare; (4) Deputy Peadar Tóibín – to call on the Minister to provide a housing solution for men, women and their families whose names are on a mortgage but who, through relationship break-up, negative equity or mortgage debt, have lost access to their homes and been forced into homelessness; (5) Deputy Robert Troy – the need to reverse the decision to abolish the subsidy to the bus operator servicing the route between Cavan and Longford; (6) Deputy Terence Flanagan – the need for faster broadband on the north side of Dublin; (7) Deputy Eoghan Murphy – the increase in demand for primary school places in September 2014 in Dublin South East and the proposed response of the Department; (8) Deputies Robert Dowds and Clare Daly – the current situation in Ukraine and the European Union's response; (9) Deputy John O'Mahony – the closing down of five community district offices and 20 community welfare clinics in County Mayo; (10) Deputy Mattie McGrath – the need to engage immediately on the threat to rural general practitioners' practices; (11) Deputy Dara Calleary – the closing down of five community district offices and 20 community welfare clinics in County Mayo;

(12) Deputy Heather Humphreys – the importance of remembering the 40th anniversary of the death of Senator Billy Fox; (13) Deputy Michael Colreavy – the risk to public health from wind turbine syndrome; (14) Deputy Bernard Durkan – the need to raise with the Minister for Justice and Equality the subject matter of Questions Nos. 192, 193 and 186 of 27 February 2014, with particular reference to the lack of information appertaining to their respective situations, and whether the Minister will make a statement on the matter; (15) Deputy Michael McCarthy – the need for a new scheme to help those adversely affected along the coast by the storms of late; (16) Deputy Brian Stanley – the position regarding Abbeyleix hospital; (17) Deputy Pearse Doherty – the need for the Minister for Health to discuss the lack of a clinical paediatric diabetes nurse for Letterkenny General Hospital; (18) Deputy Joe Higgins – the serious problems for homeless families arising from rising rents and landlords refusing to accept tenants who depend on the rent supplement allowance; (19) Deputy Pádraig Mac Lochlainn – the need for the Minister for Health to discuss the lack of a clinical paediatric diabetes nurse for Letterkenny General Hospital; (20) Deputy Sandra McLellan – the negative effect on pay and conditions for social workers of the Child and Family Agency’s proposed graduate placement scheme; (21) Deputy Aengus Ó Snodaigh – the effects of the Department of Social Protection’s moratorium on the appointment of community enterprise supervisors to ongoing drug rehabilitation projects such as the Lynks project in Inchicore, Dublin 8; and (22) Deputy Dan Neville – the need for the regulation of psychotherapy and counselling services.

The matters raised by Deputies Robert Dowds and Clare Daly; Timmy Dooley; Aengus Ó Snodaigh; and Dan Neville have been selected for discussion.

Government’s Priorities for the Year Ahead: Statements (Resumed)

Deputy Sean Fleming: We are here today as part of the three-day festival and orgy organised by the Government to congratulate itself----

Acting Chairman (Deputy Jerry Buttimer): I remind the Deputy about unparliamentary language and ask him to use language with decorum.

Deputy Sean Fleming: I will start again. We are here today as part of the three-day festival of praise and self-congratulation by the Government to tell the people how wonderful it believes it and the job it has done have been. It is on a different planet from the people on the ground. This three-day debate is part of the Government’s ongoing effort to have spin and PR triumph over substance. To some extent, this has been one of its main successes. The substance of what the Government has done does not fully stack up but its PR, press announcements and media coverage would have one believe it is doing exceptionally well. The Government has planned this debate well in that it is allowing three days of marathon coverage for every Minister and Minister of State, thus affording them the opportunity to pat themselves on the back in the House and write glowing self-congratulatory scripts in the hope some of the media will regurgitate their comments over the coming week in various radio and television programmes. Some people might be convinced that it is doing a great job.

I listened carefully yesterday to the Minister for Public Expenditure and Reform, Deputy Brendan Howlin. He referred in his speech to expenditure consolidation. He stated: “The expenditure measures required for 2014 amount to €1.6 billion out of a total consolidation requirement of €2.5 billion.” He is, therefore, confirming that €1.6 billion of the budget’s con-

solidation requirement of €2.5 billion was achieved through expenditure cuts. This amounts to 64%, which is as close as makes no difference to two thirds of the adjustment being made at the expense of people who are relying on public services and those who need those services most.

I have always said on this side of the House that no matter how difficult financial circumstances are, the adjustment should always be achieved in a fair manner, applying a 50:50 ratio. There should be some additional taxes on those earning over €100,000, who can afford to pay more, and, unfortunately, some reductions in expenditure in line Departments with large expenditure headings. For a Labour Minister to say two thirds of the adjustment has been achieved through expenditure cuts is surprising.

Absent in the Minister's script yesterday was the word "fairness". The Labour Party, in government, has sold its soul by going into government with a right-wing Fine Gael Government. We have a very right-wing Government under Fine Gael, which is fine because a certain number of people voted for that party. People know the form of the party and that it does not want to tax higher earners. It has not made provision for this. My issue with the Minister for Public Expenditure and Reform, whose script I am responding to, is that I do not understand what the Labour Party is doing in government at all. It should let Fine Gael get on with the Fine Gael agenda. The Labour Party is not even the mudguard for the Fine Gael vehicle in government. It should have the decency to let Fine Gael do what it wants to do, which is what is being done. The Labour Party is trying to provide some cover of decency over what is being done but the people will judge it not on the PR spin, which it is very good at, but on the substance of what it actually does.

The Minister for Public Expenditure and Reform, who stated two thirds of the adjustment was achieved through expenditure cuts, has hit the people who are relying on the health service the most. Waiting times for appointments with consultants and outpatient appointments have skyrocketed in the past couple of years. Pupils in primary school cannot obtain orthodontic appointments. There are cuts affecting medical cards, not only for those over 70 but also for those who are the most vulnerable and require a medical card on health grounds. There has been a dramatic reduction of 40% in respect of the discretionary medical card. We witnessed reductions in the pupil-teacher ratio and major cuts by the Department of Social Protection. There have been cuts affecting the elderly, such as that to the telephone allowance. Many other entitlements have been taken from the elderly. There have been severe cuts to payments for young people and a reduction in their jobseeker's allowance. The latter is part of a deliberate policy of forcing young people to emigrate, as tens of thousands are doing. The Minister will say the number on the live register is decreasing. This is because many people who were on it are now in Australia, New Zealand, Canada, England and elsewhere.

I have outlined the key financial parameters that the Government has been working on. I do not understand how the Minister for Public Expenditure and Reform, as a member of the Labour Party, can stand over them. He trumpets the great changes he has made to freedom of information procedures. Again, he has succeeded in having spin triumph over substance because he is retaining every single charge that was ever introduced in freedom of information legislation. He criticised the outgoing Government for introducing such charges and said he would totally reform freedom of information procedures. Not only is he retaining every single charge introduced but he is also introducing new ones for search and retrieval of a scale not even envisaged in the current legislation. He is selling this as a victory.

The Minister excluded Irish Water from the freedom of information legislation. As a result

of pressure applied by Fianna Fáil, he was forced to do a U-turn. He said “No” at a committee meeting but we forced him to change his mind in the Chamber. He made a humiliating U-turn, albeit a good and proper one. We will force him to make a similar U-turn to bring EirGrid under freedom of information legislation. It is unbelievable that he is still standing over the current position. Fine Gael and the Labour Party will be voting on the matter in this Chamber when Report Stage is considered. The Opposition will succeed in forcing the Government to bring EirGrid under freedom of information legislation. I do not know how the Government could go before the people in local or general elections while refusing to apply freedom of information legislation to EirGrid in view of the gross incompetence of that organisation.

One of the triumphs the Minister for Public Expenditure and Reform mentioned in his script concerned public service savings achieved from 2009. Most of the savings actually achieved were in 2009, 2010 and 2011, before the Minister took office and before his Department was even established. He takes credit for the various savings since 2009 but the most important aspect of the Croke Park agreement for public servants was that there was an external mechanism to verify the savings that were being achieved.

11 o'clock

The Minister has abandoned this and, by way of a lack of transparency, has ensured there is no external mechanism to verify the savings that will accrue under the Haddington Road agreement, the successor to the Croke Park agreement. This is a serious flaw. He talks about openness and transparency, but one can see that he is concealing and preventing access to information which previously had been available under the Croke Park agreement. He abolished this in the Haddington Road agreement, which means that there will be no external verification.

With regard to procurement, the Department exported 5,000 Irish jobs last year by offering contracts worth €650 million to companies from outside the State. If the Minister of State, Deputy Brian Hayes, were a Minister in France or Germany, he would not do this but would give the contracts to domestic companies.

The Minister has spoken about whistleblowers legislation. We received a report from the Comptroller and Auditor General dealing with the fixed charge fines for driving offences and saw the attitude of the Minister for Justice and Equality and the Garda Commissioner to the whistleblower in that instance. This is reflective of the attitudes of the Government. However, we will make it change its view on whistleblowing in the Garda Síochána and force it, by way of voting in this House, to allow people to bring their concerns directly to the Garda Síochána Ombudsman Commission.

The essence of the Government’s idea of political reform is to grab all power for central government. There has been a power grab by the Government. The first thing it did on taking office was to abolish democratically elected local authorities around the country, town councils that were effective in providing for local participation in local decision making. It then proceeded to hold a referendum which, thankfully, the people rejected and which would have given the Government more power through the abolition of the Seanad. It has absolute control in this Chamber and does not want opposition in the Seanad, where it does not have such absolute control. The people gave it their answer and its power grab in that respect was rejected. It also held a referendum before that, which was proposed by the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, to provide for Government-controlled Oireachtas inquiries, but the people, rightly, said “No” because it did not trust Government-controlled Oireachtas

inquiries to make findings.

There has been a complete insult on the sale of State assets. A sum of €200 million has been received for the sale of the national lottery in the next couple of months. The Minister promised the Dáil that this money would be used for the national children's hospital, but he has put it in a slush fund for Fine Gael and the Labour Party for the local elections campaigns. The spend is €200 million willy-nilly around the country from that slush fund. That is political reform.

Deputy Mary Lou McDonald: I note that the Taoiseach, in a display of faux modesty, refused to mark his Government's score card. He was probably wise to make that decision because the role of an effective Opposition is to hold the Government of the day to account, which means that it is our job to score the Government's card. Perhaps more importantly, it is the job of citizens to make decisions on the scores.

On taking office the Government's job was never going to be easy and it is important to acknowledge this. Decades of Fianna Fáil short-termism and self-interest had resulted in a catastrophic shock to the economy in advance of the 2011 general election. The challenge for any new Government was always going to be immense, but it was also an incredible opportunity to challenge the fundamental faults in the political system. For the first time in the history of the State, half of the Members elected to the Dáil were first-time Members. There was a brief glimmer of hope things might change and change absolutely for the long term. Fine Gael and Labour Party spin doctors captured this mood by opening the programme for Government with the sentiment that a democratic revolution had taken place, with old beliefs, traditions and expectations blown away. To this day, reform remains the mantra of the Government, yet little of the fundamental reforms, cultural changes or fairness for which people had voted has materialised. To all intents and purposes, Fine Gael and the Labour Party took up where Fianna Fáil had left off. Both parties' election manifestos were set aside and Fianna Fáil's so-called national recovery plan was adopted.

One example is the Government's decision to introduce domestic water charges. In 1996 the then Minister for the Environment, Deputy Brendan Howlin, abolished domestic water charges. Speaking in 2004 on the Water Services Bill the Labour Party leader, Deputy Eamon Gilmore, described the legislation as a thinly disguised attempt to privatise the water supply and also as an attempt to reintroduce water charges by another name. He reprimanded Fianna Fáil by describing ministerial oversight of the water services strategic plan as a pretence of public involvement or democratic accountability. In its 2011 election manifesto the Labour Party explicitly told voters that it did not favour water charges. Now, however, it will be responsible for the introduction of domestic water charges, a method of taxation which is, to use its own description, deeply inequitable. Irish Water is not properly accountable to the Oireachtas and extracting information on the company from the Minister is a painful and frustrating exercise for all involved.

In the midst of all of this, where is the promised reform? Where is our new day? The truth is that there has been little reform. The Minister for Public Expenditure and Reform has kept his focus fixed solely on the bottom line. His contribution last night reflected this again, as he set out the Government's consolidation or cutback requirement of €2.5 billion in 2014. Both he and the Government refuse to concede that the measures set out in the public service reform plan are, at best, modernisation. They do not represent profound reform. The Minister, like his Cabinet colleagues, has continued the work of Fianna Fáil by indiscriminately savaging public

sector numbers, a policy that he knows has back-fired and from which he is now quietly, if belatedly, backing away.

Health provision, among other service delivery areas, has particularly suffered. Mental health care services, for example, are not adequately staffed and this is a direct result of the Government's 2012 incentivised retirement scheme for the public sector. Medical card probity, a term that emerged in the last budget, was the Minister, Deputy Brendan Howlin's brainchild. In advance of the 2014 Budget Statement it appears that he literally plucked a figure out of thin air to balance the books. That is not so different from what Fianna Fáil would have done.

Far from improving the capacity of small and medium-sized enterprises, SMEs, to tender for public sector contracts, the Department of Public Expenditure and Reform is acting as a blockage to the sector in many instances. There is no joined-up approach between that Department and the Department of Jobs, Enterprise and Innovation. Government contracts are worth billions of euro to the local economy, but small and micro enterprises are not getting the hearing they need from either Minister. Social clauses are still not a staple of Government procurement contracts and, to date, it has offered no sensible argument as to why this is the case.

Political expenses are still not fully vouched. Where is the radical extension of the parliamentary questions system? Freedom of information legislation has still not been restored to its former glory and the last time the legislation was brought before the House the Minister, Deputy Brendan Howlin, endeavoured to pull a fast one on the issue of charging for freedom of information requests. The Government talks the talk on open data, but it has yet to walk the walk. Oversight bodies are not adequately resourced and public data collection and sharing have still not met 21st century norms.

Corporate governance is still woefully inadequate. The work of the Committee of Public Accounts on the charitable sector has exposed some of this. However, it appears the Cabinet is still in no rush to tackle the systemic cronyism which exists among a very small number of people in publicly-funded bodies.

Reforms, rare as they are under the Government, only happen in an environment of crisis. The Cabinet decided to set aside the long-awaited regulation of the charities sector until a crisis emerged and the public demanded action. The Cabinet also decided to set aside the programme for Government commitment to introduce consolidated and reformed domestic violence legislation. I raise this issue as we approach international women's day on Saturday. The IBRC legislation, which included the waiving of property rights, could be rushed through the Dáil in a matter of hours but there is still no urgency when it comes to protecting women and children from domestic violence. The Government has not yet signed up to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. It argues that Article 52, which provides for emergency barring orders, infringes on property rights under the Constitution. Property rights can be waived when it comes to socialising bad bank debt but not when it comes to protecting women and children. This is some reform. The Labour Party's election manifesto promised to tackle and eradicate domestic violence. It promised to protect front-line services such as family refuges, but we know from statistics that incidents of domestic violence have increased and women with their children are being turned away from refuges due to a lack of places.

A raft of promises was made on equality but the Government is not pursuing gender quotas on State boards. It is not even delivering them on its own benches. The Government committed

to requiring all public bodies to take due note of equality and human rights in carrying out their functions, but it refused to take up equality budgeting and voted against the provisions of same.

The Government promised to promote social inclusion, equality, diversity and the participation of immigrants in the economic, social, political and cultural life of their communities, but it stands over direct provision. Nothing has changed for the Traveller community. The Government drags its heels on the little it has promised to some, not all, survivors of the Magdalen laundries and has turned its back completely on the men and women who survived the Bethany Home. The issue of illegal adoptions has yet to be grappled with. Louise O’Keeffe was forced by the State to take her case to Europe and last year the Cabinet argued the State had no liability for what happened to children while attending primary school. It is not so different from Fianna Fáil. While members of the Government clap each other on the back and wax lyrical about budget consolidation, doing more with less and the wonders of shared services, the reality is the Government is not so different from the last.

Deputy Clare Daly: I am disappointed the Government has decided to turn over the Dáil this week to host a backslappers convention for itself. It is quite embarrassing. I would have thought Fine Gael had enough of that at the weekend but clearly the Labour Party felt a bit left out. Many people in Irish society would like to slap members of the Government but I am not sure it would be on the back. If I were in government I would be hanging my head in shame at the litany of broken promises it has stood over. None is more apparent than the appalling treatment of young people. The Government’s solution to long-term unemployment is to frogmarch people into the Gateway scheme of working for nothing for the local authorities. The 3,000 local authority jobs axed in the past year will be replaced with young people or other long-term unemployed people working for nothing. What future does this hold for people?

The Government has relied overly on the private sector and the fruit of its labour is the number of companies which have closed down in recent years. Long-standing good-quality jobs have been eliminated from the economy. The idea the Government would compound this by undermining the public sector is absolute lunacy. Opportunities which were there for people when they left school to take up a secure, permanent pensionable job at the local authority are being eliminated and replaced by what is, in essence, a chain gang. This at the same time as we have, in Ireland, the highest profits being earned in any location in the EU but the lowest level of investment. The only investment happening in this country is buying up distressed properties for knockdown prices. Unless the Government addresses this and deals with the issue through a public investment programme we will not see an end to dealing with the issue of unemployment.

There are many issues and we have little time to grapple with them. We could be here all day. Fine Gael could not care less about the flights at Shannon Airport, but the Labour Party in government has stood over a 79-year-old woman spending her second month in jail for having the audacity to highlight how Shannon Airport was being utilised by the US military machine. The State refuses to examine a single aircraft there.

The democratic revolution and the new era of transparency and accountability which the Government promised us has been absolutely and utterly exposed. We could be here all day pointing out examples but I will give several in the limited time available. How we treat individuals and the most vulnerable in society is usually a pretty good measure of whether we have things the right way around. Particularly from the point of view of the Labour Party, which made a virtue in opposition of being better and more humanitarian and liberal, the record of the

Government is a particular affront.

At the weekend the Taoiseach stated he would not allow anybody in the State to undermine An Garda Síochána. He is a little bit late for this because unfortunately his Minister for Justice and Equality and his Garda Commissioner have done a pretty good job of it already. The Government's handling of the recent Garda controversies has seriously undermined the good gardaí trying to do a decent job. It has undermined the confidence of the public. It has some limited time to address these issues.

Deputy Wallace will expand on some of these points later but I want to highlight some of them. Over the weekend there were revelations in the media about information about Traveller children being put on the PULSE system. I raised this issue with the Minister for Justice and Equality late last year. His answer at the time was pretty much his answer to everything; he stated he asked the Commissioner and was assured by him that An Garda Síochána does not engage in discriminatory ethnic profiling. This is not enough for the Traveller community which has heard allegations that a 16 day old child was put on the criminal intelligence system with a separate number. I am sure the Minister for Children and Youth Affairs will be concerned to know whether other Traveller children or adults have been put on the criminal intelligence PULSE system without any reason or alleged criminality. This needs to be investigated.

The Minister, Deputy Fitzgerald, and the Minister of State, Deputy Brian Hayes, are probably aware of a report into racist incidents in the latter months of last year, which dealt with the real experience of people at the hands of the Garda. During the three-month period just short of 100 racist incidents were reported but only 16 were reported to the Garda. Of those who did report to the Garda their experience was not pleasant, and the original abuse was compounded by the fact their complaints were not addressed properly and by poor levels of communication. Incidents were reported where gardaí told a man his car was probably broken into by Travellers, and gardaí questioning somebody with a Traveller-identified name went into the person's background and ethnic status. These issues have been well documented and the Ministers need to address them. Unless one is looking after the sections of society that are most discriminated against, one is not looking after anyone else either.

There are a number of other cases on which I wish to touch briefly. The Ministers are aware that last week Deputy Boyd Barrett raised the appalling case of Cynthia Owens and the murder of her young daughter, which occurred a number of years ago, and the need for that case to be investigated. I echo that call today. Again, if one wants to mark a new dawn in our society, we must address these crimes of the past. Sadly, however, it is not only Cynthia Owens who was abused sexually as a child for a number of years. Sarah Bland experienced a similar trauma in that regard, whereby she was systematically abused and raped by her father in a case that came to international prominence because a number of Members of the Northern Ireland Assembly in particular took up her case. That woman and her mother, who are in Ireland today, have fought a campaign over decades to get justice. She is appalled by the fact that the solicitor in her case is now the Minister for Justice and Equality and yet at that time left her in a situation where her complaints were not listened to and she suffered further abuse for years. These are serious issues and we cannot brush them under the carpet. There are too many of them and people need answers in that regard. The last case I will mention is that of Frank Mulcahy, who experienced multiple complaints in respect of various Garda assistant commissioners. In fairness, the Minister for Education and Skills, Deputy Quinn, has stated that this man needs justice. The case of this man having his good name impugned by the State must be answered. While I do not have the time to deal with these issues, unless they are addressed, they will not go away.

As the Minister for Health is present in the Chamber, I will make a final point in respect of medical care. Members used to talk about looking after people from the cradle to the grave but the recent crisis in a maternity unit shows people should be looked after before they get to the cradle. The hollowing out of the public service and the removal of experienced staff from the health system has led to unsafe practices in the maternity hospitals and beyond, and there is a need to address the numbers. The Government's proposed GP scheme for children under six is a stunt. It is an insult, which clearly has encountered a severe backlash from GPs. The Minister will be aware of a doctor in our constituency of Dublin North who has recently taken up practice having come from the NHS in Britain. The aforementioned doctor took over this practice from another doctor, who committed suicide with a waiting room full of patients because of the financial and stressful pressures the medical profession is under.

Deputy James Reilly: How dare you speak of a friend of mine without knowing the facts?

Acting Chairman (Deputy Jerry Buttimer): Thank you.

Deputy Clare Daly: This doctor, who has taken over the practice-----

Deputy James Reilly: While I had some admiration for Deputy Clare Daly, I have none now. I am shocked.

Acting Chairman (Deputy Jerry Buttimer): Thank you very much.

Deputy Clare Daly: These are serious issues-----

Deputy James Reilly: He was a friend. I am shocked that the Deputy-----

Deputy Clare Daly: -----and this doctor, who has taken over the practice-----

Acting Chairman (Deputy Jerry Buttimer): I remind Deputy Daly regarding privilege-----

Deputy James Reilly: -----would upset his family-----

Acting Chairman (Deputy Jerry Buttimer): -----and referring to people who are not in the House.

Deputy Clare Daly: I will explain.

Deputy James Reilly: -----and would use this Chamber to make such statements.

Acting Chairman (Deputy Jerry Buttimer): Thank you, Minister. I will chair-----

Deputy Clare Daly: This doctor, who has taken over-----

Acting Chairman (Deputy Jerry Buttimer): Sorry; I remind Deputy Daly regarding privilege and naming people who are not in the House.

Deputy James Reilly: I am appalled. This is such an abuse.

Deputy Clare Daly: In a letter sent to his local Deputies by the aforementioned doctor who currently is operating this practice, he stated that he had worked in a properly resourced, free-at-the-point-of-care general practice in the United Kingdom for years. Consequently, universal health care is not the problem.

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Acting Chairman (Deputy Jerry Buttimer): Thank you, Deputy. Your time is up.

Deputy Clare Daly: The problem is the manner in which the Department is implementing this measure-----

Acting Chairman (Deputy Jerry Buttimer): Thank you, Deputy.

Deputy Clare Daly: -----without the proper consultation or safety measures for doctors, who already are hard pressed and will not be able to deliver a level of care for their patients. This is a stunt-----

Acting Chairman (Deputy Jerry Buttimer): Thank you, Deputy.

Deputy Clare Daly: -----that will not improve the position for people, but again, it is indicative of the poor record of the Government.

Acting Chairman (Deputy Jerry Buttimer): I call the Minister for Health, Deputy Reilly, who is sharing time with the Minister for Children and Youth Affairs, Deputy Fitzgerald. The Ministers will have ten minutes each.

Minister for Health (Deputy James Reilly): I wish to place on the record of the House that the doctor mentioned by Deputy Clare Daly was a fine doctor and a great friend of mine. There were many factors that led to the tragedy and I apologise on her behalf and on behalf of this House for any upset she may have caused to his family.

Deputy Clare Daly: I think the Minister is the one who-----

Acting Chairman (Deputy Jerry Buttimer): Thank you. We will have one speaker, please.

Deputy James Reilly: It is clear that 2014 will be a very challenging year, perhaps the most challenging for the health services. However, as a country, we have made significant progress since the Government came to office in March 2011. I wish to reflect on the progress made and to outline the Government's priorities in the health sector for the year ahead, which is not to ignore the real difficulties that remain and the hardship that people have been obliged to endure. The Government inherited an economy in free fall and a health service in crisis. It has since stabilised the economy, as it has stabilised the health service. Just as the Government seeks to implement fundamental reform in the economy to boost job creation and make Ireland the best small country in which to do business, it is implementing fundamental reforms of the health services to provide the people with a health service that has the needs of the patient at its core.

Ireland has some of the best doctors and nurses in the world. Moreover, some of the best managers in the world are Irish. Therefore, the question is: why do we not have the best health service in the world? I believe Ireland can have one of the best health services in the world, but to achieve this, the service must be reformed. It must be reformed in a way that allows those who work in it deliver the excellence with which they have been trained and that they wish to deliver. Reform is critically important but so is making a difference today for today's patients. That is the reason my first priority on taking office was to tackle the issue of trolleys in emergency departments and to tackle waiting lists in outpatient and inpatient departments. I am proud to report on behalf of the health service that there has been a 95% reduction in the number of people waiting more than 12 months for an outpatient appointment. In addition, a 33% reduction in the number of patients who must endure long trolley waits was achieved between 2011 and 2013, with a 13.4% reduction between 2012 and 2013. The present Administration is

the first Government to actually quantify the number of people waiting on an outpatient list. As I have stated, now that the Government has this information, it can target resources and implement innovative solutions to address these waiting lists, because, quite simply, unless one can identify and quantify the problem one has no chance of dealing with it.

Given the economic situation, it has been imperative for the Government to reduce costs, and this has been done. Savings measures of approximately €3 billion have been made and staff reductions of approximately 10% have been implemented, while all the time maintaining services. While I acknowledge that other areas of the public service have been obliged to put in place similar plans to achieve the Government's fiscal targets, as Minister for Health I am particularly proud of how the health service staff have responded to this challenge and of how the men and women who work in the health service on a daily basis continue to deliver safe care despite the challenges they face. I wish to place on record my support for them. The Government also has sought better value for money for patients and the public by reducing the costs of drugs and medicines. Again, it has done so in a sustained and planned way through legislation on reference pricing and generic substitution, and by so doing, it has cut the costs for the customer while maintaining quality and safety. Moreover, the Government has not just cut costs for today but has done so for tomorrow.

I have mentioned a patient-centred health service and that is the reason that in 2014, the Government intends to establish a patient safety agency on an administrative basis. I am pleased to state that the advertisement for a chief executive officer for the aforementioned agency will be placed in the press this week. The patient safety agency will support patients in securing an appropriate response to issues or complaints they raise about safety or any other complaints they may have. Patients will have an advocate who will act on their behalf and help them by directing them on how to pursue their complaint and to get satisfaction for that complaint. From my 30 years of experience as a doctor I know that when things go wrong, what most people seek is an apology, an acknowledgement that something wrong happened and an assurance that it will not happen again because things will change. This is what the purpose of the patient safety agency will be, but it will also promote and disseminate lessons from complaints nationally. The Government is also preparing the way for a licensing system for both public and private health service providers, which will put in place a framework for enhanced accountability and monitoring, and this licensing authority will have teeth. It is often said to me that one can be sitting in a restaurant about to enjoy a meal when an environmental health officer can come in, take the plate from under one's nose and say he or she is closing the place down as it is not safe to eat in, yet we do not have a similar system in place for hospitals, or departments of hospitals, which have not been safe. We need to ensure that system is in place, particularly when it comes to private facilities which are unlicensed and for which we have very little remit.

Since 2011 we have cut the cost of health care for patients and the public and reduced expenditure on health services, while reducing waiting times and numbers and maintaining patient safety and quality, but this is not enough. The population faces significant public health threats not just to this generation but to future generations also. Obesity and the misuse of alcohol and tobacco are not just individual threats, they represent public health risks which will consume us if we do not address them at a strategic level in a planned way. That is why we published Healthy Ireland, our strategy for improving the health of the people and enhancing health and well-being. It is an ambitious strategy which aims to embed health and well-being across public policy and services. A healthy population is a productive one and clearly it is cost efficient to combat public health threats through initiatives such as Healthy Ireland rather

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than through the health care system, which would be unsustainable and not fair. I will give the analogy of investment in fire tenders, ambulances and all of the personnel at the bottom of the cliff as they deal with casualties instead of putting up a proper fence to stop people falling off the cliff in the first place.

Healthy Ireland is about prevention. Under it, we have published Tobacco Free Ireland, our strategy for making Ireland tobacco-free by 2025, by which we mean a prevalence of smoking of under 5%. In 2014 we are progressing legislation on plain packaging for tobacco products, smoking in cars with children present and licensing the sale of tobacco products. These are immediate initiatives that will have long-term benefits for the people, health services and, most important of all, our children. I thank the Acting Chairman, Deputy Jerry Buttimer, for his conduct of the Oireachtas Joint Committee on Health and Children in dealing with these matters.

I sought and received Government approval for a package of measures to tackle the misuse of alcohol through a public health Bill. We want to bring our average annual alcohol consumption figures down and combat the ill-effects of the misuse of alcohol not just for the health service but also the economy and, most importantly, society.

Healthy Ireland is a framework through which we want to tackle obesity, in particular childhood obesity. I am sure everyone in the House agrees that our future lies with the next generation and that we need a sustainable strategy to protect them from the wide-ranging negative health effects of childhood obesity. We will be focusing on this issue in 2014. I am very pleased that, as I say these words, the Minister for Children and Youth Affairs, Deputy Frances Fitzgerald, who is equally committed to this task is sitting beside me.

If Healthy Ireland seeks to address future health issues in the population, Future Health, our strategy for reforming the health service, seeks to put in place the building blocks for a 21st century health service - a single tier health service where care will be available on the basis of need, not income, through universal health insurance and with equity at its core. Since its publication in November 2012, we have made significant progress. We have established hospital groups and appointed a chairperson for each group. We are recruiting chief executive officers for them. Throughout 2014 work will continue to fully establish them on an administrative basis. The creation of hospital groups is a critical step in improving hospital performance and, ultimately, patient outcomes. In the short term the groups will harvest the benefits of increased independence and move away from the traditional command and control style of the HSE.

In July 2013 we established the directorate of the health service under the Health Service Executive Governance Act which also abolished the HSE board. We are bringing the HSE Vote back to the Department through the Health Service Executive (Financial Matters) Bill which is going through the House. A finance reform board is in place and a chief financial officer has been appointed in the HSE. A new financial and cost management system has been identified and is being costed. Throughout 2014 we will progress the legislation and continue to work on the management system. This will enhance accountability, as well as establishing a sustainable system for controlling costs which is essential in the current and future fiscal environment.

In 2013 we published the phase 1 report of the chair of the consultative forum on health insurance. The chair is proceeding with phase 2 and will report back to me very soon. As the House knows, we must continue to address issues in the private health insurance market as a basis for the introduction of universal health insurance. I am determined that the cost of private health insurance will be reduced. Astonishingly, there has been no clinical audit of the

insurance system prior to this. There was no one to challenge doctors on why they were doing certain tests and the value of doing these tests. We have had a pretty loose audit of hospitals in the past, but that has changed. I am happy to say VHI has a cost containment programme and put in place measures which have resulted in one private hospital having to repay €5 million. I am sure there will be more. Equally, we must benchmark what we are paying consultants and why we are paying the money we are paying. The House will have heard me say often that we are still paying the same rate for procedures which used to take two hours but which now take only 20 minutes with modern technology. This has to stop.

Another key element of Future Health is the concept of the “money follows the patient”. The introduction of the new funding system on a phased basis lays the foundations for universal health insurance. Following a pilot study in 2013, it is being introduced across the health service in 2014. It will provide the funding framework for improved and enhanced outcomes for patients, as well as the professionals who serve them. Put simply, if there is no patient, there will be no payment; therefore, the patient will be king or queen.

Despite the challenging financial circumstances, as part of budget 2014, we will introduce free GP care for children aged five years and under. Work is well advanced on drafting the required legislation and the development of an associated GP contract to ensure this service will commence this year. We will continue work on the development of options for the provision of a GP service without fees for the entire population. I say to those who query the wisdom of providing this service when we have other issues with which to deal that we really need to drive home the message that primary care and general practice is where most medical needs can be met. It is also more cost effective and convenient for patients. That is the direction in which we must move as we cannot continue with the hospital-centred approach as it would break the economy, even if we did not face the fiscal challenges we currently face. As I said, the Government is committed to a major enhancement of primary care services as part of the move towards universal health insurance. This step towards a phased introduction of free GP care must be seen in that context.

In December 2013 we published the Health Identifier Bill and launched our e-health strategy. Technology can enhance health care, improve outcomes and drive efficiency. To implement it, e-health Ireland will be established initially in the HSE. It will be headed by a chief information officer for the health service who will be recruited through an open competition. Priority areas for initial development include e-prescribing, online referrals and scheduling, telehealth and the development of summary patient records. Again, on a day-to-day basis, the judicious use of technology brings greater efficiencies, but in the long term the use of technology gives us more information and, therefore, enables us to make better health care decisions. Ultimately, it saves lives and money.

I would like to make the point Dr. Susan O'Reilly, director of the National Cancer Control Programme, has often made that better organisation and management can yield a 10% improvement in outcomes for patients. If there was any doubt about this, last week I launched Lollipop Day for the oesophageal cancer support group and while none of the treatments has changed, the organisation and delivery have and the outcomes for those with oesophageal cancer have improved by 20%. That shows how organisation and management are such a critical part of improving outcomes for patients; it is not just about medical care.

Health service staff are of high quality and dedicated individuals who need and deserve high quality and dedicated facilities. Despite the significant challenges we face, since 2011

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the Government has progressed 34 primary care centres and a further 12 have been approved for building. As resources permit, the network will be expanded. We are also developing the national children's hospital, with the aim of starting to build next year. We are relocating the National Maternity Hospital, Holles Street, to the campus of St. Vincent's University Hospital at Elm Park. A project team has been appointed and we expect a design team to be appointed shortly. We are also developing a new central mental hospital in Portrane for the care of those with mental health issues and work on that project is well advanced.

As well as looking to the future, we have sought to address legacy issues. In particular, the State Claims Agency is implementing a redress scheme for women who had been excluded from the 2007 Lourdes Hospital redress scheme on age grounds alone. I commissioned a research report on symphysiotomy and appointed Judge Murphy as mediator. When she reports, I will consider that report and bring proposals to the Government for approval. We cannot move forward on the issues of tomorrow without having resolved the issues of the past.

The House will be aware of the significance attached to the plan by this Government to introduce universal health insurance. Universal health insurance is fundamental to the reform of our health services and goes to the core of Future Health. It has garnered significant media attention in past weeks and while universal health insurance is undoubtedly the final destination for health care reform, the White Paper represents the beginning of the journey. The Government and I are at one in agreeing that we need the input of the Irish people. The health services serve the people and they have the right to interrogate rigorously this Government's vision of the future of those health services. We will put a comprehensive plan for consultation in place so we can have a national conversation on the future of our health services. The Acting Chairman, Deputy Buttimer, will find himself at the centre of that conversation in his role as Chairman of the Oireachtas Joint Committee on Health and Children. I wish him well in his work and know he will allow a full and frank discussion and debate involving all who are interested in this issue. This principle is key, not just to the consultation but to universal health insurance itself. If universal health insurance is about one thing, it is about fairness. A fair system is one where everyone pays according to his or her means, where the basket of health services is decided on transparently and openly and where good performance is nurtured and encouraged and bad performance is addressed and improved. This is the health service we envisage under universal health insurance.

All of the various reforms I have outlined, including the money follows the patient principle, hospital groups and eHealth, are designed as building blocks for universal health insurance and for a health service that is pragmatic, practical and rational. We want a health service that is open and transparent and one that can deal with future challenges. That is where we are going and I look forward to working in partnership with stakeholders and the health services in achieving this goal, always with the clear purpose of improving outcomes for patients.

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I welcome the opportunity to take part in this debate. This is an important opportunity for this House to take stock, for the Government to outline the actions it has taken and to discuss the challenges that remain. We must all continue to work to improve the lot of Irish citizens. While I understand the role of the Opposition, it is disappointing that a number of Deputies have come into the House and made not one reference to the Government's achievements. They did not refer, for example, to the change in the job situation where, instead of losing 7,000 per month, 5,000 jobs are being created. They made no reference whatsoever to the changes in the public finances, in Ireland's international reputation or to what we are being charged in interest when we borrow.

They made no reference to the various reforms that are taking place, not least in the areas of health, local government and social welfare. No mention was made of the focus on activation in the Department of Social Protection which means that people are no longer passive recipients of money but are given the opportunity to participate in training and education programmes. This Government has taken action on many fronts. There is no doubt that many challenges remain, but at least when Deputy Mary Lou McDonald addressed the House, she commented on the legacy issues which this Government had to face when it took office.

I will focus this morning on my own area and the initiatives that I have taken in driving forward the range of Government commitments as they relate to children and families. We are in the midst of an ambitious reform agenda because our aim for children and families is to change fundamentally how services are delivered to them. We are working to integrate those services, to allow those services to respond earlier and to allow for joined-up thinking and a degree of independence not previously afforded in the context of service delivery. I will take this opportunity to comment on some of the initiatives I have taken and to lay out the challenges that remain. I am certainly not complacent and do not think that reform in the areas I have mentioned can happen overnight. What is important is to be on the right pathway to achieving the goals which the Government has set out and which I, as Minister, have set out for my own area.

I have delivered on a number of key programme for Government commitments, including holding the children's referendum, establishing the dedicated new Child and Family Agency and securing funding for and commencing work on new national child detention facilities. The latter is important because it takes all 16 and 17 year olds out of the prison service. We are now beginning to have a debate about what happens to those under 25 in our prison service but certainly taking 16 and 17 year olds out of the prison system is extremely important and has been advocated for more than 50 years. This Government has delivered on that commitment at a time of unprecedented financial difficulty. We have put our money into ensuring that 16 and 17 year olds will not be in prison facilities, thereby increasing the chances that those young people will not continue in a life of crime but will get a second chance. This is an extremely important initiative and in a time of extreme financial difficulty, we decided that it was a priority to try to interrupt that cycle of crime for young people and to give them a real opportunity for a second chance.

The free pre-school year is an extremely important initiative introduced by the previous Government. It was very difficult to sustain that service at a time of such economic difficulty but we have done so and have provided an additional €15 million to deal with population increases. The free pre-school year is extremely important and I am delighted that we have been able to maintain it. Huge concerns have been expressed about the quality standards in our early years services and that is certainly a problem. Previous governments have focused too much on bricks and mortar and did not invest in training and supporting front-line workers and ensuring that they are qualified for their roles. That is what this Government is focusing on to ensure the quality of our early years services because that is what parents want. We saw what was exposed on the "Prime Time" programme recently, which is a legacy of many years. The situation will not be turned around overnight but I am determined that we will introduce quality standards, training and inspections because that combination will make a difference so that parents can trust in the services they are using. The Government is also investing €30 million, with support from philanthropy, in area-based childhood programmes in 12 areas around the country where children are most in need. We have also completed a promised review of the implementation of the youth homelessness strategy.

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There is much more that needs to be done and I will highlight, briefly, my priorities for the coming year. I will be publishing the Children First Bill shortly - it is going to Cabinet in the coming weeks. We will complete the development of the child detention facilities. I want to support and develop the work of the recently established Child and Family Agency, one of the biggest public-sector reforms in which this Government has been involved. I will be amending the Child Care Act in respect of after care. I recently secured Government agreement that social workers would carry out an assessment of the need for after care for those children in the care of the State at the moment, who number 6,200. I will launch Ireland's first ever early years strategy and a policy on family supports and parenting. We know parenting is a complex task and we want to see what the State can do to support it.

I will continue quality improvements in early years and child care services. I will enhance the preservation, management and access to adoption records. This has been on the agenda since 1999. I will bring forward legislation to improve access to those records and ensure they are managed properly. So far, they have been dispersed across the country. I will bring in legislation to ensure that those who hold records have a statutory obligation to declare they have them. We will bring those records together, preserve and manage them and improve access to them.

My Department is finalising the Children First Bill which will place elements of the Children First national guidance on a statutory basis. This was first promised in 1999 and promised again under the Ryan implementation report in 2009 but not delivered. That will be delivered this year.

This year the priorities of the Child and Family Agency will include recruiting additional social workers in line with the additional budget allocations in budget 2014; rolling out new models for dealing with child abuse and neglect cases, of which there were 42,000 last year, with better liaison with the voluntary sector; commencing a three-year plan to double the number of special care places; and delivering greater efficiencies and savings in legal costs. What is happening in this area is not sustainable. There will be a national approach to legal costs and the guardian *ad litem* system will be reformed. We will also introduce 24-hour access social work services.

In the past few days, I approved this year's business plan for the Child and Family Agency. The heads of the aftercare amendment Bill were submitted to the Cabinet last week and will be referred to the Oireachtas Joint Committee on Health and Children on 11 March. This is another example of implementation of a policy that has been called for by many groups who care about young people.

I welcome the opportunity to update the House on my plans and challenges for the year ahead. I want to build on the momentum achieved and to deliver on our commitments. There are significant challenges but I am committed to rising to them, delivering valued improvements to services for children and families. Many of these initiatives have got support from all sides of the House. I welcome that support and the constructive discussions we have had on many of them. I wish the debate in this House was as constructive as some of the support I have got for the initiatives I brought forward. It is extremely important for the people that when we are debating in this House we recognise the initiatives that have been taken that make a difference in the jobs arena and other areas, as well as the challenges that remain.

Acting Chairman (Deputy Jerry Buttimer): I call on Deputy Nulty who is sharing time

with Deputies Grealish and Naughten. Is that agreed? Agreed.

Deputy Patrick Nulty: I commend the Minister for Children and Youth Affairs for introducing the aftercare amendment Bill in which she has had a long-term interest. As other Deputies have said, the ordering of business in the Dáil this week is shambolic with set-piece speeches to be delivered. It is a farce given the serious crisis issues facing many people in our community to allow this type of debate to take place.

I am disappointed the Minister for Health, Deputy Reilly, ran out of the Chamber just now because I wanted to tell him what is actually happening in our health service. His speech would not have been out of place in a George Orwell novel because it had no root in reality. If one talks to those working on the front line in the health services, from community services to acute hospitals, they will all say the health service is in crisis. For example, Connolly Hospital, Blanchardstown, in my constituency has a massive catchment area. I speak to staff in that hospital every week. Last week, I spoke to several front-line workers there who told me about the low levels of morale and all-time high levels of stress and fear for the future for the health services among health staff. Experienced workers in the health service told me unreasonable demands were being made of reasonable people who are concerned for their patients.

The one element not driving the Government's health policy is an absolute commitment to the right to health care and to patients' interests. I have spoken to very ill patients who were left sitting on chairs in Connolly Hospital accident and emergency unit for eight hours. Staff were run off their feet with chaos at the department. This is a direct result of the Government's policy on recruitment embargoes while hiring agency workers rather than employing nurses full time. This, in turn, prevents opening up beds to alleviate capacity in acute hospitals.

I know of very ill people on serious and costly medication who have had medical cards for over ten years but now the Health Service Executive has decided they do not qualify for the card. That is another direct result of the Government's policy. Its strategy is to outline its reduction in expenditure in health, social protection and housing but pass it off to bureaucracies to implement. That allows Government backbenchers to blame the HSE, claiming it is a technical issue when, in fact, there is massive pressure put on these agencies to slash expenditure. Health is a demand-led service due to medical need but the Government's policy is governed by driving down costs, coupled with a lack of co-ordination in how we deliver health services.

The crisis in our housing system was raised this morning with the Minister for Social Protection. Her response was derisory and insulting to those on housing waiting lists. The reality is that we have 100,000 families on housing waiting lists and a massive building programme is required to address this. Not only would that create jobs and reduce social protection expenditure, it would also deal with the crisis. I am aware of numerous examples of families who do not know if they will have a roof over their heads next month. This matter was raised with the Taoiseach yesterday on Leaders' Questions. What did he say in reply? "Sure, God love them". That was his response to a housing crisis because he is not knowledgeable and is ill-informed about what is actually happening to our citizens. We are not talking about long-term homeless people with addiction issues and so forth. We are talking about numerous families who cannot meet the rents demanded by landlords.

One obvious solution is that instead of paying rent supplement, the Government develops a scheme to acquire houses from landlords on a long-term basis while using the rent supplement scheme as a mortgage payment.

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Not only would this increase the social housing stock and represent the acquisition of assets for the State, it would also help the housing waiting lists. That is one solution the Government has refused to consider. A stimulus plan for housing is another solution. The changes announced in the recent budget do not even reach the tip of the iceberg with regard to this crisis. Will the Government explain to families sitting at home watching this debate and wondering how they will provide a roof over the heads of their children what it expects them to do?

Leaders' Questions

Deputy Micheál Martin: This week the Dáil is discussing Government priorities and, clearly, one of these is the introduction of water charges in the final quarter of this year. Last month, the Taoiseach said in the House that the Government would produce a financial and business model that would enable people to know the amounts on the bills that would come in their doors. He modified that subsequently to say that they would know the average charge for water across the country and he said the Government would produce a financial and business model. Everybody is waiting for this model, which will outline the free allowance, public subvention and other matters. Most people would like to know what their bill will be, not the average bill. Why has there been a delay in producing the business model? This essentially relates to Government decisions on the free allowance, public subvention and the first fixed charge.

Irish Water has been up and running since Mr. John Tierney was appointed in January 2013. A total of €180 million has been spent on establishing this entity but it seems the Taoiseach is nowhere near being in a position to provide transparency about the amount people will pay. The reason the regulator cannot set a price and Irish Water cannot make a submission to the regulator is that the Government has not made those decisions. Why did the Government delay and why does it continue to delay publishing the business model, given all the money that has been spent in Irish Water on recruitment and so on? It is stretching credibility to suggest that the Taoiseach would not know the bottom line at this stage.

The Taoiseach: The Deputy has raised this matter previously. I agree with his opening comment about discussing priorities but I am sure he will agree with me that it is significant that the seasonally adjusted live register now stands at 398,300, which is below the European average of 11.9%. This is the first time the register has been below 400,000 since 2009. Clearly, that is a priority for the Government, and I commend all those who have been working in that area.

The reason we have not published the business model in respect of Irish Water and water charges is that I want to get it as right as possible. The charge the Deputy made a number of weeks ago was that the Government had no intention of introducing a business model until after the local elections. He asked why the business model had not been produced by now and how much the bills would be when they came through the door in January. I cannot answer the second question because I have no idea of the extent of the culture of water use that will apply from September on when charges will begin to be incurred, although the bills will not be demanded until 1 January next year. I confirm that the Government will publish the business model before the local elections, as I have said in reply to the Deputy previously, and that will indicate the average charge that can be expected per household, taking into account the allowance that will

be approved and the charge that will apply thereafter. That will be determined by the level of subvention that the Government will be able to make available in respect of this.

It seems to me as if the opposition the Deputy puts up to this is based on retaining a system that is not fit for purpose these days. As he will be well aware, we should be investing €600 million a year in infrastructure to provide water for people, business and industry for the many years ahead. A total of 40% of the water in Dublin is leaking away. We need a structure and a system to address that properly, and that is why Irish Water was set up. All of that is in place. The metering programme is in place, with the contractors that have been appointed required to provide local employment.

We have done a great deal of work on the business model. It is not finished yet but it will be published before the local elections, hopefully in the not too distant future. However, it is not an easy thing to do. We have to try to do this in such a way that people understand it is necessary, fair and affordable, and that is where the work is at the moment. I therefore confirm to the Deputy that we will publish the business model before the local elections. People will then understand the scale of the average charge. This will bring about a change in the attitude towards the use of water that we have had in the country for many years.

Deputy Micheál Martin: The Government has had a minimum of a year and a half to determine basic elements such as the level of the free allowance, the level of social affordability and the level of public subvention. The view is that it is deliberately withholding this model because it does not want people to know too much about it before the local elections. Deputy Healy raised this issue a month ago during Leaders' Questions and the Taoiseach said the model would be published in a couple of weeks. The Deputy suggested that perhaps the Taoiseach was covering for the Labour Party. I can understand that to a certain extent because the party made it clear that it was not in favour of water charges and the Tánaiste was strong on that. He once said: "Water is a necessity. I've always believed essential services like water should be delivered as a public service".

Deputy Bernard J. Durkan: Fianna Fáil signed us up for it.

An Ceann Comhairle: Does Deputy Martin have a question?

Deputy Micheál Martin: No one can understand why these three basic issues - the subvention, social affordability and the free allowance - have not been resolved. Over a year and a half, Irish Water has spent €180 million using an expensive transition team. It stretches credibility somewhat to suggest that the Government could not have come up with this model earlier. That is the delay, and the Taoiseach will be aware that that is why the regulator cannot do its work and Irish Water cannot make its submission. Those essential decisions have been deliberately withheld from the public domain. This is a key priority which could have been discussed this week if we had that information. However, we do not have it, for some reason that I cannot fathom, and I do not believe it is because the Government has not worked the model out; it is for more basic political reasons. In fairness to the Minister for the Environment, Community and Local Government, he said we might know by St. Patrick's Day. Perhaps he was thinking of the phrase the Taoiseach once used, "Paddy likes to know". I do not know whether Paddy will know on St. Patrick's Day but perhaps the Taoiseach could enlighten us as to whether he will.

The Taoiseach: I said the business model would be published before the local elections in order that people could understand the average charge that would apply. That will take into ac-

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count the subvention and the free allowance. The Deputy seems to want to continue with what we have.

Deputy Micheál Martin: I have not said anything of the sort.

The Taoiseach: Yesterday the Deputy mentioned universal health insurance, and he seemed to want a perpetuation of what he created himself, the cost of which increased by 300% to €15 billion and has resulted in a system that is inequitable, unfair, inaccessible and costly and that discriminates against those with medical needs. What we are trying to do is to put in place a structure to deliver water at the highest standards of professional competence, which will stand the country in good stead for the next 50 years. It is to transform all the local authorities into a single entity and deliver that capacity. We have people coming in every week wanting to invest here. They need high volumes of water for industry. We need to have a system so that the charge is fair and acceptable and is seen to be able to be delivered. There are issues the Government needs to get right. That is why the officials from the Department of Finance and the Department of the Environment, Community and Local Government must put together the structure of this. A great deal of detailed work is going on.

Deputy Micheál Martin: It is costing €180 million to set that up and they do not know.

The Taoiseach: I reiterate that Deputy Martin will not be disappointed because we will publish the business model before the local elections.

Deputy Dara Calleary: Will the Government publish the charges?

The Taoiseach: Yesterday Deputy Martin said we wanted to put universal health insurance out beyond the next general election. Three weeks ago he said we wanted to put this out beyond the local elections. It is not so on both counts.

Deputy Micheál Martin: We are waiting. When?

The Taoiseach: We are not afraid to face into challenges that were left untouched for years with the result that this country was sent into an economic abyss. We will have it published before the local elections, but not before St. Patrick's Day.

Deputy Gerry Adams: Ba mhaith liom aird an Taoisigh a dhíriú ar an scéim Gateway. Tá sé soiléir don saol agus a mháthair gur cleas í an scéim seo. Is bealach í chun pictiúr maith a tharraingt gan meas ar bith a thaispeáint do shaoránaigh. Last year the Government introduced the Gateway scheme, which was designed to make participants work 19.5 hours per week for a top-up of €20 on their jobseeker's allowance. This scheme forces unemployed people to carry out work for local authorities with threats of cuts or suspensions of welfare payments, even though it pays only a fraction of the minimum wage. It involves no training or education and there is no prospect of long-term employment for those forced to take part. Local authorities have been given an allocation of 3,000 places to fill. Surely, if there are 3,000 positions to be filled, those citizens working in these positions deserve to have proper terms and conditions. If Fine Gael does not understand that, I am sure the Labour Party must have brought it to their attention.

Gateway follows on the heels of JobBridge, a failed Government initiative which also exploits welfare recipients with little hope of meaningful long-term employment or skills training. Last night a Government Deputy told RTE that Gateway was teaching unemployed people

what it is like to get up in the morning. Does the Taoiseach accept that this is adding insult to injury and that it reflects an establishment view that the real problem is not unemployment but the unemployed? Will he end this exploitation of citizens who are long-term unemployed by scrapping the Gateway scheme?

The Taoiseach: The answer to that question is “No”. Deputy Adams is the leader of his party and his party has a different view.

Deputy Gerry Adams: I know that, thank you. I have no intention of leaving either.

Deputy Patrick O’Donovan: Some people here might disagree.

(Interruptions).

Deputy Michael McGrath: We got approximately 30 seconds out of that.

The Taoiseach: It seems to me as though Sinn Féin does not want to pay for anything, does not want to have any charge imposed for any service, and wants nothing to do with the European scene. From a Sinn Féin perspective, everything in life is free and wonderful. Unfortunately, that is not reality.

Deputy Sandra McLellan: It is free labour.

The Taoiseach: It is the old chicken-and-egg problem with young people walking into one’s office who say they are qualified and looking for a job: one cannot find a job without experience and one cannot get experience unless one has a job. Deputy Adams’s view of the Job-Bridge scheme is not shared by these young people. Yes, there have been a few cases - I have come across them myself - in which things might have been better, but I have so many pieces of correspondence from young people who are qualified and were taken on by firm after firm and who have been more than able to measure up to the challenges they have met. The evidence, if evidence is needed, is that 66% of them find permanent employment or leave to start their own firms. This speaks for the value of their training, their commitment and their capacity to rise to that challenge. I do not accept at all Deputy Adams’s version of the failure of JobBridge. From a European point of view this scheme is very successful and is being examined by other countries as a model to be replicated.

The Gateway scheme does not force people into employment.

Deputy Sandra McLellan: It does.

Deputy Aengus Ó Snodaigh: It is not voluntary.

The Taoiseach: When one sits down and talks to people who have unfortunately been long-term unemployed, they say it is a rut that is very hard to get out of. Many of these people want to make a contribution. I have seen them on various schemes from Tús right through to Gateway. We have started with the scheme of 3,000 jobs with local authorities whereby a particular sector of those who are long-term unemployed, and who have been interviewed by staff of the new Intreo service, are offered positions to help them get back to feeling motivated to go to work. There are so many opportunities out there for 19.5 hours in addition to their social welfare payment.

I have spoken to some of the participants - not all of them by any means - and I know that

people like to be able to make a contribution to their communities in their own right and to get out of the rut of long-term unemployment. There are so many opportunities at community level where a visible change can be made and where these people want to make a contribution and to be seen to do so. They are not being forced out. This opportunity is provided to a particular sector of the long-term unemployed.

Deputy Gerry Adams: The Taoiseach has highlighted, probably unintentionally, what people dislike about this Government. This is forced labour. It is compulsory. There is no training or education budget. The people forced onto this scheme are paid €20, which is taxable, so a person with three or four children may end up with less money than before getting involved in the scheme. There is no transport allowance. Compare this sector of citizens with the sector of citizens the Taoiseach knocks around with. The Taoiseach talks about jobs. He has axed 3,000 jobs from local authorities. He placed a public service recruitment embargo on local authorities. Again, compare this with €500 million taken from local authorities by the Government and given to Uisce Éireann to spend on consultants and water meters without any sustainable jobs.

Deputy Pat Rabbitte: For God's sake, cop on.

Deputy Gerry Adams: Anybody who lives in the real world knows that what is needed is proper investment and long-term, sustainable jobs with good terms and conditions. Gateway is being used to undermine real jobs in local authorities. The Taoiseach must acknowledge that this is a scam that serves to massage unemployment figures. It is a race to the bottom. Pat---
-What is Pat's name again?

Deputy Mary Lou McDonald: Rabbitte.

Deputy Gerry Adams: Pat Rabbitte-----

An Ceann Comhairle: The Minister, Deputy Rabbitte, please.

Deputy Patrick O'Donovan: Deputy Adams should ask the real leader of his party.

Deputy Gerry Adams: -----is the leader of cheap labour. This is what the Labour Party has descended to: cheap forced labour. The Taoiseach has not distanced himself from the remarks that this is about teaching the unemployed how to get out of bed in the morning. Citizens want and deserve the dignity of a proper job with proper terms and conditions. The Government is not investing in that, and this Gateway scheme is doomed to failure and should be discontinued.

An Ceann Comhairle: It is a long established principle that when one speaks about a Minister one refers to him or her as Minister, Minister of State or Deputy. I would like that to be retained in this House. We have ushers around the House. If Deputies need to be reminded of a person's name, I am sure the ushers will help them.

The Taoiseach: I was not aware, until Deputy Gerry Adams made the comment, that €500 million had been paid to consultants by Irish Water.

Deputy Gerry Adams: I said it had been paid to Uisce Éireann by the Government.

The Taoiseach: It was not the first time the Deputy was out on some of his figures. I am quite sure that even he, despite the fact that he does not want any charge for any service, agrees that there is movement, given that the live register has fallen below 400,000 for the first time since 2009 and that we are now below the European average for unemployment.

Deputy Aengus Ó Snodaigh: They have all gone.

The Taoiseach: We know about the Deputy. I am quite sure Deputy Gerry Adams is aware that 61,000 new jobs were created in the past 12 months and that two thirds of them were in firms less than five years old. I am quite sure he supports the fact that the education system has one of the highest participation rates among OECD countries and that the young people emerging from it are well able to meet a range of challenges.

Deputy Aengus Ó Snodaigh: They are able to find jobs in Australia and Canada.

The Taoiseach: I am quite sure also that when Deputy Gerry Adams goes to his constituency and talks to people who have been long-term unemployed or those who have been short-term unemployed and are now in the world of work, they will tell him about personal dignity and the contribution they can make.

I do not accept at all that we should be static and stay with what we were left with when we were elected to office three years ago. We were losing 7,000 jobs a month. The Gateway scheme is to have 3,000 participants. They are selected because they have been long-term unemployed in their localities and want to make a contribution. They are people who ask what they can do to help. I have evidence of this happening every day in communities all over the country where people who are employed or unemployed work for the benefit of their communities. This is a situation where people who are and have been unemployed for a long time have been spoken to by Intreo. They want to make this contribution and are quite prepared to assist local authorities and communities by giving 19.5 hours a week.

Deputy Gerry Adams: Would the Taoiseach work for what they will receive?

Deputy Mary Lou McDonald: For €1 an hour.

A Deputy: I thought Deputy Gerry Adams did.

The Taoiseach: What I want to do is create situations where more people can find work that will provide an opportunity for them to develop their careers. Deputy Gerry Adams was unemployed for a long number of years -----

Deputy Gerry Adams: I was in gaol.

The Taoiseach: ----- yet he seems to appear in locations around the world just like that.

Deputy Pearse Doherty: The Taoiseach gives his super junior Minister €17,000.

Deputy Seamus Healy: The Taoiseach's and the Government's ideological commitment to private banking has ripped off the taxpayer and the people. The value of Wilbur Ross's and his North American vulture capitalist friends' shares in Bank of Ireland has more than trebled, from €1.1 billion to €3.8 billion. They are now selling 6.75% of Bank of Ireland for €690 million, at a huge profit, while retaining 30%. I raised this issue during Leaders' Questions on 7 November 2013 when I said:

In April 2013, on Bloomberg television, Wilbur Ross, the American vulture capitalist, described Bank of Ireland as his best investment anywhere in the world during the financial crisis. In July 2011 the Government sold State shares in Bank of Ireland to a consortium of North American vulture capitalists for €1.123 billion. The effect of the sale is that the State

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now owns 15% of Bank of Ireland's shares at a net cost of €4 billion, while these vulture capitalists own 37% at a cost of €1.123 billion. The fire sale of Bank of Ireland shares has handed Wilbur Ross and his wealthy associates a capital gain of €2 billion. No wonder he was celebrating on television. They are onto a sure winner in the future.

This is all too true. Not alone had the people bailed out Bank of Ireland, the Government had guaranteed the shares would rise by designating Bank of Ireland a pillar bank. It made no sense. Now in the media Wilbur Ross is lavishing praise on Richie Boucher and the Government. Why would he not? With no risk, he and his partners trebled their investment. Will the Taoiseach tell the people the truth? Will he tell them that while they were being fleeced in budget after budget, owing to the Taoiseach's ideological commitment to the privatisation of banking, he has cost them €2.7 billion which has gone straight into the pockets of Wilbur Ross and his North American friends. If a person ran a sweet shop in the way Deputy Michael Noonan handles State investments, he or she would not be long in business. Will the Taoiseach sack the Minister for Finance who proposed this rip-off to the Cabinet - the rip-off of taxpayers and the people - in what was and is a fire sale?

The Taoiseach: The answer to that question is "No." I was not sure whether the Deputy was going to propose that Anglo Irish should have been made a pillar bank, if one was to follow through on his dissertation. There are two things he should bear in mind. First, the fact that Mr. Ross invested in Bank of Ireland meant there was less of a capitalisation requirement for the taxpayer. Second, there will be no legacy debt attached. When the Minister for Finance brings his memo to the Government with a recommendation to dispose of the State's element of ownership of Bank of Ireland, the taxpayer will make a profit. Therefore, the taxpayer was saved from further capitalisation of Bank of Ireland and when the Government decides to dispose of its shares, the taxpayer will make a profit. I am no fan of banks. As the Deputy is well aware, what has happened from the point of view of the Government is that it has put in place a set of targets and requirements for banks and the Central Bank: to offer every mortgage holder in distress a sustainable offer by the end of the year; establish the Personal Insolvency Agency; meet the requirement for SME lending; and provide the opportunity to open doors for greater access to credit in order that people can do business and create jobs.

The answer to the Deputy's question is that the Minister for Finance will not be sacked; the taxpayer will make a profit on the disposal of the shares we own in Bank of Ireland.

Deputy Seamus Healy: I thank the Taoiseach for his response, but, once again, we have heard the usual smoke and mirrors blather. The fact is that the Government's ideological commitment to private banking has gone even further. As bad as the Wilbur Ross affair was, the taxpayer has been ripped off again, as recently as December 2013. This happened when Bank of Ireland was unable to call or buy all of the preference shares held by the Government. On that occasion the Government voluntarily sold the excess shares to a third party at a knockdown price to facilitate the bank. The Government rushed deliberately to complete that sale before 31 March 2014, when those shares will be worth an additional €325 million. In addition, the whole operation meant the State's share in the bank was reduced by another €100 million. The Government, therefore, lost €425 million in the deal. How can the Taoiseach continue to support a Minister for Finance who has stood over such a rotten and shameful deal for the taxpayer?

The Taoiseach: As I pointed out, we cannot have a functioning economy without functioning banks. When the Government was elected to office, we had a banking system which was completely dysfunctional, had gone off the rails and required radical restructuring. This hap-

pened with the putting in place of the pillar bank system.

The Deputy asked if the Minister for Finance would be sacked. The answer to that question is “No.” We have a duty to the Irish taxpayer to see-----

Deputy Seamus Healy: The Taoiseach is standing over that.

The Taoiseach: -----that money paid into banks can be recovered to the greatest extent possible given the catastrophic economic mess left by those who went before us.

Deputy Seamus Healy: Shame.

The Taoiseach: In the case of Bank of Ireland the fact that Mr. Ross invested in the bank meant that the Irish taxpayer had to put less money into the bank than it might have had to do.

Deputy Seamus Healy: When did the Taoiseach sell shares for €425 million?

The Taoiseach: When the State, on the recommendation of the Minister for Finance, decides to dispose of its equity there the taxpayer will make a profit. That is our commitment, our duty and responsibility to the Irish taxpayers not to leave them at a loss, given the scale of what was inherited here.

Deputy Willie O’Dea: It was €3 billion less than the Taoiseach would have paid.

Order of Business

The Taoiseach: It is proposed to take No. 7, motion re membership of committee; No. 8, motion re proposed approval by Dáil Éireann for a regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College, CEPOL, back from committee; and No. 19, statements on the Government’s priorities for the year ahead (resumed).

It is proposed, notwithstanding anything in Standing Orders, that Nos. 7 and 8 shall be decided without debate; and Private Members’ business, which shall be No. 45, Protection of Residential Mortgage Account Holders Bill 2014, Second Stage (resumed), shall be brought to a conclusion at 9 p.m. tonight, if not previously concluded.

Tomorrow’s business after Oral Questions shall be No. 19, statements on the Government’s priorities for the year ahead (resumed).

An Ceann Comhairle: Is the proposal for dealing with Nos. 7 and 8, motion re membership of committee and proposed approval for a regulation of the European Parliament and of the Council back from committee, without debate, agreed to? Agreed. Is the proposal for dealing with Private Members’ business agreed to? Agreed.

Deputy Micheál Martin: When will we have an opportunity to debate the Health (General Practitioner Medical Service) Bill, to allow free GP service for those under six years of age, even though it will be at the cost of discretionary medical cards for children over six? In the contract issued to GPs there is a gagging order, which will prevent them from advocacy, speaking out and articulating their views about the public health system. Why does the Government seem intent and determined to deny our GPs the right to free speech? When will the legislation

be published?

It is an appalling provision. I do not know why the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte is smiling. It is in the contract for GPs who have worked autonomously for many decades. They speak out on health matters, which is important in a democracy. There seems to be a continuing determination to prevent people, particularly in this context, GPs, from speaking out. That is wrong. The sooner we can discuss this Bill, the better.

The Taoiseach: The Bill will be published in this session and the Minister of State at the Department of Health, Deputy White, is conducting comprehensive discussions and consultation on the contract with doctors and members of the medical profession from all over the country.

Deputy Micheál Martin: What about the gagging clause?

Deputy Gerry Adams: Ba mhaith liom dhá cheist a chur ar an Taoiseach, ceann amháin a bhaineann le reachtaíocht atá fórógartha. I have raised the Children First Bill a few times. The heads of the Bill have been published but we have yet to see the full Bill. In January the European Court of Human Rights found in favour of abuse survivor, Ms Louise O’Keeffe. The Minister for Education and Skills, Deputy Quinn, put in place a review to deal with other cases. Ms O’Keeffe has expressed disappointment at the time it is taking the Department of Education and Skills to address the claims of other victims. I understand the Minister updated the Cabinet on this yesterday. When will the review be completed and when will the Dáil have sight of the Children First Bill? Would it be pertinent, prudent or timely for the Minister to make a statement on his review to the Dáil at the earliest opportunity?

Last July, the Taoiseach told the Dáil that the Walsh report on symphysiotomy would be published soon. The Minister had it for two months before that and almost a year later it has not been published. Last November, the Government appointed Ms Justice Murphy to examine symphysiotomy and to bring closure to the many women who suffered this barbaric practice. That was to be completed in eight weeks. When will it be published? We all know, from having met the victims of symphysiotomy, how barbaric the procedure was. Many of the women are elderly, some are in poor health and these issues need to be brought to closure promptly and effectively. When will the Murphy and Walsh reports be published?

The Taoiseach: I will have to advise Deputy Adams on those later. I do not have the information here with me.

The Children First Bill was first committed in 1999 and again in 2009. The Minister for Children and Youth Affairs, Deputy Fitzgerald, informs me that the Bill is complete and will be brought to Cabinet very soon, in this session.

Deputy Thomas P. Broughan: What is the status of the Industrial Relations (Amendment) (No. 2) Bill? Will it include the right to collective bargaining, as the Labour Party insisted it should?

An Ceann Comhairle: We do not deal with the content of Bills.

Deputy Thomas P. Broughan: In his long speech yesterday, the Taoiseach announced the construction programme. Can he confirm it will include a social housing programme? A theme

common to all the Deputies who have had a chance to speak on the Government programme has been the incredible seriousness of the housing crisis. Even *The Irish Times*, which was a cheerleader for the abuses in the housing market up to the crash, realises there is now a massive housing crisis. Will the Taoiseach be making an announcement? Will the Government start to build homes and apartments for the 100,000 who are suffering now?

The Taoiseach: The industrial relations (amendment) (No. 2) Bill will be brought forward in this session. I do not want to speak about the content of a Bill.

I have advised the Chief Whip that next week we should have statements from Members on the construction and housing sector. This is a real problem. The Government will be able to finalise its strategy across the construction sector shortly after St. Patrick's Day. The statements will be next week.

Deputy Brendan Ryan: Growers in Lusk and Rush and other parts of north county Dublin are anxiously awaiting promised legislation to put the code of conduct on supplier-retailer relationships on a statutory basis and to reduce the power of retailers. When will the Consumer Protection and Competition Bill come before the House? It is long overdue and often promised.

The Taoiseach: The Government has cleared this Bill and the Department of Jobs, Enterprise and Innovation is working out details. It will come before the House in this session and it is not far away.

Deputy Sandra McLellan: Will the forthcoming Health Reform Bill contain provisions to increase the number of child psychologists within the HSE? The current moratorium is having a damaging effect on families, some of whom have to wait up to a year for assessment with little or no follow on.

The Taoiseach: That will come before the House in this session.

Deputy Michael Healy-Rae: The draft contract for GPs is unworkable and the Taoiseach refused to answer Deputy Martin when he asked him about the gagging order contained in that contract. That is one item.

An Ceann Comhairle: What item of legislation is that?

Deputy Michael Healy-Rae: Legislation is required.

An Ceann Comhairle: Is it promised?

Deputy Michael Healy-Rae: Yes.

Deputy Micheál Martin: It is the Health (General Practitioner Medical Service) Bill.

Deputy Michael Healy-Rae: That is one item. The second item is-----

Deputy Micheál Martin: The Ceann Comhairle need not ask me about the second item.

Deputy Michael Healy-Rae: The Minister for Transport, Tourism and Sport, Deputy Varadkar, will draft regulations to allow for an exemption to Statutory Instrument 366 of 2008, Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations, 2008, to allow for the transportation of fodder. He has stated in this House this will apply only to hay and straw. Surely it should also include round bales of silage. This will be a very important matter to

many.

An Ceann Comhairle: Round bales of silage, Taoiseach. I thank the Deputy. He has had a fair run.

Deputy Micheál Martin: The devil is in the detail.

Deputy Michael Healy-Rae: The devil is in the detail. That is true.

The Taoiseach: In Deputy Healy-Rae's part of the country would they call fermented hay silage?

Deputy Michael Healy-Rae: I have studied it.

An Ceann Comhairle: Taoiseach, we will not have a conversation about this.

Deputy Michael Healy-Rae: I have studied it. If the Minister does what he says it could affect many farmers to their detriment. It is an important issue and I would like the Taoiseach to consider it because the Minister clearly stated hay and straw only.

An Ceann Comhairle: Maybe the Deputy should table a Topical Issue matter on this question.

The Taoiseach: The first one is this session. Perhaps we should chew on the second one to find out what is the best thing to do. We do not want to have lower trailers and higher bales but the transportation of fodder is an important issue around the country and there are implications for lower bridges where high loads can get caught. I will ask the responsible Minister to clarify the issue. We do not want a discussion about the relative value of hay versus silage.

Deputy Noel Grealish: I welcome the Action Plan for Jobs. Job creation is the only way we will get out of the recession. However, I draw the Taoiseach's attention to the fact that one of his Ministers of State is holding up hundreds if not thousands of jobs. I refer to the Minister of State at the Department of the Environment, Community and Local Government with responsibility for housing, Deputy Jan O'Sullivan.

An Ceann Comhairle: The Deputy should just ask his question.

Deputy Noel Grealish: She has not yet brought proposals to the local authorities on allowing people to apply for home improvement grants and housing aid for the elderly. Under the housing (miscellaneous provisions) Bill, will the Taoiseach intervene to ensure that guidelines are sent to local authorities so people can apply for grants to renovate their houses and create jobs?

The Taoiseach: This is an important matter and I am glad the Deputy raised it. There are two grants, as the Deputy is aware. One is for home improvements and the other is for energy efficiency. They can be run together in terms of the claim for a rebate over two years. They will involve smaller local contractors and where they are registered, obviously the work can proceed. I expect a significant level of take up of the grants and I will advise the Deputy on the state of play in terms of when they are open to applications.

Deputy Peter Fitzpatrick: The climate action and low carbon development Bill underpins Government policy on climate change, mitigation and adaptation. When can we expect this important Bill to be published? The mineral development Bill aims to modernise and consolidate

all mineral development legislation. When can we expect that Bill?

The Taoiseach: The mineral development Bill is this session and the low carbon Bill will be towards the end of the year. I would say November but I cannot confirm it.

Deputy Terence Flanagan: In regard to victims of crime, their rights are obviously infringed but there are few supports for them. The criminal justice (victims of crime) Bill will strengthen rights for victims and their families. When will that Bill be introduced?

The Taoiseach: I apologise to the Deputy but I cannot give him a projected date for publication of the Bill. I will ask the Minister for Justice and Equality to advise him on it.

Deputy Peter Mathews: The sale of loan books to unregulated third parties Bill will cater for the sale of loan books by regulated financial institutions to unregulated entities. Our focus has been on IBRC and its liquidation but other banks, including Bank of Ireland and AIB, are also involved. I am concerned that what Deputy Healy raised during Leaders' Questions-----

An Ceann Comhairle: We cannot debate the issue.

Deputy Peter Mathews: I am concerned about the overlap between the events that have led to these outside investors making whopping profits and the distress of the customers-----

An Ceann Comhairle: We cannot debate the issue. This is about promised legislation.

Deputy Peter Mathews: ----- whose loans could be sold to unregulated entities. This is a mess.

An Ceann Comhairle: When is the Bill due?

Deputy Peter Mathews: In the case of NAMA-----

An Ceann Comhairle: The Deputy has had his say.

Deputy Peter Mathews: -----connected loans-----

An Ceann Comhairle: We cannot have a debate on the issue. When is the Bill due?

Deputy Peter Mathews: The Ceann Comhairle must understand-----

An Ceann Comhairle: I understand perfectly. If the Deputy tables a Topical Issue matter I will consider it for him. He cannot discuss it on the Order of Business.

Deputy Peter Mathews: A significant proportion of the connected loans in NAMA were-----

An Ceann Comhairle: He is being unfair to other Deputies.

Deputy Peter Mathews: -----transferred at a nil value when they came into NAMA because-----

An Ceann Comhairle: Please resume your seat. You have had your say.

Deputy Peter Mathews: -----they were inoperable.

An Ceann Comhairle: When is the Bill due?

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Deputy Peter Mathews: There may also be inoperable securities in the household loans.

An Ceann Comhairle: I ask the Taoiseach to reply.

The Taoiseach: It is due next year.

Deputy Dessie Ellis: As the Taoiseach will be aware, there are plans to merge the penalty points systems in the North and the South. The Minister for Transport, Tourism and Sport recently stated he had encountered serious legal difficulties in this regard. Can the Taoiseach indicate whether these problems can be overcome? Will the proposed merger be provided for in the road traffic Bill and when will that legislation be published?

The Taoiseach: The road traffic Bill is next year. The issue to which the Deputy referred pertains to the veracity of serving a summons. Elsewhere, if a summons is sent by post it is received, even if it is by registered post. Down here it is different because summonses have to be served. In other countries the way of dealing with that can differ. The discussions between here and Northern Ireland have not yet concluded and the Minister is trying to arrive at a compromise that will be acceptable. Issues also arise in regard to the courts.

Deputy Brian Walsh: What is the current status of the bail Bill? The harbours (amendment) Bill will, among other provisions, transfer control of certain harbours to local authorities. There are ambitious plans for a new port in Galway to serve the west and the aforementioned legislation will have an impact on these plans.

The Taoiseach: I am aware of Deputy Walsh's interest in the new development in Galway. The harbours (amendment) Bill is not due until next year. I have responded to Deputy Durkan on a number of occasions regarding the bail Bill. As there are a number of complications with the legislation, it is quite a while away.

Deputy Bernard J. Durkan: I am sorry to hear that. I have a constant interest in the Bill because it is fundamental to our justice system that it be brought before the House as a matter of extreme urgency.

I ask about the Red Cross (amendment) Bill and the housing Bill, which are promised. Given that the Opposition is now aware of the inadequacies of the housing situation, and bearing in mind that the housing policy pursued for the last 15 years was a complete failure -----

Deputy Colm Keaveney: What is the current policy?

Deputy Bernard J. Durkan: It was a complete and absolute failure. There were no loans issued by local authorities.

Deputy Colm Keaveney: How many families will be forced to stay in Dublin hotels tonight?

An Ceann Comhairle: Please, we are not having a debate.

Deputy Bernard J. Durkan: It is no wonder they are cackling over there because it is an absolute disgrace. The party Deputy Keaveney joined recently should be able to tell him where it went wrong.

Deputy Colm Keaveney: Stop the blather.

An Ceann Comhairle: I ask Deputy Keaveney to stop interrupting. Deputy Durkan cannot make speeches.

Deputy Bernard J. Durkan: I am not making a speech; I am bringing to the attention of the House the urgency of the housing situation -----

An Ceann Comhairle: There will be no more speeches on the Order of Business.

Deputy Bernard J. Durkan: -----and I am asking that, in the context of the housing Bill-----

Deputy Niall Collins: Go away, you windbag.

An Ceann Comhairle: We know about the Bill.

Deputy Willie O’Dea: Blather.

Deputy Niall Collins: Sit down.

An Ceann Comhairle: I ask the Taoiseach to answer the question.

Deputy Bernard J. Durkan: I ask that-----

An Ceann Comhairle: Please resume your seat. There will be no more speeches on the Order of Business-----

Deputy Colm Keaveney: Correct.

An Ceann Comhairle: -----and no more interruptions from Deputies.

Deputy Micheál Martin: We have not yet had an opportunity to speak on the Order of Business.

An Ceann Comhairle: I call Deputies in the order in which they indicate.

Deputy Micheál Martin: We have not been called.

Deputy Willie O’Dea: We are feeling neglected.

An Ceann Comhairle: Deputy Keaveney was interrupting.

The Taoiseach: The Red Cross Bill is next year. The housing (miscellaneous provisions) Bill, containing 42 heads, was approved by the Government on 17 December 2013 and will be published this session.

An Ceann Comhairle: It is not my fault if Deputies are slow to raise their hands. I call Deputy Butler. I am calling Deputies in the order in which they indicate. Deputy O’Dea will be next, followed by Deputies Kirk, Ó Fearghaíl, Shortall, Heydon and Collins. Are Deputies happy?

Deputy Willie O’Dea: Delighted.

Deputy Colm Keaveney: Relatively.

An Ceann Comhairle: I ask Deputies to refrain from speeches. Keep it to the bare mini-

mum.

Deputy Ray Butler: When is it expected that the reform of appeals process of tax matters will be published to provide for amendments to existing legislation on the appeals process?

The Taoiseach: I do not yet have a date for that.

Deputy Willie O’Dea: The Taoiseach will recall that he promised nothing less than a constitutional revolution. Two weeks ago I asked him about the following commitment in the programme for Government: “We will also deal with the related problem of legislation being shunted through at high speed and will ensure that Dáil standing orders provide a minimum of two weeks between each stage of a Bill”. When I asked the Taoiseach when that change would be introduced to Standing Orders he told me he would have a bit of a chat about it. Has he had the chat and when will the change be forthcoming?

The Taoiseach: The row with Deputy O’Dea and his colleagues last year was about Bills being guillotined. I understand that no Bill has been guillotined thus far this session and there is no intention of guillotining any of them. It is always a case of attempting to comply with Standing Orders and allowing a decent period between Second Stage and Committee Stage. I spoke to the Chief Whip about the matter. I am sure Deputy O’Dea will join me in congratulating his wife on the birth of her baby yesterday. That is why he is not here. I will have to resume the chat when he returns and will advise the Deputy accordingly.

Deputy Seamus Kirk: In recent weeks, we have had some bad experiences with ambulance response times in the north east. In a response I received from the HSE, it indicated that there would be a review of the position of the ambulance service generally in the transformation programme. In view of the bad experience that there has been, I wonder whether the issue of the review could be accelerated in some way.

Ambulance services are vital. One really needs them in emergency situations. It is unsatisfactory to say the least to have delayed responses.

The Taoiseach: This is true. The National Ambulance Service is preparing a report on the incident there where it took 57 minutes to transport the patient to hospital. The objectives are that a patient carrying vehicle, an ambulance, should be there within 19 minutes for 80% of calls and the unfortunate case Deputy Kirk mentioned is the subject of an incident report being sought by the National Ambulance Service.

Deputy Seán Ó Feargháil: The programme for Government clearly commits the Taoiseach to addressing the plight of the 32 survivors of thalidomide and it is an issue that has been raised here on a number of occasions over the past three years. Is that matter being progressed and, more important maybe in the short term, has the Minister for Health engaged with the two agencies that represent the 32 survivors?

Finally, having regard to some of the earlier exchanges and on the issue of Dáil reform, could I ask the Taoiseach if, perhaps, at the weekly meeting of the Fine Gael Parliamentary Party, he might put down an item on legislation so that his own members could question him on legislation and, therefore, would not be obliged to come in here to repeatedly raise issues?

An Ceann Comhairle: Every Deputy in this House who is elected, irrespective of what party he or she is a member, is quite entitled to ask a question on the Order of Business on when

legislation is promised or due. Let us not get involved in Government and Opposition here.

The Taoiseach: I cannot confirm whether the Minister has spoken to the two groups involved in the 32 persons surviving from thalidomide. I will advise Deputy Ó Feargháil on that.

I am not sure from the Deputy's second question whether he wants to attend at a Fine Gael Parliamentary Party meeting or not. If he does, he would be welcome.

Deputy Róisín Shortall: It is approximately a month since I raised with the Taoiseach the issue of the widespread street dealing and abuse of benzodiazepines. This is now the substance of choice in the case of many with substance abuse problems. No doubt it is a serious issue. At the time I stated that new regulations had been drawn up 18 months ago and the Taoiseach undertook to check what had happened to those regulations to tighten the prescribing, possession, etc., of benzodiazepines, but I did not hear back from his office. Does he know at this point what is happening in this area?

The second issue I want to raise with the Taoiseach is the successful conference held on Monday on the question of this country's unhealthy relationship with alcohol. Given that the issue of alcohol sponsorship has been kicked to touch to a large extent and put into a process, what is the timescale for the long-promised public health alcohol Bill? When can we expect to see that?

The Taoiseach: The issue of alcohol sponsorship has not been long-fingered. I have decided that we should look at this element of it in a different way and under the Department of the Taoiseach, this will respond within 12 months from when we made that decision.

The Bill, as Deputy Shortall will be aware, is being worked upon by her successor, the Minister of State, Deputy White, who has done a great deal of work on this. On the publication of the Bill, I do not want to give the Deputy an exact date, but it is now practically completed.

In so far as the regulations about the prescribed drugs Deputy Shortall mentions are concerned, I am not aware of what progress was made but I will ask for a response to be sent to Deputy Shortall on this.

Deputy Róisín Shortall: May I clarify one point on the alcohol Bill? Is the Taoiseach saying then that the Bill will be published without any provisions for dealing with the issue of sponsorship?

An Ceann Comhairle: We cannot deal with the content of the Bill. It is only about when the Bill will be published.

Deputy Róisín Shortall: Will that be the case?

An Ceann Comhairle: We cannot deal with the content. We can only talk about when the Bill will be published.

Deputy Róisín Shortall: It is pertinent to the question I asked.

An Ceann Comhairle: Then Deputy Shortall should put down a parliamentary question rather than raise it on the Order of Business.

Deputy Róisín Shortall: They will not be tackling the issue of sponsorship in legislation.

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The Taoiseach: I said I have decided to look at that in a slightly different way. Under my own Department, there will be a response and a decision made on that over the next period ahead. That does not interfere with the work already done by the Minister of State, Deputy White, in respect of alcohol and the publication of that Bill.

Deputy Róisín Shortall: It will not be in the legislation then.

Deputy Martin Heydon: In light of the comments by some farming organisation representatives yesterday in the Joint Oireachtas Committee on Agriculture, Food and the Marine on the bull beef crisis that there is market manipulation by processors and retailers, and also mindful of a potential price war on milk that seems to be breaking out in the United Kingdom where Tesco is selling four pints of milk for £1, I was going to ask under the consumer protection and competition Bill about the need for a statutory code of conduct for the grocery sector and the need for an independent adjudicator, which has never been more apparent than it is now. I accept the Taoiseach's earlier answer.

An Ceann Comhairle: What Bill are we talking about?

Deputy Martin Heydon: The consumer protection and competition Bill; I acknowledge the Taoiseach's response earlier to Deputy Ryan.

An Ceann Comhairle: Then there was no need to ask about it a second time.

Deputy Timmy Dooley: They do not hold parliamentary party meetings any more.

Deputy Martin Heydon: My second point, if Deputies Ó Fearghail and Dooley do not mind me asking questions and acknowledging the mandate that I have to be here, relates to the gambling control Bill. Following publication of the Betting (Amendment) Bill 2013, the gambling control Bill is to update and consolidate law on betting and gambling and the Taoiseach might outline when that is due.

The Taoiseach: That will be published early next year.

Deputy Niall Collins: The Protection of Residential Mortgage Account Holders Bill is currently being discussed in Fianna Fáil Private Members' time. It is a Bill introduced by Deputy Michael McGrath. The Government stated that it is not opposing the Bill which, in my view, is a slick way to confuse people. Is the Government supporting the Bill and will it progress the Bill to Committee, Report and Final Stages as soon as possible to clear up the issue?

An Ceann Comhairle: That is a matter for Private Members' business.

The Taoiseach: Deputy Niall Collins's leader yesterday said that the Bill would be voted down by the Government. I had to correct him on that and say that the Government accepted the principle of the Bill. However, the Bill is flawed in a number of ways and the details of where the flawed areas occur-----

Deputy Niall Collins: The Government could amend it in committee.

The Taoiseach: -----will be pointed out.

Deputy Niall Collins: Would the Taoiseach repeat that?

An Ceann Comhairle: I call Deputy Troy.

Deputy Niall Collins: I just missed the last bit of what the Taoiseach said. Will the Government allow it proceed to Committee Stage?

An Ceann Comhairle: There will be a vote at 9 o'clock and the Deputy can call a vote or not call a vote. I am sorry, but the Deputy cannot discuss that now.

The Taoiseach: It offers no additional protection to the mortgage account holders other than what is already there.

Deputy Timmy Dooley: Why does the Government not amend it on Committee Stage?

An Ceann Comhairle: Sorry, we are not having a debate on it now.

The Taoiseach: Deputy Niall Collins should bear in mind the Government accepts the principle of this Bill.

Deputy Robert Troy: I have two questions. Last week the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, confirmed to the House that he would establish a cross-departmental review on the support of the post office network countrywide. Will the Taoiseach's Department be involved in this review and could the Taoiseach indicate to the House how long the review will take and when it will be brought before the House for discussion by all Members of the Dáil?

My second question relates to the housing (miscellaneous provisions) Bill. Currently, local authorities the length and breadth of the country are hamstrung in terms of who they can put on the housing list because of an anomaly in the Act. Where a husband and wife separate and one moves out of the family home, he or she cannot get approval for inclusion on the housing list and therefore cannot get rent allowance. It is leaving already vulnerable persons in an extremely vulnerable position. When can we expect to have this legislation brought before the House so that we can address some of its anomalies?

The Taoiseach: As I have already pointed out, that legislation will be published this session.

The Minister, Deputy Rabbitte, made it perfectly clear the Government has no intention of closing any post office. The cross-departmental group will be set up by him and will report when its work is completed. Obviously, there are clear opportunities out there for post offices to do business in new areas and new dimensions of work, and that is what the cross-departmental group will examine. As far as I know, my Department is not involved in that. If necessary, obviously, we will be informed about what is going on.

Equality (Amendment) Bill 2014: First Stage

Deputy Richard Boyd Barrett: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Employment Equality Act 1998 and the Equal Status Act 2000.

I and many other Deputies have over the past two years brought to the Taoiseach's attention the growing housing crisis and what is rapidly becoming a housing emergency.

1 o'clock

Emergency action is necessary to deal with it. There are many aspects to that, including the need for social housing and rent allowance caps but one particularly obnoxious element of the housing crisis that is pushing people into homelessness is the outrageous practice of landlords saying rent allowance is not accepted. It is discriminatory and it is naked prejudice that should not be tolerated in a civilised society. It is contributing directly to homelessness.

On 3 March, in all of Dublin there were 1,394 family sized properties available to rent. Of those, only 22 accept rent allowance and, of those, only nine were under the rent caps. That is completely unacceptable and a recipe for homelessness. In Dún Laoghaire, in 2013 there were 75 studio apartments for single people available in the entire year. Of those, 55 refused to accept rent allowance and none of those left over were under the rental cap. There was nothing available for single people looking for accommodation.

It is often suggested that landlords say rental allowance is not accepted because they want to dodge tax. The deliberate intention of the PRTB rental registration process and the inadvertent consequence of registration for the local property tax means that almost all landlords are now compliant. Why do they refuse to accept rent allowance? It is just prejudice. Not accepting rent allowance is a euphemism for saying there will be no poor people, no disabled people, no elderly people and no single parents or people with mental health difficulties. It is the modern equivalent of the terrible historical practice Irish people suffered in Britain, where signs said “No dogs, no blacks, no Irish”. It is unacceptable.

The Bill simply proposes to insert into the list of grounds on which people cannot discriminate someone’s social, economic, income or employment status, including their status as a recipient of State financial assistance. It will become a new socio-economic ground along with the other grounds covering disability, gender, race, religion and so on in the Equal Status Act and the Employment Equality Act. It is a simple measure and although it will not resolve the housing crisis, it will have an impact on this disgraceful practice and free up some of the available rental properties for people who are desperate and are being driven into emergency accommodation, shelters, sleeping on the street and dire situations because of the obnoxious practice of disbaring people simply because they are in receipt of social welfare.

I urge the Government to support the Bill. I am limited in that my request for time to debate the Bill will go into a lottery but I would be happy to co-operate with the Government on using some of its time in the Chamber to bring forward a response to an emergency. It is about ending a practice of discrimination that leads to gross suffering for many citizens. Other positive spin-off effects include discrimination against people in employment because they happen to be from a particular area. Hopefully we will get a chance to debate the Bill in the Dáil.

An Ceann Comhairle: Is the Bill being opposed?

The Taoiseach: I am sure Deputy Boyd Barrett is aware of the changes made to allow him and other Deputies to move Bills like this. The Bill is not being opposed.

Question put and agreed to.

An Ceann Comhairle: Since this is a Private Members’ Bill, Second Stage must, under Standing Orders, be taken in Private Members’ time.

Deputy Richard Boyd Barrett: I move: “That the Bill be taken in Private Members’ time.”

Question put and agreed to.

Broadcasting (Amendment) Bill 2014: First Stage

Deputy Stephen S. Donnelly: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Broadcasting Act 2009 to remove any mention of the subjective term “offence” from the duties of broadcasters.

I am delighted to introduce the Broadcasting (Amendment) Bill 2014. This year, the scandal known as Pantigate erupted, kicked off by comments made by Rory O’Neill on “The Saturday Night Show” and it was escalated by the response of those branded homophobes, who consequently threatened RTE with litigation. RTE capitulated and paid over €85,000 to six individuals. Maybe RTE should or should not have paid out but it did so because of a serious flaw in existing legislation. The managing director of RTE wrote in a letter to staff:

Having regard for broadcasting compliance issues, the seriousness of the legal complaints, and the decision by the complainants not to accept RTE’s proposed remedies, we decided that a settlement was the most prudent course of action. Senior counsel was consulted and confirmed that the legal position was far from clear.

The Bill aims to clarify one item of the puzzle at the heart of the episode we dealt with, that is, the removal of the term “offence” from section 39 of the Broadcasting Act. As legislators, we have a duty to show the LGBT community and society at large that free speech is something the Oireachtas respects and values and something we can and will protect. The existing Act requires broadcasters to not broadcast “anything which may reasonably be regarded as causing harm or offence”. This Bill removes the phrase “or offence”. I do not believe that people should be censored for saying offensive things whether or not the offence is reasonably taken. Determining what may be considered offensive by anyone in society is a pretty hefty obligation to put on our broadcasters and is especially difficult when it comes to live broadcast. Every Member is familiar with the fact that, regardless of the topic, there is always someone who will take offence. Legislation that mollycoddles those who take offence, gags free speech, harms public debate and makes uncomfortable truths invisible truths. The Act as it stands will undoubtedly cause broadcasters to err on the side of caution and they have already started to do so since RTE paid out. If we do not make a change quickly, free speech will begin to suffer. It probably already has and we will let litigious bullies shut down conversations they do not like.

The Bill proposes removing the reference to offence so that section 39(1)(d) reads “anything which may reasonably be regarded as causing harm, or as being likely to promote, or incite to, crime or as tending to undermine the authority of the State, is not broadcast by the broadcaster”. We have heard in the press that the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, is thinking about changing the phrase “harm or offence” to “harm or reasonable offence”. Any qualification of the term offence still hamstring our broadcasters and stifles free speech in the country. It is also potentially troublesome in respect of European law. Article 12 of the Charter of Fundamental Rights of the European Union makes no reference to offence. Article 10 of European Convention on Human Rights, dealing with freedom of expression, makes no reference to offence. The RTE statement on respecting diversity is at odds with any reference to the word offence in the legislation:

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As Ireland evolves into a more multicultural and ethnically diverse nation it is important that RTÉ reflects these changes. But equally programme-makers must be sensitive to areas of public opinion that are absent from public discourse because of the reticence of some people to express their views.

The current legislation asks RTE not to broadcast anything that might cause offence but, at the same time, to represent minority views that we do not often hear and that may, for whatever reason, cause some people offence. I look forward to seeing what the Minister brings forward and I hope to be able to support his proposals. However, the legislative process takes time. If the Government introduces this Bill, which just removes two words from the Broadcasting Act, maybe as a stop gap to what the Minister will do, it will immediately fix one of the biggest flaws in the legislation.

It would send out a message to minority groups, those who would like to suppress minority groups and everyone in the country that Dáil Éireann and Ireland value free speech. I hope the Government will examine this. It represents a very small change that could lead to a fundamental change through sending a signal to our broadcasters that they do not have to hide from litigious bullies.

An Ceann Comhairle: Is the Bill being opposed?

The Taoiseach: It is not. The Minister for Communications, Energy and Natural Resources, Deputy Pat Rabbitte, is examining this, as Deputy Donnelly is aware.

Question put and agreed to.

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

Deputy Stephen S. Donnelly: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Membership of Committees: Motion

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I move:

That Deputy Willie Penrose be discharged from the Joint Committee on Public Service Oversight and Petitions and that Deputy Seán Kenny be appointed in substitution for him.

Question put and agreed to.

EU Regulation on the European Police College: Motion

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I move:

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

following proposed measure:

Initiative of Belgium, Bulgaria, the Czech Republic, Germany, Estonia, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland and Sweden for a Regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL),

a copy of which was laid before Dáil Éireann on 16 December 2013.

Question put and agreed to.

Topical Issue Debate

Foreign Conflicts

Deputy Robert Dowds: As the Tánaiste said in recent days, the unfolding crisis in Ukraine is the most serious to have affected Europe since the end of the Cold War. The armed aggression of the Russian Federation against a fellow European country is absolutely unacceptable, and it is a threat to European security and peace. It is to be welcomed that the Ukrainian authorities have up to this point been remarkably peaceful in their response. It is only owing to their restraint that we have not had open military conflict to date. What will be the response of the European Union to the crisis? What action will be taken by way of economic, political or diplomatic sanctions against Russia for its aggression?

What was the outcome of the Tánaiste's discussion with the Russian ambassador yesterday? Could he brief the Dáil on that meeting? The actions of Russia are absolutely reprehensible but it must be stated that its behaviour is predictable, most obviously in the case of Crimea, because there is a Russian population there and because Russia has a naval interest there. Russia has a track record of interfering in former Soviet republics, including Georgia. Aside from Russia's unacceptable aggression and the response of the European Union, questions must be asked about whether the European Union has behaved in an entirely prudent manner with regard to Ukraine recently and whether it anticipated the likely Russian backlash. One does not have to be too astute to realise Russia is willing to go to war in some of these circumstances. Surely somebody in Baroness Catherine Ashton's office was tasked with analysing the likely Russian reaction to the overthrow of Viktor Yanukovich.

There is an argument, given the past behaviour of Russia, that the European Union should have been more prudent in its handling of the crisis in the Ukraine and that, had it been so, it might have helped to avoid the current circumstances whereby part of Ukraine is under military occupation. We can only hope the crisis does not lead to open conflict. I look forward to the response of the Minister of State, Deputy Paschal Donohoe.

Deputy Clare Daly: We must be very careful not to be quick to side with the United States, as happened in respect of Libya. Our role in the European Union will be important. It is ironic that the United States and the European Union talk about illegal invasions. Deputy Dowds referred to Russia's unacceptable aggression but it seems that Russia has learned only too well

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from the United States about such aggression towards other countries. It probably picked up its message. The reality here is that the tragic circumstances in Ukraine have been triggered in part by the drive of the European Union and NATO to expand into the east. This is a fact. The European Union's offer to Ukraine was not a fair one. It was inherently divisive and, in some ways, it drove Mr. Viktor Yanukovich to become more dependent on Russia.

As the Minister of State is aware, large parts of Ukraine were previously Russian territories and are not part of historic Ukraine. Therefore, there was a very vulnerable set of circumstances in any case. Recently, the decision to scrap the law allowing the Russian language to be official caused much concern and further destabilisation. This is really serious. The Russian-speaking majority in part of the region is as angry with the elite about corruption and as concerned about unemployment and economic stability as those in western Ukraine. However, a clumsy intervention will not sort that out.

There is no doubt that Mr. Viktor Yanukovich was corrupt, but he was elected. Noting the billionaires and millionaires in the new government, one can take it that corruption will not be ended by the new administration. Many of the organisers of the protests that ousted Mr. Viktor Yanukovich are clearly linked to far-right elements with, for example, anti-Semitic agendas. If Ireland is to play a credible role as a neutral country, it must examine the record of neoliberal shock therapy and privatisation that is taking place behind the scenes and destabilising Ukraine. There will not be a solution by way of clumsy EU intervention in this case.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Paschal Donohoe): I welcome the opportunity to respond to both Deputies on what Deputy Dowds called the worst crisis Europe has faced since the end of the Cold War. Both the European Union and the Government have strongly condemned Russia's actions over the weekend and they call on Russia to withdraw troops to their barracks immediately. Russia's actions are in clear breach of international law and its obligation to respect Ukrainian sovereignty and territorial integrity.

Yesterday the Tánaiste had a meeting with the Russian ambassador to Ireland at which he expressed Ireland's condemnation of actions in Crimea. He requested that the ambassador convey our deep concern to his government. On Monday, the Foreign Affairs Council held an extraordinary meeting to discuss the unfolding events in Ukraine, and a comprehensive set of conclusions was adopted. The European Union wants to see a peaceful solution and stands ready to engage in talks with all parties to resolve the crisis. We will work with the United Nations and the OSCE to facilitate a peaceful resolution of this very dangerous and volatile set of circumstances. However, at Monday's emergency Council meeting, the European Union sent a very strong message to Russia to the effect that if Russian authorities do not de-escalate the crisis, the Union will take consequential action, including through suspending talks on visa liberalisation and a new economic agreement, both of which are priorities for the Russian Government. Foreign Ministers will continue to monitor developments closely. We stand ready to implement further measures if necessary.

To underline the seriousness of this matter, the European Council will meet tomorrow to consider its response further. It is worth recalling that it was the announcement on 21 November 2013 by ousted Ukrainian President Viktor Yanukovich of his decision to postpone preparations for the signature of the association agreement at November's Eastern Partnership summit in Vilnius that triggered major protests in Ukraine. The initial protests were overwhelmingly peaceful, yet they were met just over a week later by heavy-handed police action, which served

only to inflame the situation. The issue has featured prominently in the agendas and conclusions of successive foreign affairs Councils this year, including at emergency Council sessions devoted to Ukraine on 20 February and earlier this week. It was right for the Council to convene these sessions given the violent clashes between protesters and security forces which resulted in so many deaths, coupled with the deeply disturbing developments in Crimea since last weekend. The situation remains extremely dangerous although, thankfully, there are no reports so far of clashes between the armed forces of Russia and Ukraine.

The Tánaiste made it clear that there is an urgent need for Moscow to de-escalate the situation. The conclusions agreed at Monday's meeting strongly condemn the violation of Ukrainian sovereignty and agree that these actions are in clear breach of the UN Charter and the Organisation for Security and Cooperation in Europe, OSCE, Helsinki Final Act, as well as Russia's specific commitments to respect Ukraine sovereignty and territorial integrity under the Budapest Memorandum on Security Assurances 1994 and the bilateral Treaty on Friendship, Cooperation and Partnership 1997. We call on Russia immediately to withdraw its armed forces to the areas of their permanent stationing in accordance with the 1997 agreement on the status and conditions of the Black Sea fleet stationed on the territory of Ukraine. We also commend the government in Kiev on the measured response demonstrated so far in the face of this provocation.

The EU is ready to facilitate a political settlement. However, this is ultimately a matter for the people of Ukraine as they must decide on their future. The organisation of democratic elections in May which are transparent, free and fair will provide them with an opportunity to make that decision.

Deputy Robert Dowds: I thank the Minister for his response. Is there an intention to have any Irish involvement in monitoring events in Ukraine and, if so, will the Minister elaborate on that? In the run up to this crisis, to what extent was advice from eastern states in the EU sought? Clearly, they would have a greater understanding of the sensitivities of the area than the EU states in this part of Europe.

Can the Minister comment on the question of economic sanctions? It appears that the effective response, if there is to be one, would be in that area. However, there would be loss on both sides if that road was taken. Has thought been given to that?

Deputy Clare Daly: The quick response of the EU to the Russian authorities' breach of international law is, while welcome, in sharp contrast to the approach to the illegal invasions of Afghanistan and Iraq by the US and, indeed, Israel's role regarding Palestine. That point will not have been missed. NATO has had a role in this over some time. It has had an undisguised ambition to continue what is, in effect, two decades of expansion into the post-soviet territory. We must consider these issues in the background. It would be very foolish of this Government of a neutral country to align itself very rapidly with the new opposition inside Ukraine.

Behind all of this are economic vested interests, privatisation and big companies such as Chevron Corporation and so forth. People on both the western side and the Russian-speaking side of Ukraine are being equally afflicted by the harsh economic policies and the solution to these issues will come from those people, not from them being used as puppets by big multinational corporations for their own goals. Ireland, as a neutral country, should respect and facilitate that by not doing things or not supporting the EU in its external goals which are, in reality, destabilising the situation for the Ukrainian people.

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Deputy Paschal Donohoe: Three questions were raised by the Deputies. With regard to the Irish involvement in what is taking place at present, which both Deputies raised, an officer of the Irish Defence Forces will participate in an OSCE-led observer mission to Crimea together with officers from a range of countries, including Sweden, Finland, Denmark, Norway, France, Germany and the United States. The reason the OSCE is playing this role is that it is one of the few organisations that includes representatives from all the countries involved in this grave difficulty. Specifically, it includes representation from Russia, Ukraine, all countries of the European Union and other countries in the neighbourhood we are discussing.

As regards sanctions, the foreign affairs Council made it clear in its conclusions on Tuesday that it will consider further measures in the future. It has already outlined measures in respect of negotiations on a trade agreement and visa liberalisation and said it will examine the response of Russia to these measures and engage in what, if anything, is needed further to that in response to how the situation may develop.

On the point Deputy Daly made regarding the role of the European Union in all of this, the Deputy might find it hard to believe but there are many countries outside the EU at present who have communities that wish to join the European Union. The discussion that took place between the Union and Ukraine prior to this was not one the Ukrainian Government was forced into by the EU, but one in which it participated freely. That government enjoyed the support of many of its people in that period. It is a discussion and negotiation in which the Ukrainian Government of the day freely participated with the European Union. That was also the case with the governments of Georgia and Moldova and both of those governments decided to advance the agreement. An overall point has been made about the need for the Union to proceed carefully at this time and to be wary of the consequences of action. All members of the Union are aware of that.

Marina Developments

Deputy Timmy Dooley: I welcome the opportunity to address the House on this important matter. Kilrush Creek Marina has been an integral part of the economic life of the town of Kilrush for some time. Unfortunately, however, its potential has been untapped in terms of the extent to which it could provide significant employment and increased economic activity in the region.

Much of its unrealised potential results from the poor state of the infrastructure. It is owned and controlled by Shannon Development but, over the last number of years, it has not had the necessary type of investment in the basic infrastructure. First, the access channel is well below what it should be. It is too shallow to accommodate certain types of pleasure craft. There is a requirement to spend money on dredging the channel. It is known within the boating fraternity that the channel is silted up with sediment and is not as safe to access as it should be based on the mapping charts of the area. Considerable work is required there.

The marina gates, which are used to control the water levels in the marina versus the ebb and flow of the tide, are in very poor condition. From a safety point of view they require considerable investment. The marina pontoons are also in poor condition. I inspected them quite recently and it is clear they are not up to even a basic standard from a health and safety point of view. Considerable investment is also needed in that regard.

A boatyard is part of the facility. There is some interest in reactivating boat building at some level in the yard, which would provide much-needed employment in the region, but no investment has been forthcoming. All of this revolves around the destruction of Shannon Development by the Government. Unfortunately, the Government has dispensed with the duties of Shannon Development and there is nothing left but a shell. The expectation is that Shannon Development will be amalgamated in the very near future. The Government has yet to publish legislation on amalgamating the assets of Shannon Development with those of the Shannon Airport Authority.

It is clear that there is a considerable gulf between owning a marina and operating an airport. For this reason, I appeal to the Government to expedite the disposal, if possible, of the marina. I know there has been interest among third parties and an effort has been made to dispose of the marina. In advance of its disposal to a private consortium, or whoever else, there should be an allocation of capital to ensure the basic infrastructure is upgraded in order that whatever future ownership model is put in place the facility will be fit for purpose and have the capacity once again to drive economic and tourism activity and fulfil the mandate provided by the initial decision to invest in the region. It is heartbreaking to see such fine infrastructure left to deteriorate on the verge of the Atlantic where it provides access to the boating community, tourist and an array of economic activities, including boat repairs and boat building, which would provide much-needed employment in a region of the county which needs this level of investment and access to employment and which certainly needs to be the focus of Government's attention.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy John Perry): I thank the Deputy for raising this issue. I share his concerns about the damage caused to Kilrush marina by the recent storms.

Kilrush Creek Marina Limited was established in 1992 and is a wholly-owned subsidiary of Shannon Development. Shannon Development is a self-financing semi-State agency which is in transition to become part of the Shannon Group. Kilrush Creek Marina Limited receives an operating subvention from Shannon Development to cover a small operating loss. Capital works are also funded by the parent company, but in recent years capital investment has been at a lower level owing to budgetary constraints and the impending sale of the marina.

It is worth highlighting the provision of the marina by the State represented a significant investment in the growing area of leisure boating. It is significant infrastructure for the tourism sector and the long-term aim of the project is to ensure Kilrush has an amenity to attract boating visitors who will then contribute to the economy of the town and, I hope, be a catalyst for the development of future tourism facilities.

Shannon Development is very keen that the facility be further developed and, therefore, looked in detail at future ownership issues. The Shannon Development board formed the view that private ownership of the marina was the best option for its future development. In 2009 Shannon Development sought expressions of interest for the sale, development and operation of the marina, excluding adjoining development lands which will be retained in State ownership for the new Shannon Group. On 26 February 2010 the board of Shannon Development approved entering into negotiations with a preferred developer, L&M Keating Limited, subject to planning approval being obtained to enhance and develop the marina. Following lengthy negotiations with the preferred developer, a development agreement for the sale and upgrade of Kilrush marina was signed on 21 August 2012 with L&M Keating Limited. The sale agreement is contingent on securing planning permission to undertake upgrading works to the ma-

rina. The agreement will facilitate the development of the marina by enabling it to benefit from significant upgrading and redevelopment works, thus enhancing the marina operation. A planning application was submitted in 2013 by the new prospective owner, but it was deemed to be incomplete. Environmental reports are being prepared in support of resubmitting the planning application for the redevelopment of the marina.

The recent storms in the past month have had a devastating effect on the coastline of County Clare. The storms severely impacted on the marina, causing substantial damage to the pontoons and other marina infrastructure. As the sale of the marina will not be finalised until planning permission for the enhancement works is secured, Shannon Development is managing the remedial works, in conjunction with its insurers. An engineer has assessed the works and it is anticipated that Shannon Development will appoint a contractor to carry out remedial works once the insurance assessment is completed and the scope of work agreed to. As far as we are aware, the remedial works have not been included in Clare County Council's recent submission for funding to cover storm damage repairs along the coastline, where extensive damage was caused to publicly accessible amenities and infrastructure which must be prioritised.

Deputy Timmy Dooley: I can confirm that the necessary work has not been included in Clare County Council's submission, nor should it have been. The request from the Government was related to uninsurable public infrastructure in the ownership of the State, either through local authorities or the Office of Public Works. While I accept that the storms caused damage, I hope the risk was insured and that some funding will come through to repair the most recent damage.

There has been significant wear and tear of the entire marina because of the lack of investment in recent years. It would be appropriate, under whatever ownership structure is put in place as a result of the amalgamation of Shannon Development's assets with those of the airport, to include a proviso in the legislation to ensure the asset is protected in the sense that it is provided with a source of funding to upgrade the facility to an acceptable and appropriate level. I support the decision of Shannon Development and supported in principle the sale of the entity to the private company mentioned, which is a very fine Clare company with a fine reputation. If it is ultimately successful in the transfer, it has the capacity to make a real go of the facility. Notwithstanding this, the State has a duty to provide an investment in advance of the sale taking place to ensure the facility is upgraded to the standard to which it should have been maintained while in State ownership.

Deputy John Perry: The marina is a considerable asset for the town of Kilrush. It is one of Ireland's finest marinas, offering 120 fully serviced pontoon berths, accessible at all stages of the tide, as well as a range of amenities. The board of Shannon Development holds the view that private ownership of the marina is the best option for its future development and upgrading. I have been informed by Shannon Development that it is working to ensure the marina will be fully operational for the summer season and that any storm damage will be repaired as quickly as possible.

Community Employment Drug Rehabilitation Projects

Deputy Aengus Ó Snodaigh: The Minister for Social Protection, Deputy Joan Burton, is well aware of some of the special community employment schemes in the city of Dublin and other areas. A special community employment scheme is one which can help those participat-

ing in drug rehabilitation programmes and recovering from drug abuse. It is one way the State has helped those who are down on their luck and have managed to take the first steps in recovery. This is not simply in respect of recovery from addiction but also from all the consequences of that addiction. It has allowed participants to take part in a three-year programme that allows them to recover their self-esteem and to make up for the fact that in many cases they did not avail of educational opportunities when young because of their drug addiction. Similarly, given their chaotic lives and the results thereof in respect of their relationships with friends and families, such programmes address how to rebuild those, as well as giving the participants the tools and skills required to play as full a role as they can in society in the future.

The scheme that is the subject of the issue I raise today is the Community Lynks Project in the Oblates, Inchicore. It is quite a good scheme, although I do not know whether the Minister has managed to visit it. It is similar to quite a number of other schemes and the participants all play as good a role as they can. Moreover, they have been helped in those roles by the supervisors of the community employment scheme, and in this instance the project has had a number of supervisors. However, a question mark has been raised as to whether the full complement of community employment supervisors will be retained.

I implore the Minister to try to address the situation and the particular problems faced by the Community Lynks Project and other special CE programmes because of the chaotic nature of some of the participants, who are at various stages of recovery. This can affect the number of participants in such schemes on an ongoing basis. There was an agreement between the various projects and the Minister to ensure a ratio would be worked out that would allow the supervisors to maintain some degree of communication on a one-to-one basis. While this is required under these circumstances, it is not necessarily required at the same level elsewhere. There was a recognition that the ratio in these schemes should be reduced. At present the Community Lynks Project has 32 participants, but I am informed that by the end of this week or early next week that figure will have risen to 38. However, as a review is under way at present in respect of the number of supervisors to be allowed, I urge the Minister that no decision on the future be taken without considering the future numbers of participants in the scheme. It allows for 40 participants on the scheme and while it is running below that figure at present, I am informed that by the end of the week the scheme will be close to the maximum number. Consequently, I urge the Minister to deal in particular with the temporary situation that obtains at present, whereby last week was to be the final week for one of the supervisors before the position was extended by one month. There cannot be such a situation on a month-by-month basis in which supervisors have their contracts extended. A sustainable solution must be found in this regard.

Minister for Social Protection (Deputy Joan Burton): I thank Deputy Ó Snodaigh for raising this important issue and assure him that I am very familiar with the Oblates and am aware of this project. As the houses of my dad's sister and my grandad backed onto the grounds of the Oblates in Inchicore, I have known them all my life. Consequently, the Deputy may rest assured that I know exactly where we are talking about. It is an important project.

First, I wish to confirm that there is no departmental moratorium in place for sponsoring organisations in respect of the recruitment of community employment supervisors. I do not know why the Deputy might think some kind of moratorium was in place because this is not the case, and I now confirm this for him formally. Where the sponsoring organisation wishes to proceed and the number of participants employed on a project warrants the hiring of additional supervision, an application setting out the justification for the additional resource should be submitted by the sponsor to the Department for approval under the community employment

supervisory grant. The community employment operating procedures outline the required ratio of supervision to number of participants, which on mainstream CE projects is 1:25. As the Deputy is aware, however, in practice it can often be considerably below that. Where the number of participants exceeds 25, an assistant supervisory post can be approved. Community employment schemes in the drug rehabilitation strand have a lower participant-to-supervisor ratio due to the different nature of the clients participating on these schemes. In the case of dedicated drugs rehabilitation schemes, the standard ratio is seven drugs rehabilitation referred participants and two mainstream participants to each supervisory post. As the Deputy is aware, since becoming Minister I have ring-fenced 1,000 places for people rehabilitating from drugs and other addictions. This adjusted ratio was agreed in consultation with statutory, community and voluntary sector representatives under the nine special conditions to support the delivery of drug rehabilitation places on community employment schemes.

I have been advised that officials from the Department met representatives from the Community Lynks Project special drugs CE scheme last Thursday, 27 February, to discuss matters with regard to a particular situation that has arisen in the scheme. I have been informed that a temporary supervisory post on a six-month contract had been due for completion last Friday. However, I understand this has been extended for one month to facilitate the scheme with regard to maintaining a sufficient number of participants to warrant this post. The matter will then be reviewed. Officials from the Department of Social Protection confirmed to the Community Lynks representatives that there will be no change in the number of places on the scheme, at 40 approved places. The scheme currently has just 36 participants and has been asked to review the intake of participants to ensure sustainability of take-up of places on the scheme. Furthermore, officials have advised the scheme that they will sanction approval for additional places if the sponsors show a demand for such places.

I stated that as Minister I have ring-fenced 1,000 places, but as I have discussed from time to time with Deputies Ó Snodaigh and Maureen O'Sullivan in the Chamber, for reasons I do not understand these places are not fully taken up. People appear to be willing, but perhaps the Deputy can throw light on how this can happen because the Inchicore area has a serious issue with regard to the number of people who have problems. Moreover, people in neighbouring areas also have problems, and the opportunity for rehabilitation is really important for them. The Deputy is also aware that people participating in a rehabilitation scheme are entitled to three years in community employment, and if they make a case for it the Department will allow for a fourth year in order to ensure the person is able to recover and get his or her life back in an orderly, structured way. Indeed, quite a number of people succeed in so doing and perhaps move on to further training, education or another community employment scheme. That is how matters stand at present.

Deputy Aengus Ó Snodaigh: I welcome the Minister's clarification regarding the moratorium. While I was not aware that one was in place-----

Deputy Joan Burton: It was in the Deputy's question.

Deputy Aengus Ó Snodaigh: The reason I included it in the question was that it had been raised with me by a number of groups. At least there is now clarification that no moratorium is in place and, hopefully, that will help groups to address issues. As the Minister stated, in the case of the Community Lynks Project, a review of the intake of participants is under way. The nature of these schemes is that the numbers can be down one week and then suddenly there is an influx, as has been the case over the past week alone. When I first raised this matter with SO-

LAS there were 32 participants, but as the Minister indicated today, a further four have joined, and as far as I am aware there will be another two participants by the end of the week. Hopefully, it will be possible to fill the entire complement of 40. At present, there is no indication that the scheme will seek numbers beyond that, despite the problems in the area or neighbouring areas such as Ballyfermot. Changes made in budgets over the past number of years have seemingly discouraged some people from participating on these schemes. I am at a loss as to why the opportunities are not being taken up other than the fact one is dealing with a client group which can, on occasion, be very chaotic and can drop out of, and try to come back to, schemes. I hope there will be no gap when the need for additional supervisors arises and that the fluctuation in numbers is taken into account before supervisors are discontinued.

Deputy Joan Burton: The Deputy knows I have met quite a number of the schemes. He has been there when I have visited schemes and have been at the presentation of certificates and in Merchant's Quay also. I do not know where some of these rumours start but there are 1,000 ring-fenced places for the whole country, although a large number is in the Dublin region. Not all of those places are taken up and at times I am at a loss as to why given the level of difficulty a number of people have around addiction. Many people want to try to get off what they are on and get their lives back together, in particular for their families and their children.

Last night I attended a fantastic production of "A Hundred Years Ago" in Liberty Hall by RADE, one of the schemes associated with the city centre. It was up to Abbey Theatre standards. This is one of the examples of the creativity so inherent in many of the people who, unfortunately, develop a serious drug problem along the way and, having freed themselves from it, they have got their lives together again.

I reiterate that there is no moratorium. The reorganisation which has happened means that we have a number of very dedicated staff in the Department dealing with schemes like the Lynks scheme and who are very mindful of the importance of the scheme for the community and the areas about which we are talking.

I recall the level of work being done in Star in Ballyfermot ranging from people getting involved in growing vegetables to other forms of self-expression and education. We, as public representatives, should try to persuade people who have a problem to look at the opportunities which are certainly there. I am committed to seeing that as many as possible are taken up.

Health Care Professionals

Deputy Dan Neville: I thank the Ceann Comhairle for selecting this topic which has been discussed on an ongoing basis since 2005. Currently, there are no regulations in Ireland for the registration of psychotherapists and counsellors and no State control over the qualifications held by those practising in the area. It is dangerous for untrained and unskilled people to probe a person's unconsciousness. They are dealing with human vulnerability and serious damage can be done to such delicate people.

The Health and Social Care Professionals Act 2005 provides for the registration of persons qualifying under the title of a designated profession for the determination of complaints relating to their fitness to practise. Psychotherapy and counselling were not included as the various organisations could not agree but then 22 of them set up the psychological therapies forum and came to an agreement on what to do.

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On 20 February 2014, the director of the National Office for Suicide Prevention of the HSE, Mr. Gerry Raleigh, stated that people in distress should avoid these services because counsellors may not be fully trained or may not base their counselling on best advice. He said it was important that a person seeking psychotherapy and counselling identifies professionals who are members of the psychological therapies forum, encompassing 22 professional organisations.

The psychological therapies forum said that it provides protection to clients but that it falls short of optimal protection as, under our common law system, it is possible for any person to take the title of “counsellor” or “psychotherapist” and to practise accordingly without training or competence. Any person can put up a sign and say he or she is a counsellor or psychotherapist and charge €80 an hour to perform psychotherapy and counselling. It is extremely dangerous for such untrained people to do so.

I would like to give the example of two courses. One course ran for eight weekends leading to a diploma in eating disorders. One should be a professional to deal with that but I tested the system a number of years ago. A secretary, who had no qualifications or interest in any clinical, medical or psychological area, applied and was immediately welcomed on to the course and provided with a handwritten note inviting her to commence the course on the following Saturday. A course covering a number of weekends led to a higher diploma in suicide studies. It is highly dangerous for people to counsel those who have suicidal ideation after such a short course, when they are not fully trained. It takes four years plus of supervised practice to qualify as a psychotherapist. My objective is to include psychotherapy and counselling in the 2005 Act. It only requires a ministerial directive to do so and not legislation.

In response to me putting this to him, the Minister for Health, Deputy Reilly, when dealing with the Health and Social Care Professionals (Amendment) Bill 2012, stated:

However, I am supportive of addressing the regulation of counsellors and psychotherapists sooner rather than later. Replies to parliamentary questions and meetings with various delegations have been based on a policy position that statutory regulation for this profession would be considered for designation by regulation under section 4(2) of the 2005 Act in time to come when all regulations boards.....have been established.....I share his concern about the lack of standards and the fact that people who have taken courses over six weekends are calling themselves counsellors in the same way as those who have completed three or four year university courses or postgraduate degrees in psychology. We have to address this issue, but I hope the committee will give [time to do so].

He further stated:

While the [various counselling bodies] have now come together, they have as a consequence of speaking with one voice highlighted huge gaps in standards and we will have to do considerable work with HETAC to develop a shared standard. HETAC intends to provide us with a report on the matter in early or mid-2013 which will allow us to start immediately with the task of setting up a registration board for counsellors.

Minister of State at the Department of Health (Deputy Kathleen Lynch): I thank the Deputy for raising the issue and giving me the opportunity to update the House on the ongoing regulatory programme being undertaken by the Department of Health, including the regulation of health and social care professionals. The 12 professions currently designated under the Health and Social Care Professionals Act 2005 are clinical biochemists, dietitians, medical sci-

entists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers, social workers and speech and language therapists. The structure of the system of statutory regulation comprises a registration board for each of the professions to be regulated, and a Health and Social Care Professionals Council with overall responsibility for the regulatory system.

2 o'clock

Six registration boards have been established to date and the registration boards and their registers for the remaining designated professions should be established by 2015. The Minister for Health may, under the Health and Social Care Professionals Act 2005, designate by regulation a health and social care profession not already designated if he or she considers it is in the public interest to do so and specified criteria have been met.

While the immediate priority is to proceed with the establishment of the registration boards for the 12 professions currently designated under the Act, the Department is committed to bringing counsellors and psychotherapists within the ambit of the Act as soon as possible. A number of counsellor and psychotherapist national groups have come together as the Psychological Therapies Forum to advise as a single voice for the professions in so far as it is possible to do so. A number of issues remain to be clarified, including decisions on whether one or two professions are to be regulated, on the title or titles of the profession or professions and on the minimum qualifications to be required of counsellors and psychotherapists.

Quality and Qualifications Ireland, QQI, the successor to HETAC, has established a standards development group for counselling and psychotherapy which aims to establish standards of knowledge, skills and competence to be acquired by candidates for educational qualifications that will be required for careers in counselling and-or psychotherapy. This is an essential prerequisite to regulation of the profession. In addition, the standards of proficiency to be required of existing practitioners for registration will need to be established and the necessary qualifications prescribed. QQI has produced a draft report to which my Department furnished a response in November 2013. My Department will closely study the final QQI report as soon as it is available and will then engage with relevant stakeholders in order to work through the outstanding issues with a view to achieving regulation of counsellors and psychotherapists as soon as possible in the best interests of the protection of the public. Such regulation is also in the interests of the many fine psychotherapists working here. Their reputation is being damaged by those who are not qualified and will not qualify for registration once the regulations are in place.

Deputy Dan Neville: I thank the Minister of State for her response. It is welcome that Quality and Qualifications Ireland, QQI, is setting down the standards which were promised in 2012 by the Minister for Health during the debate on the Health and Social Care Professionals (Amendment) Bill. I was told previously that regulation of these two professions would happen when all of the other professions referred to in the Act were regulated. I put it to the Minister of State that counselling and psychotherapy are as important as the other professions to which she referred. They were not included in the 2005 Act because when the legislation was going through the House, the then Minister of State at the Department of Health, former Deputy Tim O'Malley, said the professions had not reached agreement on the process of regulating counselling and psychotherapy. He argued that in such circumstances statutory regulation would have serious legal implications. While accepting the principle of the need to regulate these professions, he argued that he would wait for agreement to be reached before doing so. Agreement was reached several years later and a joint report by 22 bodies outlined how best to regulate

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counselling and psychotherapy. It was not done originally because of the lack of agreement among the professional bodies, but they stated in their report, submitted to the then Minister of State, former Deputy John Moloney, that it was necessary to have statutory regulation. There is no such regulation. I could set myself up as a counsellor in the morning and do untold damage. The Bodywhys organisation, for example, is extremely concerned about this because it has received several complaints from families with members suffering from eating disorders who received counselling which was highly dangerous.

Deputy Kathleen Lynch: I could not agree more with the Deputy. I am aware that it was the lack of agreement, rather than a disagreement, between the various groups which meant that counselling and psychotherapy were not regulated. Now that there appears to be uniformity in thinking on the matter, what the Deputy is advocating is more pertinent than ever. We try to bring people along in formulating the basis for regulations and standards and are now at the point where this needs to be done as a matter of urgency. I know, from people I have met, about the damage that can be done by someone who is ill equipped and badly trained in the provision of counselling or psychotherapy services for people who are often in a very vulnerable position. We need to move quickly on this issue. It is not just about protecting the public which is the paramount concern but also about protecting the reputations of those who are well qualified and do an extraordinarily good job. We do not want everyone to be tarred with the same brush.

Sitting suspended at 2.10 p.m. and resumed at 3.10 p.m.

Government's Priorities for the Year Ahead: Statements (Resumed)

Deputy Patrick Nulty: Ministers say we need to stimulate activity in the construction sector, a policy I support particularly in metropolitan areas as there is a severe need for three-bedroom family homes. However, this will not deliver social housing, an area in which there is a significant need. According to media reports, the Department of the Environment, Community and Local Government plans to amend Part V of the Planning and Development Act 2000, which stipulates that 20% of units in new developments have to be social or affordable housing. The previous Fianna Fáil Government eviscerated that Act when it allowed local authorities to take cash *in lieu* of such provision. The Government needs to explain how it will deliver social housing. I, along with other Members, have called on the National Asset Management Agency, NAMA, to provide a social dividend through social housing. So far, what it has offered is derisory and the units that have come on stream have been unsuitable for families. The real challenge facing Dublin city and other parts of the country is how to provide long-term housing solutions for families. They are the ones at risk of becoming homeless as they are rack-rented out of their homes. Meanwhile, there is not a sufficient supply of social housing to accommodate these families.

Ministers refer all the time to “my Department”. That sort of trench warfare going on within government is not how one runs a public and social policy that is effective, efficient and equitable. Health, housing, education, the environment and children’s rights are linked together. Unfortunately, it appears individual Ministers are only concerned about their own line budgets, as well as their reputations in the mainstream media and their public relations presentation, rather than about actually developing a cohesive and fair social and economic policy.

I believe in a dynamic economy and support foreign direct investment. My constituency is

at the forefront in attracting American and other companies into Ireland. At the same time, one needs an equal and just society going hand in hand with the economy. Over the Government's three years in office, objective research has shown that our society has become more unequal. Cuts have been implemented across the board in areas such as child benefit and the respite care grant while the Government refuses even to examine very detailed proposals put forward by Tasc and others for a wealth tax and for those earning more than €100,000 a year to contribute more in this national emergency. The retrospective recapitalisation of the banks - the game-changer talked about by the Taoiseach and Tánaiste - has never happened. The Government's record is one of failure and it needs to be challenged.

Deputy Noel Grealish: I am grateful for this opportunity to contribute to the debate on the Government's priorities for the year ahead. I welcome the publication of the document outlining those very priorities. As we all know, the only way out of a recession is through job creation. If we do not have people back in work, the tax yield will be down and the Government will not have the income to spend on much-needed projects. The Government has designated 2014 to be the year for jobs. Will it consider job sustainability as well in all sectors of our economy?

I am concerned about the plight of micro-businesses and small and medium-sized enterprises, SMEs, in general. Coming from a SME business background, I have first-hand knowledge of this area in the economy. I wish to highlight the current plight of this sector in particular and urge the Government to make this a priority for the year ahead. The essential core and spirit of our country is based on community. Local community is the fabric of our nation. That is what makes us different from others. That is what we Irish are. We must never forget we are a nation first, an economy second. Based on parish, sport, the credit union movement and various local community co-operative groups, every district has its own identity and supports its own. To sustain and keep our communities viable, we need to support and protect local jobs in those communities. These local communities are the real heartbeat of Ireland. It will mainly be through their spirit that our country will recover. We cannot let them die for want of local employment.

Small businesses are located in every town across the country, the majority employing fewer than ten people. However, it may be forgotten that these businesses make up over 70% of the national employment register - seven out of every ten employees. This is not only urban-based but also necessary to regional employment throughout the whole country. This, in turn, is helping to support other regional jobs in the services and retail sector. If these jobs are lost, they will be very difficult to replace. The onus is on the Government to support these jobs in every way possible. We always hear the welcome major announcements from multinationals about creating jobs, but the small businesses must be remembered too. They are the backbone of our economy. As the Minister of State with responsibility for small business acknowledged, SMEs are the lifeblood of our economy, with approximately 200,000 companies supporting over 800,000 people in employment. That indicates just how important the sector is to national employment and the future recovery of our economy.

One concern for the SME sector is the difficulties it experiences in the operation of the public procurement process. I am glad the Minister of State with responsibility for this area, Deputy Brian Hayes, is in the Chamber. When one sees that this area of government expenditure alone amounted to an estimated €14 billion in 2011, it is imperative that as much scope as possible be offered to the SME sector now to participate in this business. I am particularly concerned about micro-businesses and their difficulties with the public procurement scheme. Will the tendering process for supplying government bodies such as schools and local authorities be

reviewed? For example, under the system, government bodies have been instructed to purchase all stationery, paper and office supplies from a single supplier and not from local shops, as was the case in the past. A company must have a turnover of at least €3 million per annum before it can even tender to supply goods to government bodies, schools or local authorities, which effectively rules out most small businesses which are operating throughout the country. Small companies are paying rates to their local councils but are precluded from supplying them with any goods and services.

Deputy Brian Hayes: That is not true. They can.

Deputy Noel Grealish: Yes, but they must have a turnover of over €3 million before they can tender.

Deputy Brian Hayes: I will explain it later.

Deputy Noel Grealish: I hope the Minister of State can supply me with information on this process. The fact that small companies cannot tender gives an unfair advantage to multinationals while, at the same time, stymieing the growth of such small companies and putting jobs in towns and local communities at risk. Meanwhile, non-Irish-based companies are supplying these goods and sending profits abroad. I recently took a price list for stationery items procured by a school in Galway and compared the prices in a local stationery shop. The goods were €200 more expensive than the same products from the local supply shop. I will pass the details on to the Minister of State later for him to examine.

The threshold of a €3 million turnover per annum to qualify for tendering to supply government bodies is completely unrealistic in the current economic climate and needs to be significantly lowered, particularly for small-scale projects. For example, if the local stationery shop, which pays rates to its local county council, wishes to supply that council with envelopes, it would have to prove its business was operating with a turnover in excess of €3 million before it could tender.

Deputy Brian Hayes: That is what it says.

Deputy Noel Grealish: How ridiculous is that figure in the current financial climate? The requirements set down need to be proportionate to the risk and the products or services being delivered. I look forward to the Minister of State's clarification, but this is the information I have been given. I accept that specific criteria are required but SMEs have identified a number of problems in this area, such as requirements relating to previous experience in the public sector, turnover, insurance cover, and the need for a level playing field, thereby affording them a better chance than they may have had previously to secure contracts.

In addition, joint bidding should be made easier. Small businesses should be supported in doing this through the setting up of forums in which companies could collaborate and jointly bid for specific projects. For example, the enterprise boards organise events for industries. The process should be simplified. Complex requirements make it difficult for small companies that do not have the experience or manpower to spend time preparing tender documents. The time a small company must take to go through a tendering document and put in a bid is a major issue. It cost a company I know that employs nine or ten people almost €3,000 to tender for a project and the owner said it was a waste of time because the contract was won by a multinational in Dublin.

Deputy Brian Hayes: What was the project?

Deputy Noel Grealish: To supply furniture to a college. I will give the Minister of State the details and I would appreciate it if he could examine the case.

A mechanism should be provided for companies to engage with contracting authorities, which would also ensure that pre-qualification criteria are not too onerous and are proportionate to the contract in question. An appeals mechanism should be put in place to allow SMEs to contest and challenge decisions in a fair and transparent way. A policy should be introduced to deal with risk aversion among public sector purchasing officers to encourage diversification and the opening up of new supply lines. Where the Government supports local suppliers, local people keep their jobs and additional jobs might be created in the supply companies. This leads to the desired effect of indirect job creation in the wider domestic economy. As current Government policy is very much to stimulate domestic spending to refloat our economy, this is the most desirable consequence for everybody and means a positive outcome for all.

Regarding unfair competition, large companies create a monopoly effect, and this makes participation impossible for small businesses. The consolidation of purchasing power normally results in monopoly suppliers, and this always has an adverse impact on the smaller supplier.

Deputy Denis Naughten: I welcome the opportunity to contribute to this important debate. Some Opposition Members have been critical of the debate and the Government's proposals, but it provides us with the opportunity to discuss policy and throw out new ideas and thinking on issues. As a Parliament we need to facilitate new thinking and ideas anyway because without that Ireland will not have the ability to change or reform. That is vitally important if we are to curb the current emigration rate of 1,000 people per week. It is important that under our Constitution the Government is the board of directors of Ireland Inc., and it makes the day-to-day decisions, but decisions on laws and developing and teasing out policy should be the responsibility of the House. At the end of the day, the Dáil holds the cheque book and should hold the Government to account.

On the basis of the debate so far, the Government seems to believe it has a God-given right to be correct on every occasion and that the Opposition is always wrong, and *vice versa* if one is on the Opposition benches. It is imperative that there be constructive opposition on both sides of this Dáil and that we should all act as catalysts for change. This is not necessarily about controlling power but about controlling the decision-making mechanisms to facilitate change, which will result in the development of an economy and a society that can give people a hand up rather than a hand out. That is the responsibility of all of us and not just the members of the Government.

I would like to put a few constructive ideas to the Minister of State, and I am glad he is present because my first proposal comes within his competence. Currently, approximately one in eight people has a disability. The administration of disability organisations is a hot political topic nowadays. Will the Minister of State consider bringing all the section 38 and 39 organisations, particularly the smaller ones, together in one building? This could be called Ability House and it would significantly reduce the overall administration costs of the organisations. Many publicly owned buildings will become surplus to requirements as we downsize government. The one that springs to mind is Holles Street Hospital. The hospital, along with the two adjoining properties at 65 and 66 Lower Mount Street, would be an ideal location for Ability House to bring all the disability organisations together. It is a wheelchair-accessible building in

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Dublin city centre and is easily accessible by public transport. The State spends approximately €1.6 billion per annum on the disability sector and hundreds of organisations receive funding. The value for money audit of the sector found that 10% of the funding goes into administration and salaries. While all of that cannot be eliminated, some can be by bringing groups together.

Deputy Brian Hayes: How much of the 10% relates to property?

Deputy Denis Naughten: I cannot get a figure for that, but this is not just about the property and rental costs. Finance, human resources and procurement costs could also be reduced by housing all these bodies in one building.

Deputy Brian Hayes: Shared services.

Deputy Denis Naughten: The same concept has been used in Brussels by women's organisations. They are all under the one roof and that has significantly reduced the administrative costs for those organisations, but, more important, co-operation and synergies have developed between them. Bringing all the organisations under one roof to work together and develop synergies would benefit service users and reduce bureaucracy and administration. Services would not be duplicated because organisations could see what each of them does and decide which provides the most effective service - for example, in the area of home help for children with disabilities. They could dovetail their services.

Families are frustrated when they see large corporate buildings being used by disability groups for administration, yet no money is available to provide an additional hour of home help for a child with a disability. Holles Street Hospital will become surplus to requirements in a few years and the building is not designated for any purpose in the short term. Disability organisations could be given temporary accommodation in existing premises that the State is leasing and then be relocated when the hospital becomes vacant.

I have raised on a number of occasions the need to overhaul the administration of the child benefit system. Based on figures supplied by the Department of Social Protection, the State could save between €100 million and €135 million a year while continuing to make an equivalent payment to every family if child benefit for school-going children were abolished and replaced with a school attendance payment. This would immediately eradicate fraud, which costs between €10.5 million and €26 million per year. We would save approximately €5 million per year on overpayments and €13 million that is being issued to children who are not resident in Ireland. Significantly, we would save between €75 million and €85 million on what the Department calls control savings. The Department of Social Protection issues 600,000 letters per year to families asking them to verify that their son or daughter is still in this country and attending school.

By law a child is not supposed to receive child benefit unless the child is in the education system, yet significant numbers of children - up to one in six - of school-going age are missing from school more than 20 days. If we suspended that payment pending those children's return to school it would act as an incentive to some families to get the child into school on a regular basis. I am not talking about removing that payment because the savings can be made without doing that. It would help to address truancy problems. On top of that it would make a significant saving on a major element of fraud and deception in the existing social welfare child benefit system.

The UK Government has developed a very successful interest-free carbon loan incentive

scheme north of the Border and in Wales. If one can show that one can reduce one's carbon consumption, one is given an interest-free loan against that. The calculation is that one receives £1,000 for every one and a half tonnes of carbon saved annually. One can use that money to buy equipment that can reduce one's carbon footprint. A company in my constituency could increase its workforce by 16% if a similar loan scheme were available in this jurisdiction, as in the North. It is a no-brainer because the Irish Government will have to buy carbon credits because we are not meeting our targets set by the EU. Here is a mechanism by which we can reduce that and incentivise employment for high energy users and sustain and, hopefully, develop existing employment. I asked the Minister to investigate the feasibility of introducing such a loan scheme on this side of the Border in line with what is happening in Northern Ireland and Wales. This would level the playing field in the interest of creating additional jobs here.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Paschal Donohoe): This week marks the third anniversary of the formation of this Government and the beginning of this Dáil. While many challenges remain, and many of the Deputies in this House have touched on them, there are clear signs of strong and durable progress that has been made in many areas. In this contribution I want to provide an emphasis on what has been achieved by particularly focusing on the role of our Government in Europe and the achievements of our recent Presidency of the European Union. I will touch on what was achieved under our Presidency and refer to progress that has been made and work in the areas of developing Oireachtas scrutiny and oversight of EU legislation and the ways in which we are seeking to improve and deepen our understanding of Europe and its institutions at home. I will conclude with some observations on the main challenges that await the Government within Europe during our next two years in office.

When we came into office, as Deputies will be aware, Ireland had officially become a programme country. We were availing of financial assistance from the European Central Bank, the European Commission and the International Monetary Fund, IMF. This occurred after many weeks of speculation as to how the IMF would arrive and whether it was here. With our international reputation on the floor, we were faced with the very significant job of renegotiating a poor deal with the troika and of achieving a better outcome for Ireland.

The situation when we arrived in office was grim and extremely difficult. Every day, news came in of more factories to close, more businesses going bust and an unemployment figure that went up month after month. Our banks were a mess. Our young homeowners were being strangled by personal debt. Any hope of a brighter future seemed very distant. I am not suggesting that our new Government coming in provided the solution to all of these difficulties. However, with the determination and energy the Government has shown, which mirrored what the Irish people have shown across the same period, progress has been made, achievements have been delivered and we have set out to right some of the wrongs of the previous 14 years and deal with many of the difficulties we faced.

In our time in government we have stemmed the flow of job losses that was crippling our country and sending too many of our young people away. We have put measures in place to give those with jobs certainty about their take-home pay, and for those who do not have jobs we have put great effort in to improve their chances of getting work and a better future. I am still aware of how much more needs to be done in this area, but during our term of office progress has been made. Initiatives such as the Action Plan for Jobs, Pathways to Work, JobBridge and Springboard have helped our country move to a point where it has harnessed and supported the entrepreneurship and creativity of Irish people from a situation where we were losing 7,000

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jobs a month to one where 61,000 new jobs were created last year. That is a significant change for a lot of people and families but there are many more who need help.

Our unemployment rate has gone from 15.1% to just over 12% with the live register falling for over 20 months. We must continue to build on this progress. The Government's commitment to getting that figure down below 10% by 2016 and the country back to full employment by 2020 shows how much more needs to be done. Across that period, the sacrifices made by the Irish people have ensured that although our country was the second to enter into a bailout programme, we were the first to leave. Our bond yields have decreased from well over 14% to under 4%. The Anglo Irish promissory notes have been torn up and we have seen major progress in the cost, efficiency and delivery of public services.

Much of this has been achieved through remaining at the heart of Europe. We have maintained our political engagement and our influence by our willingness to send out a loud and clear message that the Ireland of the recent past is not the Ireland of the future and that both Ireland and Europe must change to achieve a positive and secure future. Last year, much of this was achieved during our seventh Presidency of the Council of the European Union. Under Ireland's term in that office, agreement was reached on the €960 billion multi-annual financial framework, MFF, which enabled and supported many of the plans that are targeted at dealing with lack of growth and the crisis of unemployment.

The focus on youth employment and the need to ensure training and support for our young people saw the agreement of the youth guarantee, funded through this European budget. It has delivered across Europe an €8 billion package dedicated to tackling the issue of those without a job, training or apprenticeship opportunity, ensuring that is available for them, particularly for people under the age of 24.

In a bid to make Ireland the best small country in the world in which to do business, we have been developing and progressing trade links overseas, including an historic EU-US transatlantic trade and investment partnership, the TTIP programme. Negotiations on this were launched under our Presidency of the Council of the European Union and it has the potential to make a huge change to trade and investment between the European Union and the United States of America. The changed mandate of the European Investment Bank, allowing it to provide support to projects such as the Grangegorman campus, in my constituency of Dublin Central, will provide and has provided direct employment to many local communities and strategically important infrastructure projects. Finally, the delivery of a more robust banking union, through the single supervisory mechanism, will facilitate renewed confidence in the financial system across the eurozone. Early agreement on the single resolution mechanism, SRM, will allow us to resolve issues with our banks in the same way as we monitor them, centrally. These developments also bring us a step closer to dealing with Ireland's legacy debt issues.

In the same way that our banks must demonstrate transparency, greater transparency is also required in regard to the work of the Oireachtas and its engagement in the work of the Government on European affairs. The Oireachtas must also be allowed engage directly in European affairs and politics. As Members will know from their work on various Oireachtas joint committees, significant changes have been made to deliver more effective parliamentary engagement with EU legislation and policy. Enhanced EU scrutiny by relevant committees ensures that legislative proposals published by the Commission are considered by Oireachtas Members with expertise in the relevant policy area. This is a notable change from the past.

The old European scrutiny committee had responsibility for overseeing policy initiatives, directives and statutory instruments across every area of Government policy. This has changed and now every Oireachtas committee will have the opportunity to understand the proposals and directives and engage in the work from the Commission in their area. This new approach also includes regular committee engagement with Ministers prior to meetings of the Council. For example, Deputy McGrath will be aware that if the Minister for Finance, Deputy Noonan, has an engagement with ECOFIN or the Eurogroup, he will brief the committee of which Deputy McGrath is a member on the work and allow the members to put their views. This is an initiative that is taking place across most Oireachtas committees. If the Minister has an engagement with his or her relevant Council of Ministers, he or she will brief the committee and hear the views of committee members on that engagement.

However, there is room for improvement. Scrutiny systems in general should be seen as a work in progress. While we have made changes, and I believe they are working better than in the past, I must make clear that we are examining the current system with a view to improving it during the lifetime of this Dáil. Supporting early and focused engagement by Oireachtas committees in the EU legislative process will address issues of duplication or inefficiency, make it easier and more effective for the Oireachtas and its staff to report on legislative initiatives and changes, and allow better scrutiny and implementation of EU law. I want to examine further how we can allow Deputies and Senators to have an earlier opportunity to become aware of initiatives being undertaken within the European Union. This will allow the Houses to become more aware of their capacity under the Lisbon treaty and give them a better opportunity to exercise those roles and increased powers.

Consulting Departments through the interdepartmental committee on EU engagement, ICEE, which I chair, is also key to ensuring a more integrated role for the Oireachtas in the policy decisions taken at European level. At this stage, I have written to all Oireachtas committees and asked them to provide me with an evaluation and assessment of how they believe these changes are working, whether they are working well and what further changes, if any, they would recommend. While some committees have responded, not all of them have. I look forward to receiving a full update from all of them. I then propose to make suggested changes to committees in the context of work that may arise over the next two years. I will build on the good changes that have been made and deal with the frustrations I am aware Members still have regarding how we conduct this area of our business.

In a bid to deepen the understanding of Europe and bring EU institutions closer to home, a number of initiatives have been undertaken. Through the Blue Star primary schools programme, our young children are taught the benefits of the diversity that comes with membership of the European Union. I hope that learning about other member states - their geography, culture, history, art and languages - will give our young children a better understanding of what it means to be part of the European family and will allow them, at some future point, to have a stronger connection with the European Union.

Another initiative under way is the EU jobs campaign, which is being led by the Department of the Taoiseach and which aims to educate our graduates about the benefits of a career in the Commission, the Parliament or the Council. Ireland has always been very well represented in the EU institutions, but this could change in the coming years due to the fact that a significant number of people face imminent retirement or may move on to other careers. We are now putting measures in place to make Irish graduates more aware of the opportunities and to support them if they decide to apply for these jobs. We will also work within our Civil Service and pub-

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lic services to provide them with opportunities and help to avail of career opportunities within the European institutions. With this in mind, I have been visiting a number of our third level universities, talking to students and reminding them of the opportunities open to them. I have also been explaining the help the Government will provide as they make their way through the recruitment process in a bid to achieve jobs within these institutions. I will continue that work next week in visits to DCU, DIT, the University of Limerick and NUI Maynooth.

The adoption of Europe Week also provides further opportunities for debate on Europe and the work being done there by dedicating a week in May to allow the Dáil to debate European Union priorities for Ireland and by allowing the discussion of legislation and examination of relevant EU issues. This change in how we do business will, hopefully, allow Members, political parties and Independent Members the opportunity to express their views on what is happening within Europe and our engagement with it and provide an opportunity for further debate and engagement.

Looking to the future, we must ensure the jobs and growth agenda remains central to all of our activity at EU level. If the first three years in Government were about restoring stability, the next two - until the end of the Dáil term - are about prosperity and progress and how these can be best achieved to further jobs and growth. To achieve this, we must focus on three priorities. First, we must ensure that an emphasis on job creation and the restoration of economic growth remains strong at European level. We can do this by sustaining the economic recovery, increasing employment and addressing the social dimension. Europe and all of its institutions have a vital role in this through completion of the banking union, through maintaining and developing the role of bodies such as the European Investment Bank and through completion and deepening of the Single Market to allow Irish companies, employees and those who want to gain work the best opportunity possible to access markets abroad and ensure our goods and services can be sold on a level playing field. This must be supported by the other measures, to which the Taoiseach and Tánaiste have referred, in the context of supporting and developing a domestic economy and indigenous companies to ensure they too have greater opportunities to avail of increasing domestic demand at home and deliver more jobs. Second, we must continue our engagement in the eurozone semester process, which Ireland will participate in for the first time this year, through the Oireachtas and the Government. Stability in the eurozone and the EU financial sector is key. Having a banking system in place that has the confidence of the people, is properly regulated and has the capacity to lend to all kinds of companies, particularly small and medium-sized businesses, is central to increasing the number of jobs at home and getting our people back to work.

Finally, we must advance Irish interests in the wake of many changes that will take place in the second half of this year in the aftermath of the election of a new European Parliament and the appointment of a new Commission. We have to continue to promote an understanding of the EU and to address the concerns felt by the public on issues that matter to them. There will be much change in the institutions involved in all of this work in the second half of the year, and we have to be vigilant and positive in promoting and advocating Irish interests in this period.

This month, in a survey of democracy, *The Economist* quotes the founders of modern democracy in America, James Madison and John Stuart Mill, one of the leading thinkers in the work to establish representative democracy hundreds of years ago, who regarded the democratic process as “a powerful but imperfect mechanism: something that needed to be [...] constantly oiled, adjusted and worked upon.” The European Union is no different. The Government is resolute in its work in this area. We are unwavering in our determination to build on the prog-

ress we have made so far in restoring Ireland and building a stronger European Union, one in which Ireland remains at the very heart.

Minister of State at the Department of Finance (Deputy Brian Hayes): I reiterate the point made by Minister of State at the Department of Foreign Affairs and Trade, Deputy Paschal Donohoe, about the importance of accelerating the growth agenda central to the 28 member states and especially the 18 members of the eurozone. The Purchasing Managers' Index, PMI, is one of the key indicators in the eurozone of whether we are beginning to see the emergence of a strong recovery. Today the PMI highlights that the 18 eurozone members have reached a 32-month record for accelerated and strong growth. That is crucial to this country. If ever there was an internationalised economy within the eurozone, it is this one. No country is more privatised, deleveraged and dependent on the success of the eurozone project and of increasing market share. The only yardstick on which this Government should be judged, after three years or five years in government, is whether it is providing for our people a way back to normal work and opportunity. Today's figures show that there are fewer than 400,000 people on the live register - still far too many, but significant progress has been made in the past 12 and 24 months to give opportunities to people who are out of work.

There is renewed confidence in the eurozone as a result of the retrofitting of its economy, although it took a long time to happen. The building blocks of confidence exist, whether it be the banking union, the six-pack, the two-pack or the essential ingredient of the fiscal treaty towards progress. We are beginning to see the emergence of that progress. Long may it continue, because this country depends on it.

I do not intend to use my time to talk much about the Government. The debate this morning was pretty much "as you were". This is a good opportunity for the Opposition to prosecute the Government on what it wants to do for the next 12 months. That requires people on both sides being honest and open. I do not direct that at Deputies Ó Caoláin and Michael McGrath; on the contrary, they are some of the more constructive Members of the House and of their respective parties. There is a need for people to be honest about what we want to do. When people talk about Dáil reform they do not really mean reform; they mean a continuation of the daily Punch and Judy performance. We need fewer theatrics and more substantial work on prosecuting the Government on a range of policy options. Tonight, the Government will accept Deputy Michael McGrath's Private Members' motion. This is the third Private Members' Bill we have accepted. The Government is willing to meet the Opposition halfway and beyond to make solutions the key priority.

Everyone agrees these past few years have been very difficult for the people. We are beginning to see the strong roots of an economic recovery take hold. As long as more people return to work and there is growing confidence in the economy, there is no reason not to believe that better days lie ahead, especially with the confidence that will result from the emergence of the eurozone economy from this very difficult period.

I will go through some of the issues I have worked on in property management, procurement and shared services, and in the Office of Public Works, OPW, which will give colleagues the opportunity to question me about what I will do this year. Property is the third biggest cost for the Government and the OPW has the central role in its management. Three years ago the total amount spent on renting property was €131 million. I am pleased to announce that the cost of property rental last year was €97.5 million. As we get out of leases and encourage the central State property section to put different agencies into one premises, as Deputy Naughten

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suggested, we can make great savings. That is an example of the reforms we have introduced. We are also taking a whole-of-Government approach and making sure a mandate is in place to deliver this effective reform in office accommodation.

We have focused on procurement. Of the €14 billion spent, we can address approximately €9 billion by way of procurement. We have set up the Office of Government Procurement, OGP, which has a mandate to save €500 million over the next three years by way of better procurement. We are relentlessly pursuing that plan. The objective is to obtain €127 million in savings this year. I am confident that we can obtain much greater savings in procurement by centralising it. The SME sector, which gets the lion's share of this work, could get a bigger share by coming together, having a more sensible approach to insurance and turnover, and making sure it is available to the State by way of e-tenders and better legal documentation. The Government will relentlessly pursue the public procurement agenda over the next few years.

By bringing central Government HR together we have saved over €13 million, or 17% of the total cost of the HR shared service component.

4 o'clock

That is the blueprint every other public sector user outside of central government needs to employ. Enormous savings have been introduced in shared services. We are introducing a new payroll shared service centre which will centralise pay and pensions delivery for central government and work is progressing on better financial management capacity across the system. We believe savings of more than €6 million can be obtained by this approach. If we relentlessly pursue our objectives on shared services and procurement, there is no reason we cannot achieve even greater savings.

The total cost of the Irish Presidency of the European Union in 2004 was €110 million. The Government spent a total of €42 million on Ireland's most recent Presidency in 2013. It is largely accepted internationally and domestically that we did a good job during that Presidency. This is an example of the kind of savings that can be achieved when we put our minds to it.

I am happy to report that in terms of the OPW's heritage services, we have done things differently. The first Wednesday initiative has helped to increase visitor numbers by 6% year on year. We have greater involvement with community initiatives across the country. I have asked the private sector to provide funding for concession opportunities and we have received 42 expressions of interest. I will shortly be announcing a list of historical sites that can be used for civil ceremonies. These initiatives will help to generate additional funds that we can invest in second-tier sites around the country. The OPW is doing things entirely differently as a shared service provider for other Departments. An example of this is the provision of Intreo offices on behalf of the Department of Social Protection and the Irish youth justice facility at Oberstown. The OPW is implementing the shared service model across the property and projects portfolio for central government.

It is absolutely right that the Government should be prosecuted on its policies, but it is wide of the mark to suggest we have not fundamentally changed the way in which we deliver public services in a context in which we have taken out 18% of the cost and 30,000 civil servants. Enormous changes have occurred and it is only right that our policies should be prosecuted by way of Opposition engagement in this House.

Deputy Michael McGrath: The Minister of State will be glad to hear that I will do my

best to prosecute the Government in a fair and transparent manner. As an Opposition Deputy, I believe in acknowledging where genuine progress has been made. The Government will hold up the exit from the troika programme as an achievement. In implementing the programme for several years, it certainly helped the markets to gain further confidence in Ireland. I submit that the actions of the new President of the ECB, Mario Draghi, in respect of the outright monetary transactions, OMT initiative, were also highly influential in bringing down the cost of borrowing. The Government should take credit for fulfilling a programme that it inherited to allow the country to exit on time and in the manner originally envisaged.

The second major campaign for the Government is on the jobs front. The Minister of State spoke about the progress made in job creation. I warmly welcome the significant increase of 60,000 in the number of people at work over a 12-month period. I leave it to independent commentators and those who are creating the jobs to comment on whether they are the direct result of Government policy, part of the economic cycle or in spite of Government policy. I was delighted to hear the announcement today that a further 150 jobs were to be created in Cork. All of us want to see people return to work because unemployment remains far too high. In addition to the 400,000 on the live register, more than 80,000 people are participating in various activation programmes and cannot be regarded as fully employed. Thousands of people who were formerly self-employed have failed means tests and as a result, are not recorded by the State as being out of work. Tens of thousands have left our shores for economic reasons. I hope many of them will have opportunities to return to the country to rebuild their lives here. It is a shame that we have lost so many young people, albeit I hope for only a short period. Their loss is felt in communities around the country, particularly in rural communities for which they are the lifeblood of community groups and sports clubs. The Government could be doing better on the main measures of employment. There is a lack of action on issues that affect businesses, SMEs in particular, such as local authority rates, climbing rents, spiralling energy costs, red tape and the lack of credit. The Government needs to do more work on all of these issues because they are barriers to employment.

For several weeks the Government has suggested income tax will be reduced as early as the next budget. The inescapable conclusion from recent announcements and the debate in the last two days is that the Government is firmly in election mode, with an initial focus on the European and local elections on 23 May and an eye on the next general election. What makes me cynical about the promise to reduce income tax is not the substance of the proposal because we all would welcome any reduction in the income tax burden, particularly on young families, but the fact that the Taoiseach made the promise before the decision to take €2,500 out of the pockets of single parents by way of an income tax hike had taken effect. Nobody in this House can predict with certainty whether the State will have the financial capacity to deliver on that promise in October. There will be a further adjustment of €2 billion in the next budget, but this carrot was being dangled before the measures announced last October had even taken effect.

The Government claims that it has not increased income tax rates. It has largely but not entirely honoured its promise in respect of income tax bands, credits and rates; however, it has increased the tax take in a sneaky way by implementing 13 separate increases in the taxation of income. These include the universal social charge being put on a cumulative basis, an increase in DIRT to 41%, maternity benefit being taxed, the abolition of the PRSI allowance, an increase in minimum PRSI for the self-employed, the abolition of the PRSI block exemption for income from trade or professions, the restriction of the one parent tax credit to the principal carer, the restriction of tax relief on medical insurance premiums and the abolition of top slicing relief.

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Those are merely some of the measures, and the way in which the Government has taken a greater amount of tax from people's income, albeit not directly in relation to tax rates, bands or credits, except in the case of single parents, many of whom have lost up to €2,500 a year.

DIRT tax, while not a tax on employment income, is an income tax and the massive hike, from 33% to 41%, in budget 2014 is another example of short-term and shortsighted action on the part of the Minister. While the aim of reducing income tax is laudable, when it comes from a Government which is committed to taking a further €2 billion out of the economy in October's budget the people will listen to those promises with a pinch of salt. The truth is that nobody knows for sure whether the capacity will be there to deliver on that commitment.

The local property tax has been a direct hit on those families the Government claims it wants to help. The Government doubled the local property tax while at the same time renegeing on its commitment to ensure that 80% of the funds raised are spent locally.

The Government has so far introduced three regressive budgets. The last budget, in particular, targeted older people and young people who are out of work. It has been a consistent pattern of the Government that those with the least capacity to carry the burden have been the hardest hit through the measures that have been implemented.

The medium-term economic strategy set goals in areas, including debt sustainability, financing and labour market policy, but was short on specifics. The Government proceeded with the sale of Bord Gáis, in my opinion, massively undervaluing it, but the projects the privatisation programme are supposed to fund, such as the children's hospital, are stalled. The private medical insurance market is disintegrating directly as a result of Government taxes and charges.

The personal insolvency regime is not dealing with anywhere near the number of cases that it was intended to deal with because of the way in which it was established. The social dividend which was promised from NAMA is not being delivered because more than half of the properties it identified for social housing have been turned down by local authorities.

The legacy bank debt issue dates back to the June 2012 summit. The Government needs to work much harder to bring about the implementation of its outcome, which was heralded at the time by the Tánaiste as a game changer for this country. My party wants to see the retroactive recapitalisation of Irish banks proceed in line with the agreement that has been reached and there are important questions that need to be answered in that respect.

The Government promised, but has so far singularly failed, to deliver a strategic investment bank which would be focused on lending to enterprises, especially SMEs, in this country. According to Central Bank statistics, the amount of lending to SMEs and those wishing to buy a home for the first time continues to decline. In the banking sector, there is a dearth of competition and a far greater effort needs to be made to introduce additional competition. My party has called for a White Paper on the banking sector so that we can have some sense of an overall strategy and what sources of credit SMEs and individuals can realistically tap into.

Deputy Caoimhghín Ó Caoláin: The speeches delivered by the Taoiseach and the Tánaiste yesterday were remarkable for their lack of any vision for a more equal Ireland and for a fairer society. There was a recital of dubious statistics and assertions, repeated over and over to try to convince themselves and the public that there is a difference between the Government's so-called recovery strategy and that pursued by the Fianna Fáil Government before it. The Fine Gael-Labour Government is trying to sell a spurious narrative that the austerity programme it

adopted when it came to office is not essentially the same austerity programme imposed by Fianna Fáil before it left office. Of course, it is a false narrative. Fianna Fáil, Fine Gael and the Labour Party are the Irish troika, the parties of austerity.

In my first contribution to the 31st Dáil, I asked what was the timeframe the Fine Gael and Labour drafters had in mind when they drew up the programme for Government. Their eyes were not fixed on the next five years, let alone the next generation. Their target was Sunday afternoon, 6 March 2011, exactly three years ago tomorrow, when they had to get the document carried at the Labour Party conference. In my view, and the view of many others politically involved and observers of politics generally, that was a day of shame for the Labour Party.

The people voted for change, but Fine Gael and Labour were at one with the outgoing Government on their basic flawed economic strategy, they put it into the programme for Government and then they had the brass neck to call this “a democratic revolution”.

Where are we after three years of this so-called “democratic revolution”? We are living in a country and a society deeply damaged by mass unemployment and mass emigration, by crippling household debt, by persistent poverty for a large section of our people, by a dire shortage of social housing, and by the deliberate erosion and downgrading of public services, especially health services.

Behind all the bluster from the Taoiseach and the Tánaiste about jobs is the sordid reality of what is now on offer to the young unemployed - €20 per week on top of one’s dole for working 19 hours per week for a local authority Gateway scheme. This is called activation. The term “activation” is insulting in this instance because it suggests that the unemployed are somehow inactive and not actively seeking and desperately needing real work for real wages. I do not believe that is the case.

One of the ways young people get activated is in education and training, but the Government has put up barriers to education and training. The education Minister, Deputy Quinn, has broken his pledge not to increase college fees. Worse than that, he is now penalising young apprentices with his imposition of student service charges on them. Only this week, a colleague of mine was contacted by a father whose son has nearly completed his four-year apprenticeship and is ready to sit his final exams, but he will receive no qualification if he does not come up with the €1,400 charge now imposed by the Minister, and this family simply cannot afford it.

Of course, this is only one of many broken pledges from Fine Gael and Labour. Most notoriously, Labour pledged to protect child benefit and then proceeded to cut it. Fine Gael pledged to reduce the tax burden on struggling families and individuals, but has heaped more on them.

The real Tánaiste in this Government is not the Labour leader, Deputy Gilmore, but the Taoiseach’s fixer and party bouncer - he may even relish the terms - the Minister, Deputy Hogan. He has presided over the imposition of the household charge and the so-called “local” property tax. Of course, it is not local because the funds are being retained by the central Government, and it is deeply unfair because it targets the family home with no regard whatsoever for ability to pay.

The Government takes the people for fools. It is waiting until after the local and European elections on 23 May before sending out the bills for water charges. Before we even know what the charges for householders will be, the Minister, Deputy Hogan, has poured millions of euro into the Uisce Éireann quango, complete with overpaid executives and massive fees for consul-

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tants. I believe the electorate will give Deputy Hogan and the Government their answer in no uncertain terms on 23 May. That is the real poll that we all now face.

Speaking earlier today in this debate, the Minister for Health, Deputy Reilly, promised public consultation on his plans for universal health insurance. It seems now that the row between Deputy Reilly and the Minister for Public Expenditure and Reform, Deputy Howlin, has resulted in the can being kicked down the road yet again.

The programme for Government states:

A White Paper on Financing UHI will be published early in the Government's first term and will review cost-effective pricing and funding mechanisms for care and care to be covered under UHI.

We are over half way through the Government's term of office and there is no White Paper published.

It should be noted also that the Government now refers to the White Paper on universal health insurance, and "funding" has been taken out of the title. From what has emerged during the war of leaks between the Minister for Health, Deputy Reilly, and the Minister for Public Expenditure and Reform, Deputy Howlin, it seems the White Paper contains no costings or estimates. In all of this, the general public and their elected representatives have been treated with contempt by the Government. The White Paper, or elements or versions of it, have been extensively leaked. Some journalists have obviously seen or obtained copies yet we are still denied access and the White Paper remains unpublished.

It is reported in a news article in *The Irish Times* today that the Oireachtas Joint Committee on Health and Children will hold public hearings on UHI. I am a member of the committee, as is the Acting Chairman, Deputy Catherine Byrne, and this is the first I have heard of any such proposal for public hearings of our committee. At least to the time of this contribution, our committee has received no communication from the Minister or the Department. The same news article states that a proposal for a citizens' assembly to facilitate consultation on health reform – another proposal that we have not seen – has been shelved yet the same paper's editorial states the opposite. Are we looking at a scenario where the Minister and the Department will ask the Oireachtas committee to do their work for them and shield them from direct contact with the public whom the Minister allegedly wishes to consult?

To add insult to injury, the outcome of the public consultation has already been predetermined. The public consultation is not to consider whether the proposal of the Minister, Deputy Reilly, for UHI based on competing private for-profit health insurance companies is the appropriate way to reform and fund our health system. Instead the agenda has, apparently, already been set and it is to determine what will be in the so-called basket of care covered under UHI. I take this opportunity to demand of this Minister and this Government the immediate publication of the White Paper on universal health insurance, the publication of estimated costings for UHI, real public consultation not confined to the Oireachtas health committee but including a citizens' health assembly which would receive the views and input of people throughout the country, and for consultation not to be confined to options within the Minister's proposed UHI scheme, but to examine other options of reforming and funding our health care system.

In Sinn Féin we are very clear what we bring to the debate about health care reform. We demand an end to the savage health cuts that are causing misery in our health system. We want

to see the development of a decent health service based on fairness and on the rights of all to the best possible health care that we, as a society, can provide. We strongly advocate a universal health care system with equal access for all based on need and need alone. We want to see the two-tier public-private system abolished so that no sick person can be left behind. The Minister's fundamentally flawed private insurance based model will not achieve that. The current system is both inequitable and inefficient. Many people are paying on the double for health services through tax, PRSI and private health insurance. Many are paying through direct fees to GPs and hospitals because they do not qualify for the medical card. Many very ill people are losing or being denied a medical card. The public health system is carrying the subsidised private system on its back and what we need is a new beginning in health care.

Deputy Joe Higgins: Narcissus was a vain young man in Greek mythology who fell in love with his own reflected image in a pool of water.

Deputy Fergus O'Dowd: That sounds like a politician on the Opposition side.

Deputy Joe Higgins: So overcome was he with admiration that he gazed, enraptured, into the pool hour after endless hour. Our very own political Narcissus, the Fine Gael-Labour Party Government, has set aside no fewer than three days in Parliament to gaze upon, and marvel at, its own image but when our Irish Narcissus describes an image of great beauty we realise just how deluded and disingenuous he is. Unfortunately for the Irish people, between the reality of what this Government represents and the distorted image of what the Government says it represents, falls a huge shadow.

Narcissism is a psychological condition and it involves an excessive self focus, and lack of empathy for others, haughty body language and a tendency to brag and exaggerate achievements. These are some of the undesirable characteristics I have read in the literature. The Government is deeply affected by the condition of political narcissism. Far from the heroic characters they have painted themselves to be, the Fine Gael-Labour Party coalition has for three years capitulated in the most cowardly fashion in front of the threats and demands of European finance capital as represented by the troika of the European Union, the European Central Bank and the International Monetary Fund. They represent world capitalism and particularly finance capitalism. The Fine Gael-Labour Party Government has capitulated utterly to the sharks of European financial markets that dictate that the catastrophic private debts of banks, speculators and bondholders be landed on the shoulders of working people, the pensioners and the poor in this State.

The resulting austerity policy has brought us mass unemployment, mass emigration and a raft of debilitating austerity taxes that have wreaked havoc on people's living standards and on the domestic economy generally yet we have been subjected for some time to an orgy of spin and media manipulation to give the impression that economic recovery is thriving and that the corner has been turned. We have promises made by Government Ministers of tax cuts in the next period. The impression being given, that life has changed, is palpably false. Yesterday, in spite of himself, the Taoiseach got it right when he stated that too many people do not feel any improvement in their daily lives. That is the reality of the daily struggle for many working class people. There are 90,000 families on the housing list, with scarcely a new home being built by the Government, yet Fine Gael and Labour throw those needing homes to the cruel mercies of the landlords. Families facing homelessness and finding no places to rent, with whatever is available being completely out of their reach and cuts to rent supplement, are enduring suffering, pressure and hardship.

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The Minister of State, Deputy Hayes, referred to having the most privatised economy in Europe. He seemed to think that is something to boast about. In fact, the neoconservative policies have given us a situation of immense suffering for our people, not least in the housing sector. An emergency programme of good quality State homes built in proper places is essential. When we analyse the job figures that are being spun, we will find a weak basis. We want to see massive job creation but investment is still in a state of collapse and the Government refuses to invest by taxing the wealthy. This would create the type of jobs we need. Instead, we have the shameful exploitation of young people on a range of exploitative schemes. Tax cuts are being promised, as they have been loudly by Ministers in recent days, while new taxes are being piled on, including on people's homes through the so-called property tax and the new water tax that the Government wants to charge from October. That is deeply cynical. However, people will see through it. In the local and European Parliament elections on 23 May, the parties of austerity must be harshly punished by working-class people. The Anti-Austerity Alliance, of which the Socialist Party is a part, will run more than 40 candidates. In the Dublin constituency, Socialist Party candidate Paul Murphy will be a champion against austerity. He and other genuine anti-austerity candidates must be supported to teach a very harsh lesson to the Government. The election of a significant number of anti-austerity candidates to councils and the European Parliament will serve as a platform for a new campaign against the worst and ongoing effects of austerity. An objective is to end the new attack of water charges – for example, by a mass campaign of peaceful civil disobedience, of non-payment, as happened in the 1980s and 1990s, thus forcing the then Fine Gael–Labour Party Government to abolish the charges in question – in favour of a shift towards progressive taxation on super wealth and major corporations, in addition to investment to reboot an economy that has been devastated by austerity. This would create hundreds of thousands of jobs and the wealth with which our services could be repaired and developed, thereby resulting in a decent life for our people.

Capitalism is increasingly a diseased system on a European basis. If it were not, there would not be 26 million people unemployed, including millions of youths, within the European Union. The right-wing neoconservative policies, the right-wing social democrats and the bureaucratised trade union leaders have all failed by capitulating to this system. Therefore, a massive change and a new socialist alternative are required whereby wealth, the financial institutions and manufacturing would be publicly owned and democratically run to create the millions of jobs that are needed throughout Europe.

Mar fhocal scoir, táimid i lár trí lá d'éirí in airde agus féinmholadh ón Rialtas maidir leis na polasaithe atá á gcur i gcrích acu. Is í fhírinne an scéil seo, i ndáiríre, ná gur tubaiste mhór do mhuintir na hÉireann iad na polasaithe déine atá curtha i bhfeidhm le cúig bliana anuas - le trí bliana anuas i gcás an Rialtais seo - agus atá freagrach as an dífhostaíocht, an imirce agus an deacracht atá sa saol náisiúnta. Caithfear athrú pholasaí a chur i gcrích, deireadh a chur leis an déine agus feachtas in aghaidh na déine agus na gcánacha nua a eagrú. Ba cheart athrú eacnamaíochta agus polaitíochta a chur i bhfeidhm ar mhaithe le tromlach na ndaoine, seachas lucht na mbannaí agus na bainc'éirí móra faoi mar atá i láthair na huaire.

Minister for Justice and Equality (Deputy Alan Shatter): I intend to address my justice brief first and thereafter defence. As Deputies will know, the programme for Government sets out a substantial and broad agenda for reform in the area of justice and equality. We have made great progress in implementing this agenda in the first three years of the Government's term of office and we have achieved unprecedented reform in that time. It is my aim, with the enormous support I receive from the officials in my Department and the Attorney General and her

officials, to continue with this momentum this year and into 2015. In the time I have available today it will not be possible to detail all of my priorities for the year ahead, so I will confine myself to what I believe would be regarded as our major initiatives.

The first issue I want to turn to is the court of appeal. One of my Department's core priorities is to facilitate access to justice for all citizens. Currently, all cases appealed from the High Court must go directly to the Supreme Court, and this has long been a cause of concern, particularly in the civil law area, where there has been an exponential growth in litigation. The Supreme Court's caseload has become increasingly unsustainable and there is a growing backlog. Although considerable efforts are being made to manage the waiting time, the number of appeals dealt with in the final quarter of 2013 by comparison with the same period in 2012 was up by almost 50%, and the average waiting time for a case to be heard by the Supreme Court is currently approximately four years. This delay is harmful to the interests of individual litigants, does the international reputation of the State no favours and has negative economic implications.

In last October's referendum, the people gave their overwhelming approval to the establishment of a court of appeal. Last week, Government approval was obtained for the drafting, as a priority, of the necessary legislation and the General Scheme of the Bill was published. It was agreed that Mr. Justice Seán Ryan should be named as president-designate of the new court. A Courts Service team is in place to ensure that all of the essential supports, such as staffing, accommodation and ICT, will be in place when the court is operational, which I hope will be by October this year.

The creation of a court of appeal will be one of the most significant developments in the justice area since the foundation of the State. It will lead to a significant and long-overdue reform of our courts system.

I will now reference the children and family relationships Bill. The Government committed to modernising and reforming outdated elements of family law. This is a matter of great personal interest to me as a practitioner in the field over many years, and one that is of tremendous social importance. In January of this year, I published the general scheme of the Bill. The overriding principle and ethos of the Bill is to protect the best interests of the child and to ensure we have a legal architecture that prescribes clear rules to determine a child's legal parentage.

I will outline the components of my legislative proposals. The first is assigning parentage in relation to children born through assisted reproduction. These children should have the same security in their legal relationships with their parents as all other children have with their biological parents. Children born through surrogacy should also have absolute clarity as to their legal parentage. The Bill will provide for this.

The second component concerns recognising surrogacy, subject to certain conditions. I intend to provide for altruistic surrogacy and provide a legal framework protecting all the parties to an arrangement.

The third is updating and overhauling the law on guardianship of children. It will ensure that non-marital fathers cohabiting with the mother of their child will automatically be guardians of their children. It is worth noting, from the most recent statistics published, that 20% of children currently born in the State are born to cohabiting unmarried couples. Overall the number of children born outside marriage is 35%. Adults *in loco parentis* to a child, such as a

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step-parent or a parent's civil partner, may, under the Bill's provisions, seek guardianship of a child to reflect the reality of their parenting role.

The fourth is simplifying and extending access applications. When parents split up, unfortunately major difficulties can arise concerning children maintaining relationships with members of the extended family, in particular on the side of the non-custodial parent. Members of a child's wider family, such as grandparents, who wish to seek access to the child through the courts must currently undertake a cumbersome two-stage application process. My proposals will streamline this so only a single application will be required, and it will extend to other family members.

The fifth is ensuring compliance with access arrangements. The Bill provides the courts with new remedies where a parent refuses, without good reason, to comply with court-ordered access. My focus is on the rights of the child, where feasible, to care and association with both parents.

Sixth is extending maintenance obligations to certain persons who have been *in loco parentis* to the child and have previously contributed to maintaining the child. This would include, for example, a cohabitant or civil partner of a child's parent who has lived with the child and had a strong parental role. The extension of court powers to make lump sum orders to the benefit of children so that all children, regardless of the circumstances of their birth, will be treated equally will be addressed in the Bill.

The last is changing the law on adoption so that a civil-partnered couple may apply to adopt a child jointly in the same way a married couple may currently apply. Up to now, single individuals have been able to adopt children as individuals irrespective of sexual orientation, but a gay couple currently cannot do so jointly as civil partners. This makes no sense and it is not in the interest of a child that only one of the persons truly parenting it has parental legal rights and obligations. Of course, eligibility to adopt does not confer a right to adopt a child as the suitability of eligible applicants must be assessed.

I have referred the draft Bill to the Joint Oireachtas Committee on Justice, Defence and Equality for further consultation and have asked its members to report by the Easter recess. I intend to proceed with the legislation as quickly as possible given the extensive scope of the reforms planned, and my aim is to have it enacted within the year.

The next issue I wish to discuss is the review of judicial appointments. The current judicial appointments process has been in place since the enactment of the Courts and Court Officers Act 1995. Having closely observed over the last three years how the existing system of judicial appointments is operating, I have formed the view that reforms and improvements can be made. These will render the system more transparent and accountable, while also ensuring the independence of the Judiciary is fully protected. In December 2013, as a first step, I initiated a public consultation process and submissions were invited on the judicial appointments process. I was concerned that the consultation process should involve not only members of the Judiciary and the legal profession generally but also engage the broader public who benefit daily in innumerable ways from the protection of an independent Judiciary. The review is also examining how judicial appointments are made in other similar jurisdictions.

I believe the current statute under which the Judicial Appointments Advisory Board operates requires change and that the Government should get greater assistance in the making of

judicial appointments. For reasons of political accountability, I am satisfied that the current constitutional arrangements which require that ultimately it is the responsibility of the Government to recommend to the President those to be appointed to the Judiciary should remain as they are. They have stood the test of time and are very much in the public interest. This position is both informed and supported by previous work undertaken by the Constitution Review Group and this House on judicial appointments.

The review is at an early stage, but in considering reform we should think outside the box. For example, should legal academics, among others, be included in the Judicial Appointments Advisory Board? Should there be more non-legal members of the board? Should academic lawyers teaching at the highest level in third level institutions who are not practising barristers or solicitors be eligible for judicial appointment? What steps should be considered if we are serious about promoting equality and diversity in the Judiciary? Is there a need to revise the composition, role and remit of the Judicial Appointments Advisory Board? Should the board be required to interview judicial applicants before recommending individuals to the Government or should an interview remain a discretionary option? Many of these questions are addressed in the submissions I have received to date and they are now under consideration in my Department. I intend to bring forward proposals, including legislative changes, when the review is completed.

The Legal Services Regulation Bill has completed Committee Stage. Work continues in preparation for Report Stage with a view to the Bill's early enactment and the establishment of the new legal services regulatory authority by the end of the year. The Bill now contains enhanced provisions which will ensure the independence of the new regulatory authority in terms of its functions and appointment through nominating bodies. It also contains strengthened provisions relating to the regulation of new legal business structures which will provide more competitively priced options for consumers of legal services. A far more transparent legal costs regime is provided for, augmented by a modernised office of legal costs adjudicators which will replace the Office of the Taxing Master. The new regulatory authority will deal independently with complaints about professional misconduct of solicitors or barristers and those found to be engaged in serious misconduct will also be made amenable to the new legal practitioners disciplinary tribunal.

As someone who for many years campaigned for the introduction of a DNA database, on assuming office I made it a priority to introduce comprehensive legislation to facilitate the greater use of DNA in the fight against crime and secure the resources to establish the required DNA database. The Criminal Justice (Forensic Evidence and DNA Database System) Bill 2013 fulfils the commitment in the programme for Government to provide for the establishment of a DNA database and replaces the existing legal framework for the collection of forensic evidence from suspects, putting it on a statute-only footing. I believe this is the most important Bill that will be brought before the House during the lifetime of the Government in terms of the provision of assistance for An Garda Síochána in the investigation of serious crime and identifying serial offenders across a broad range of areas, including homicide, rape, sexual and other serious assaults and burglary. It will also assist in finding and identifying missing or unknown persons. In cases in which there is an alleged miscarriage of justice, it might provide crucial information to assist in determining whether an individual has been wrongly convicted. The passage of the Bill will facilitate the State in meeting its obligations under EU law and any international agreement which requires the State to maintain DNA and fingerprint databases for criminal investigation purposes. Importantly, it will facilitate co-operation with other police

forces regarding criminals who travel from one country to another to engage in criminality.

The DNA database will be managed and maintained by the Forensic Science Laboratory which will be renamed Forensic Science Ireland. It is intended that all the resources and infrastructure required to establish it will be in place by the time the Bill is enacted. The Bill provides for the establishment of an independent DNA database system oversight committee which will oversee the management and operation of the system. Committee Stage will be taken next week and I hope the Bill will receive continued support, with a view to having it enacted as soon as possible.

I will briefly reference matters relating to An Garda Síochána. It is of crucial importance that public confidence be maintained in An Garda Síochána and the Garda Síochána Ombudsman Commission, GSOC. As Members are aware, the Cabinet took a decision on 18 February to request the Oireachtas Joint Committee on Justice, Defence and Equality to review the effectiveness of the legislation related to oversight of An Garda Síochána, as I advised the Dáil last week. I have written to the committee Chairman to ask that he include this very important matter in the committee's work programme. I expect the committee to hold such hearings as it deems necessary and that I will be advised, in due course, of any change it may recommend to the current legislation. I look forward to receiving its recommendations in this matter. Of course, a major priority for 2014 is recruitment of new members to the Garda and I look forward to the first new recruits in five years entering the Garda College in Templemore by next July.

I turn now to the common travel area between Ireland and the United Kingdom. Priority will continue to be given to the development and enhancement of the common travel area arrangement between Ireland and the United Kingdom. Work is well advanced on the development of reciprocal short-stay common travel area visa arrangements which will allow tourists and business visitors to travel to the common travel area, with first arrival in either jurisdiction, and thereafter to travel freely between Ireland and the United Kingdom on the basis of a single visa. The new visa arrangements, planned to commence later this year, will represent a fundamental change in the operation of the common travel area with the potential to attract many thousands of additional visitors to Ireland.

Preparation for the publication of a new immigration, residence and protection Bill is under way in conjunction with the offices of the Attorney General and the Parliamentary Counsel. The Bill will be different from its predecessors, taking account of current Government policy, developments since the publication of the 2010 Bill and also relevant court judgments. It is my intention to obtain Cabinet agreement for publication of the Bill later this year. The Bill will, among other things, provide for the introduction of a single application procedure for the investigation of all grounds for protection and any other ground presented by applicants seeking to remain in the State. This will provide protection for applicants with a final decision on their application in a more straightforward and timely fashion and, I hope, substantially reduce the number of applications to the courts for judicial review and reduce the length of time people spend in direct provision accommodation. The Bill will also provide for an independent appeals process for immigration cases.

The Constitutional Convention reported in July 2013 with a strong recommendation in favour of amending the Constitution to make explicit provision for same-sex marriage. The Government decided on 5 November 2013 that a referendum on same-sex marriage would be held in the first half of 2015. The respectful and open manner in which the Constitutional Convention debated the question of whether same-sex marriage should be provided for in the

Constitution was notable. Work is under way within my Department and in consultation with the Attorney General in preparing the wording for the proposed constitutional amendment required. I welcome the overwhelming support at my party's Ard-Fheis last Saturday for this fundamentally important constitutional change. I also welcome indications given to date that it will have substantial support from Members on all sides of the House. It is my hope that in the period leading up to the holding of the referendum we will have a considered, measured, informed and calm public debate.

There is a commitment in the programme for Government to the establishment of a distinct, separate and integrated system of family courts aimed at streamlining family law court processes, making them more efficient and less costly and encouraging the use of alternative dispute resolution mechanisms, where possible, to resolve issues of family conflict. Work is being undertaken to develop a concept for the family court which utilises the existing court structure, while ending the current jurisdictional fragmentation and providing for a unified and comprehensive approach. It envisages the exercise of an *ex parte* and-or emergency jurisdiction at District Court level to ensure ready accessibility, together with the District Court possibly dealing with straightforward and non-contentious applications that require court orders, with the main bulk of family law substantive cases, including those relating to contested divorce and separation, at Circuit Court level and more complex cases being dealt with at family High Court level. I envisage a single point of entry to the family court at all levels, with the use of standard documentation and electronic filing mechanisms, where possible, and, overall, a substantial reduction in legal costs incurred across a broad range of contested family disputes that require court resolution. It is intended that there will be a cohort of family law judges who will have substantial expertise in this area of law and access to ongoing professional development in the area. I also envisage integrated family court offices at regional level which will have ancillary facilities for the assistance of litigants, including ready access to alternative dispute resolution.

It was originally anticipated that a referendum would be required to establish the new family court structure. From work we have undertaken, it appears this may now not be necessary and that we may be able to establish the new court as a separate and independent court structure within the parameters of the existing Article 34 of the Constitution. We are fully exploring this option and I believe it is likely that provision for the new family court structure will be prescribed by way of legislation rather than requiring constitutional amendment. Work will be advanced, in consultation with the Judiciary and the Attorney General, with the aim of publishing a general scheme for the family law courts Bill in the autumn and of enacting the Bill in the first half of 2015. If, ultimately, it is considered that a referendum is required, it is envisaged that it would take place in 2015, in view of the Government's decision that 2014 should be a referendum-free year.

I now turn to the Department of Defence and our Defence Forces. The Department of Defence and the Defence Forces continue to deliver a broad range of outputs at home and overseas. On a day-to-day basis the Defence Forces undertake a wide range of essential operations ranging from sea fishery protection to cash escorts and from providing an air ambulance service to conducting explosive disposals. This is work that frequently goes unseen, but this should not detract from its importance. Defence Forces capabilities are also utilised to provide a range of contingent supports to the civil authority, such as during the recent severe weather events.

Defence Forces personnel are serving in 14 different missions throughout the world, and participation in all overseas missions is reviewed on an ongoing basis. Last week I secured Cabinet approval for the continued deployment of members of the Permanent Defence Force to

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the European Union Training Mission in Mali, EUTM Mali, for a further period of 12 months. This is subject to an appropriate decision of the Council of the European Union extending the mission beyond its current mandate and subject to ongoing review. The mission's current mandate expires in May 2014.

The continuing priority will be to ensure the Defence Forces retain the capabilities to fulfil all roles assigned by Government at home and overseas. In recent years there have been a number of key initiatives, all of which have contributed to maintaining the Defence Forces' operational capabilities to the greatest extent possible within a reduced resource envelope. In 2014, there will be continued recruitment to the Permanent Defence Force to maintain strength levels within a ceiling of 9,500 personnel. There will also be recruitment to the Reserve Defence Force within its revised strength ceiling of 4,069 personnel. Announcements and advertisements for recruitment for both the Permanent Defence Force and the Reserve Defence Force will be formally announced this Friday.

The replacement of key major equipment for the Permanent Defence Force remains a priority. The provision of two new offshore patrol vessels is well advanced, with the first ship, to be named the *Samuel Beckett*, due for delivery in the coming weeks. The second, to be named the *James Joyce*, is scheduled for delivery in 2015. These modern new vessels, combined with a continuous process of refurbishment and repair on the other vessels in the fleet, will ensure the Naval Service continues to meet the required operational capability. Within available funding, decisions to replace other equipment across the Defence Forces will prioritise the maintenance of required operational outputs.

I wish to briefly mention international peace and security matters. In relation to the EU Common Security and Defence Policy, the Heads of State and Government, at their meeting in December 2013, set out an ambitious programme of work to enhance the capacity of the EU to uphold the rule of law and to support the UN. A discussion on the implementation of this programme took place approximately ten days ago at a meeting of EU defence Ministers in Athens in which I participated. My Department and the Defence Forces will work in collaboration with partners and with the institutions of the EU to advance the agenda set by the Heads of State and Government. The maintenance of capability and interoperability with partners on UN missions is supported through our participation in the Partnership for Peace. Priorities in this regard will be reflected in our partnership goals for 2014.

The preparation of a new White Paper on defence is a key priority for the coming year. This will shape and underpin defence provision for the next decade. The Green Paper on Defence, published in July 2013, initiated a public consultation process which recently concluded. As part of this process 122 written submissions were received and a number of individuals and organisations were invited to meet civil and military representatives of the Department and the Defence Forces to discuss matters of interest in their particular submissions. There has also been engagement with Departments and international organisations with a particular emphasis on future defence and security challenges.

There will be ongoing engagement with Departments over the coming months. The White Paper must ensure that in the medium and longer term there is a deeper understanding of Ireland's participation in the collective security response to emerging challenges to our security. Also, it must ensure that Ireland has effective capabilities to deal with the range of defence roles required by Government, having regard to potential challenges to our security as these may emerge into the future. I intend to bring a draft White Paper to Government for consideration

in the latter half of this year.

The Department of Defence and the Defence Forces have pursued an ambitious reform agenda within the defence sector, which has ensured the continued delivery of defence outputs during a period of significant resource constraints. I would like to acknowledge the hard work and dedication of personnel across the defence organisation who have made this possible and who continue to work towards improving service delivery. In this context, the Department of Defence is playing a central role in the broader public service modernisation agenda, with the Department's office in Renmore having been selected as a centre for payroll shared services and financial shared services. The Department is also fully engaging with the next phase of the Civil Service finance management shared services project, and the Department of Defence will transition to HR shared services between June and October this year.

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): It is hard to believe it has been three years since we took office. Over that time we have witnessed the transformation of the economy from a basket case to one which has one of the highest growth projections for this year in Europe. Where 7,000 jobs a month were being lost, 5,000 are now being created. Getting here certainly was not easy. The damage done by the previous Administration necessitated years of relentless work and sacrifices, which will continue. The sacrifices and struggles many Irish families have had to endure over recent years can never be understated.

Getting a country out of effective bankruptcy is never an easy task, and I take this opportunity to acknowledge those responsible for the recovery, namely, the Irish people. They gave the Government a mandate, but it has been Irish entrepreneurs, innovators, retailers, union leaders, public servants and others who have shown leadership, innovation and courage in some of our darkest days.

The work continues, and this is not the time for self-congratulations or mutual backslapping; let us not forget there is a lot more ahead of us. Along with economic progress, we are reshaping Ireland socially. We have to build a fair Ireland where wealth levels will not determine a person's right to access education and health care. The first step will be free GP care, eventually leading to universal health insurance. Added to this, the Constitutional Convention is preparing a programme of socially progressive legislation. Next year I look forward to campaigning and winning a referendum concerning the rights of gay men and women to marry. I know it will not be easy and there will be those who will stand in our way, but if the past three years have taught me anything it is that by sticking to one's guns, remaining focused and ignoring the supposed day-to-day crises, one can effect real change and make this country a better, fairer place. This is the true measure of any Government.

There are other areas in which we must progress. The insolvency regime was recently established, but it has yet to make the impact on the mortgage and debt crisis that is needed. Too many Irish people are still suffering under the financial and psychological weight of unaffordable mortgage repayments and negative equity. I come from that generation.

Long-term unemployment remains too high; too many of our people have left the country. However, unemployment figures are heading in the right direction. Figures today show the live register is below 400,000 and at its lowest level since May 2009. I can list endless statistics showing how the country's fortunes have improved, but our ambition is to make these more than just statistics in the news, and to improve in tangible ways people's confidence in their

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local economy, increase retail spending, bring about a revival in the retail and construction sectors, continue to attract foreign direct investment and continue to revive the tourism sector.

I will now speak about the Department of Transport, Tourism and Sport and those elements directly under my brief. I am delighted to tell the House that all of the commitments on public transport in the programme for Government have been honoured. Detailed programmes of reform are well under way in taxi regulation, cycling policy, rural transport provision and improving the commuting experience through smart technology. We have been living through one of the greatest financial crises public transport has ever seen in this country. This is neither a dramatic nor headline-catching statement; it is simply a fact. I had to introduce legislation to increase CIE's borrowing ceiling and the company has faced serious, crippling issues. We are still far from out of the woods on this front but we have made huge progress.

5 o'clock

However, by targeting investment at real, tangible, technological achievements and advances, the Government has transformed the public transport experience and signs of growth are re-emerging every day as a result of all these initiatives.

This will be the first Government to rebalance transport policy to favour public transport and sustainable transport. The priorities under the current public transport capital framework plan to 2016 are to protect investment made to date, to maintain safety standards and to make targeted investments in affordable projects that can deliver a good return. The Government has set real, achievable targets, as opposed to investing time and money in grand visions that will never be achieved. The Luas cross-city link is just one example of this. One way in which the Government has increased public transport use is by using smarter technologies to make the public transport experience more responsive and passenger-friendly. A sustained programme of new, cost-effective integration initiatives with a focus on customer requirements, which include the Leap card, real-time passenger information and journey planning apps, has been introduced to promote and integrate public transport provision in Ireland. The ambition this year is to ensure 5 million more people use public transport than was the case last year and I believe this is achievable. The roll-out of the Leap card was one of my key priorities as Minister of State when I was given this area of responsibility and I was delighted to finally launch it in December 2011. Leap card sales continue to grow and now stand at considerably more than 430,000. Additional Leap card sales of 150,000 are expected in 2014, including 80,000 student cards, and more than 36 million journeys have been made using these cards since their introduction. The Leap card eventually will be extended nationally. The system will be rolled out in Cork in the coming months and will be extended to Galway later this year, followed by the other cities. Real-time passenger information, RTPI, provides real-time signs at bus stops throughout the cities, which removes the uncertainty of arrival times of buses. This has dramatically increased public confidence in public transport, and each day hundreds of thousands of people use these services.

Of course, it is not enough simply to have accessible information about public transport, as the services need to be accessible. The Government is committed to increasing the accessibility levels of all public transport modes. I am proud to report that 100% of the Dublin Bus and city fleets now are wheelchair-accessible, as is 56% of the Bus Éireann coach fleet. All of Irish Rail's intercity, DART and commuter rolling stock, as well as Luas trams, also are accessible. In addition to the public service obligation, PSO, bus services provided by Dublin Bus and Bus Éireann, the National Transport Authority, NTA, provides funding for local bus services

provided under the rural transport programme, RTP. I am dedicated to this programme, having announced a new structure for the delivery of rural transport last year. As a firm believer in the provision of rural transport, I noted that the old structures put limits on what could be achieved, and 18 transport co-ordination units are being established to manage rural transport services within their local authority areas in the coming months. This new system will integrate RTP services with the rest of the public transport network and will co-ordinate requirements for access to employment, health, social and education opportunities, thereby protecting the provision of rural transport services and ensuring the programme is permanently embedded as a sustainable part of the public transport system.

The programme for Government committed the Government to carrying out a review of the regulation of the taxi sector. This review which I chaired was completed and has led to 46 separate actions, the majority of which have been progressed, culminating in the passage of the Taxi Regulation Act 2013, which I brought through these Houses. The Act lays a solid foundation for radical change in the industry, change for consumers through better quality services, change for honest and hardworking taxi drivers who can be assured the rules will be rigidly enforced, and change for non-compliant operators who in future will find it impossible to continue to operate with impunity. I am determined to make that happen. Passenger safety and welfare are at the core of the Act, particularly in the provisions dealing with consideration of the suitability of small public service vehicle, SPSV, drivers. The taxi market relies on consumer confidence in a safe, reliable and high quality SPSV service. The regulatory changes being implemented through the commencement of the Act in the coming months are intended to ensure consumers will have the requisite confidence in the industry. New enforcement measures provided for in the Act also will be commenced shortly and these will bring about a new approach to enforcement that has never previously been seen in Ireland, with a trebling of the number of enforcement officers in the taxi industry. The Government also has established a rural area hackney licence. This new licence, designed to facilitate low-cost entry into the taxi sector, is specific to rural areas and now is in place. The new category of licence is being introduced on a pilot basis, but in time will serve to tackle rural isolation. It acts as a reminder that transport is not just an urban issue and that the transport deficit in rural areas, where market failures exist, must be dealt with. It is about time someone did so.

In addition to my responsibilities for public transport, I am responsible for the development and delivery of the Government's sustainable transport agenda. I put in place a programme with a €65 million multi-annual budget specifically to address cycling, walking and other infrastructural deficits. This funding has allowed for the expansion of the Dublinbikes scheme, almost tripling its size. A total of 58 new bike stations and 950 bikes will be in place by July 2014, bringing the total to 102 bike stations and 1,500 bikes. Bike rental schemes are being rolled out in Limerick, Cork and Galway and will be in place by the summer of 2014, in line with a commitment in the programme for Government. While many people did not believe it would be possible to deliver these schemes, I always thought it was. These bike schemes are being sponsored by Coca Cola under the Coke Zero brand and will be up and running before the end of the summer. Securing this sponsorship was one of the most significant achievements of my time in this role. In the coming weeks, I intend to announce the development of more flagship greenways nationwide, which will be developed between the present and 2016. Progress also is being planned in respect of electric cars, and a significant Government plan in this field also will be announced.

While there have been major achievements, now is not the time to stop. It is just as it was

when the Government started this programme of reform and recovery in 2011, when the statement of common purpose then concluded, “There isn’t a moment to be lost”. It is on that note that I proudly report to colleagues the progress on the programme for Government, as well as the commitments in my area of responsibility within the Department of Transport, Tourism and Sport for the coming year.

Deputy Niall Collins: I am grateful for the opportunity to address some areas under the justice brief which falls within my remit as Fianna Fáil spokesperson on justice. I regret that the Minister for Justice and Equality did not remain in the Chamber to hear my reply because I am about to pay him a compliment. He has been described by some as a reforming Minister, with which I will not disagree. However, I will qualify this description by noting that he is no more reforming than any previous Minister for Justice because the law constantly requires updating and reformation and, while he is doing that, so too did all of his predecessors, to all of whom credit also is due. The mantra that the Minister is the only one to have engaged in reform simply is not the case. However, he is engaged in reform, which is to his credit.

This week’s exercise in having statements on Government priorities has been quite curious. It is not good enough that Members have no Government-sponsored legislation to process through the Houses of the Oireachtas this week. The only legislation that is being taken is in Private Members’ time, which this week happens to be the turn of Fianna Fáil. When the Government parties were on this side of the House, one heard plenty of criticism from them about the lack of legislation being progressed from time to time by the previous Administration. However, this week, in which no legislation is coming through, simply is not good enough and smacks of hypocrisy in respect of political reform.

Speaking of political reform, the Government has objectively failed in this regard. One classic example of the optics of political reform in which the Government has engaged concerns the Friday sittings. I have described the Friday sittings previously as a sham and will continue to so describe them. I have attended most such sittings and on most occasions the Minister responsible for the Bill that is being sponsored by a Private Member is not present to respond. It happened on the previous first Friday, as well as on the first Friday before that, and I was present in both cases. I note that on the last occasion the Minister for Justice and Equality had an informal engagement, but it was not a formal engagement. The proof of the pudding is that no Opposition Bill that has not been voted down by the Government - in other words, that has been accepted in principle by the Government - has progressed beyond Second Stage. This is the proof that the Government’s intent in respect of political reform is all optics. While it will facilitate one so far, it will not follow it through. The referendum on the Seanad was a fundamental attack on our democratic institutions and the people of Ireland rightly voted down the Government proposal to abolish the Seanad. In other areas of political reform, one can see that the Taoiseach now is available to answer questions in the Chamber for less time than any of his predecessors. I refer to the accumulated time between Tuesdays and Wednesdays, as he is not present on Thursdays. If one adds up the amount of time he is here, it is less than any of his predecessors.

I mention some of the legislation processed under the justice brief. The personal insolvency legislation was a huge disappointment because it gave the banks a veto in terms of negotiating with distressed borrowers. It put the banks at the centre of the decision-making process and all reasonable commentators asked that the banks would not have a veto and that there would be an independent arbitrator and an independent appeals office built into the process. The statistics beginning to come out of the Insolvency Service of Ireland are quite disappointing and back up

what we pointed out when the legislation was going through this House that it would not be the success the Government was heralding it to be. My party put forward proposals, through my colleague, Deputy Michael McGrath, to establish an independent statutorily-based debt settlement office which would have the powers to back it up as an independent office. The Government should have taken that on board and acted on it.

The Land and Conveyancing Law Reform Act was a huge disappointment which put more power into the hands of the banks to evict people and to effect home repossessions. The Government should look at it as a priority and consider repealing some of the draconian powers conferred on the banks to undertake home repossessions.

I heard what the Minister said about his reform proposals in regard to the Judiciary. The Government needs to mend fences with the Judiciary. We must have a separation of powers but, unfortunately, we had a very unseemly argument between the Minister and the Judiciary a number of months ago which could have been quite serious. Thankfully, that was averted.

We had a very lengthy debate on the closure of the 139 Garda stations. Communities felt very let down by the Minister, the Government, the Labour Party and Government backbenchers depriving them of their community-based members of An Garda Síochána. We were promised that they would be replaced by Garda clinics but they were not. I have asked the Minister on a number of occasions about the roll-out of the replacement Garda clinics but he was unable to tell me anything, which is not good enough.

The Garda recruitment campaign was mentioned. Many people have an interest in it, in particular members of the Garda Reserve who feel disappointed and let down that they were not given priority. Something quite interesting was pointed out to me yesterday in regard to the online examination for the recruitment campaign. Apparently, applicants are getting other people to do the online examination for them and I have written to the Minister in that regard.

This Government should do the right thing by people. Our colleague, Deputy Mick Wallace, was treated disgracefully on national television by the Minister who still has to own up to his role in using private privileged and confidential information he got in a briefing to seek to discredit the Deputy. The Garda Síochána Ombudsman Commission was treated appallingly by the Minister. The Taoiseach and the Minister sought to undermine it, which we discussed in the House, and they need to own up to their part in trying to undermine the independent office of the Garda Síochána Ombudsman Commission.

Sergeant Maurice McCabe is owed an apology by the Minister and the Government for the way he has been treated and for the way the Minister spoke in this House about his alleged non-co-operation with the O'Mahoney inquiry. Yesterday, the former confidential recipient, Mr. Oliver Connolly, issued a statement. The Taoiseach has said he hopes he will co-operate with the Guerin inquiry. The Oireachtas Joint Committee on Justice, Defence and Equality will seek Mr. Connolly's attendance in due course, but he did not address the elephant in the room in his four page statement, namely, his comments to Sergeant McCabe that the Minister would seek to get him and finish him if he continued with what he was doing.

On the social agenda, I will be an enthusiastic supporter of the referendum on marriage equality. I noted that the Government stated 2014 would be a referendum-free year, which is nonsense. The local and European Parliament elections will be held this year and there is no reason a referendum on the establishment of the family law court or on marriage equality could

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not be held alongside them given that it costs the State anywhere between €16 million and €20 million to stage a referendum. The Government has a knack of losing referendums but it can thank my party and other parties for assisting it in passing the referendum on the court of appeal. The Minister was quick to take a bit of the credit for that but other parties in this House campaigned for a successful result in the referendum on the court of appeal. We will also campaign for a successful result in the referendum on marriage equality.

If the Government was to have one priority for the remainder of this Dáil, it should be to treat people equitably and fairly in its policies. Unfortunately, we have not seen that so far. Independent commentators - for example, the ESRI - have concluded and reported on many occasions that this Government and its policies are exceptionally regressive in that they affect the most vulnerable and the people who can least afford to pay the most. The Government needs to prioritise equity and fairness.

A constituent of mine was featured on the front of the *Irish Examiner* in October 2013. She is a cancer patient who had her medical card taken from her. She went through the machinery of the State and I raised the issue in the Dáil. It was only yesterday, following an appeal, that she got her medical card back from the HSE appeals office in County Donegal, the county in which Deputy Pádraig Mac Lochlainn resides and which he represents. For a cancer patient going through all the associated treatment who has had a double mastectomy to have to go through that in order to hold on to a medical card is disgraceful. I raised the issue with the Minister of State, Deputy Alex White, at the time but, unfortunately, she had to go through the wringer to get a medical card, which is not good enough. Equity and fairness should be a priority of the Government but we have not seen this.

Deputy Pádraig Mac Lochlainn: Last week at Question Time, the Minister for Justice and Equality treated the Opposition and this House with utter contempt in the way he responded to questions. He came into the House today and read a speech but he should have saved it for the Fine Gael Ard-Fheis. This nonsense where the business of the Dáil has been suspended for a three-day plethora of speeches by Ministers patting themselves on the back shows they are completely out of touch with the public. If they want to have a moment of self-congratulation, it is for an Ard-Fheis or an annual conference. The Labour Party had its annual conference a number of weeks ago and Fine Gael had its Ard-Fheis last weekend at which the Minister for Justice and Equality received a standing ovation which was completely out of keeping with the public mindset. That is Fine Gael's internal business but to bring it into this House is ridiculous. Unfortunately, we must engage with it and give our response.

The Minister for Justice and Equality has treated us contemptibly again today. He came into the House, delivered a speech which was a load of nonsense and then walked out before any of us had a chance to respond.

Deputy John Perry: He had to attend a meeting.

Deputy Pádraig Mac Lochlainn: That is the respect he has for this House. It was a load of bloody nonsense. If Ministers can schedule three days to make congratulatory speeches, they can listen to the responses from the Opposition following their nonsense speeches.

There are three Ministers in the Department of Justice and Equality, but not one of them is here to engage with us. It is an absolute farce. However, I will use my eight minutes to rebut the rubbish we heard yet again from the Minister for Justice and Equality today.

Let us talk about immigration. I could not believe he mentioned immigration when we have the shameful direct provision centres in the State in which people from various cultures throughout the world are locked up for years, as if they were convicts, because of our archaic asylum system and must also eat food which is not applicable to their cultures. The Minister had the audacity to even mention it in his self-congratulatory speech.

There was also the issue of judicial appointments. It has reached the stage at which the judges themselves, through the Judicial Appointments Review Committee, led by the Chief Justice, Ms Susan Denham, have said the political appointments system has to end. That committee has recommended that the Judicial Appointments Advisory Board draw up a short list of three candidates, with the Government choosing a judge and publishing the reasons for its choice. That is in keeping with various Bills prepared by Deputies Niall Collins and Shane Ross and me. A range of Opposition Deputies have tried to have this issue addressed but the Minister has kicked it to touch again with another review. This is nonsense and I cannot believe he had the audacity to include it in his speech.

The Minister also referred to the Legal Services Regulation Bill. What a brass neck he has. That Bill has dragged on for three years and the main agenda of the Minister is to bring in multidisciplinary practices or one-stop shops for big business. Such practices are excluded in almost every other European country and are clearly not seen as the way to go, but our Minister wants to bring them in here. Whose agenda is being served here? The main issue of concern to Joe and Josephine Public is the cost when one tries to get justice in the State. When one goes to a solicitor and tries to get justice, it costs one a fortune. Even family law cases and civil court cases cost a fortune. Is that issue, the most important one, being dealt with in the Bill? Absolutely not. The Bill has been dragging on for three years and the whole thing is a nonsense.

Deputy Niall Collins was spot on in what he said earlier. We often give the Minister credit for being a hard worker and for bringing forward progressive and reforming legislation, but that is what a Minister for Justice and Equality does. The Minister is in charge of the law and the law has to change. Things happen, issues are on the agenda for many years and whoever is the Minister for Justice and Equality can rightly claim to be reforming because that is his or her bloody job. The Minister has introduced some legislation with which we agree and that is fair enough. However, there is a list of really important issues that he has not addressed, including white-collar crime. People are rightly furious that those who presided over the disaster that saw our State bankrupted - namely, big bankers, greedy developers and many others who screwed the State and the people - have not been brought to account. Where is the legislation to deal with that? Where is the promised legislation that would deal with that issue effectively and would send a clear message to the public that white collar crime will be punished? The Minister has no problem locking people up for not paying their bills, putting people behind bars for not paying for their television licences or incarcerating people who come from the wrong side of the street, who have never had a chance in life. When it comes to the big knobs, however, the ones with whom the Minister wines and dines, who flatter him and who have backed him up over the years, it seems that they cannot be brought to justice. These are the things that matter to people. These are the things I would like to have seen in the speech from the Minister rather than listening to something more suited to the Fine Gael Ard-Fheis.

The next issue is equality and social protection. This blows me away. The programme for Government states the following: "This Government is committed to tackling Ireland's economic crisis in a way that is fair, balanced, and which recognises the need for social solidarity". While that sounds lovely, it is clearly not the case. Last year my party and others introduced

the Equal Status (Amendment) Bill which sought to amend the existing legislation to provide for equality-proofing of Government policies and budgets and of public bodies through equality impact assessments. Had that Bill been accepted and passed, it would have ensured Governments and public bodies exercised their functions in a way that was designed to reduce the inequalities of outcome that result from socioeconomic disadvantage. This Government came into office on a wave of promises in 2011, but soon afterwards it became apparent that many of its plans involved taking from some of the most vulnerable. The Government rejected the Equal Status (Amendment) Bill even though it was Labour Party policy, agreed by its own members. The Bill was rejected, and two nights in a row the Government sent in Ministers from the Labour Party - not from Fine Gael - to rebut legislation that would have taken away the reliance on election promises, as famously referred to by Deputy Pat Rabbitte, and actually made sure budgets were drawn up on the basis of equality impact assessments. The Government did not want to know when it came to the crunch.

The vindication of victims' rights was another aspiration of the 2011 document, but we learned today during the Order of Business that there is no date for that legislation; it is not going to happen. We arrive now at the most profound failure - policing. If one listens to the Minister, Deputy Shatter, and to his pal the Garda Commissioner, one hears terms such as "modernisation" and claims that we have had tremendous success in combating crime. Everything is hunky-dory now because we have modernisation. We have "smart" policing now, where we had stupid policing in the past. It is "smart" today; we are really smart. How did the Minister do this? He cut Garda numbers by 10% across the State, he closed 140 Garda stations, he did not replace Garda vehicles and he amalgamated rural Garda districts. If one asks any garda, whether at the front gate of Leinster House or in one's constituency, in a supermarket or at a football match, what is his or her view of the Minister for Justice and Equality and the Garda Commissioner - who has sadly become his mouthpiece in defending the cutbacks - one finds a sheer lack of confidence in them and often one finds anger. Gardaí are angry that the Minister and the Commissioner are incapable of doing the job they have been asked to do. We have a situation whereby every time Opposition Members speak about An Garda Síochána, they are accused of being anti-Garda. Deputies Mick Wallace and Clare Daly, in particular, get that all the time. It is claimed that they are against the Garda and hate them, which is nonsense. Everything they have proposed, with proposals from me and Deputy Niall Collins, would actually strengthen the Garda, boost morale and restore public confidence.

We have seen various debacles recently, including the controversy surrounding the Garda confidential recipient, allegations that the offices of the Garda Síochána Ombudsman Commission were bugged, the penalty points fiasco and the profound issue of the treatment of Garda whistleblowers. All of these matters have hugely undermined public confidence in the administration of justice. Deputy Alan Shatter's presiding over all of that has been a disaster. The Minister should have resigned by now, or he should have been kicked out by the Labour Party, but for whatever reason, the party does not want to do that. We had to sit and listen to the Minister treating us with utter contempt last week, refusing to answer question after question. He delivered his self-congratulatory Fine Gael Ard-Fheis speech here today and then scooted off out the door so that he would not have to listen to the rebuttals. The Minister may think it is okay to walk out of this Chamber today and to treat us with contempt, but it is not going to work. We are not going to go away. We are going to continue to try to make An Garda Síochána a stronger organisation, to provide for stronger oversight and to restore full public confidence in the crucial organs of our democracy and the administration of justice. We will keep doing our job and keep challenging the Minister. As long as he is in his role, he must face the reality

that we will not hide away or back down. We are going to do our job to the best of our ability.

Deputy Mick Wallace: This week has been a difficult one for many people in Ireland. The manner in which the Government has set about congratulating itself so much is very difficult for a lot of people to listen to. I would say more than half of the people of Ireland are struggling to pay their household bills. More than half of our people are in a difficult place and a large proportion of them are probably wondering how they are going to continue to make ends meet. This morning I spoke to very good friend of mine from a place called Ballindaggin in Wexford. He worked as a carpenter and started serving his time at 15. He retired a few months ago at 65 years of age and he told me his cost of living was nearly double his pension. He is eating into his meagre savings and wondering what the future holds for him. My mother is 90 this year. She fell in the kitchen at home about four weeks ago. She went to the hospital in Wexford for an X-ray and spent over eight hours on a trolley there. My sister had to get a coat for her to keep her warm. She has reared 12 children and is not the most demanding of women, but I think she is entitled to a little more than that. She was eventually moved to Waterford Regional Hospital. I have been there on four occasions since and have been shocked at how hard the nurses have to work. They are literally running. I do not understand the Government's philosophy in dealing with nursing recruitment. A recent European study published in *The Lancet* stated, "the assumption that hospital nurse staffing can be reduced to save money without adversely affecting patient outcomes may be misguided at best, and fatal at worst". The moratorium on public sector recruitment also makes no economic sense given that millions of euro are spent on agency nurses. It has been estimated the Health Service Executive, HSE, would save €23 million if current agency staff were converted into direct employment. I do not understand why the Government has taken this stand. People are losing their lives because there are not enough health staff to look after them in the system.

I am disappointed the Minister for Justice and Equality, Deputy Alan Shatter, is not in the Chamber. I would need three hours to go through all the areas in which I found him to have behaved poorly in the past 18 months. Is the Minister concerned at the allegations made by one of the Garda whistleblowers that 40 Traveller families were entered on the Garda PULSE, police using leading systems effectively, system, including a baby only 16 days old and that these registrations were made without any proper foundation, criminal or otherwise? The Irish Traveller Movement has issued a statement demanding these claims be thoroughly and immediately investigated, alongside the allegations that form the basis of Sean Guerin's review. Will the Minister confirm that he will extend the terms of reference into the whistleblower allegations to include these allegations?

Although I am well aware that not all entries on PULSE are necessarily criminal ones, the whistleblower's allegations clearly and specifically allege these entries were made in a criminal context and that a criminal intelligence number was ascribed to Travellers as a matter of course. He also alleged that senior gardaí encouraged these practices and that prejudice against Travellers is endemic in the Garda Síochána. I assume the Minister for Justice and Equality is concerned by such allegations. I note, however, that in December 2012, when Maurice McCabe sent the Minister an e-mail stating innocent children were recorded as suspects and as criminals, he wrote back five days later stating there was no evidence of this. Clearly, he had no intention of investigating the issue just in case some evidence did appear.

Will the Minister seek out confirmation from the Garda Commissioner as to whether a PULSE file was created on a Traveller child 16 days old and this child was ascribed a criminal intelligence number separate from a parent or guardian? Will he find out whether other Travel-

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ler children or adults have been assigned separate criminal intelligence PULSE numbers on a similarly casual basis and without any proper foundation? Will he check as to whether this is as a result of any prejudicial or racial profiling attitudes or practices in the Garda Síochána?

Although the Minister has set out previously in the House that he is satisfied with the Garda Commissioner's assurances that racial profiling does not exist in the Garda Síochána, the evidence is mounting that this is not the case. For example, ENAR Ireland, European Network against Racism, and its website *iReport.ie*, a racist incident recording system, has logged a number of incidents which strongly suggest racial profiling and outright racism by members of An Garda Síochána. Its first quarterly report details some alarming incidents indicating prejudicial Garda attitudes particularly with Travellers. It concludes it is clear "there is some work for the Garda in promptly addressing issues of racist victimisation and recognising the impact of poor communication on victims".

In this context and in the light of the findings regarding racial profiling in the Garda as outlined last February in the report of the European Commission on Racism and Intolerance, a Council of Europe body, and similar concerns about Garda racial profiling as set out in the last report from the UN Committee on the Elimination of Racial Discrimination, it is all the more surprising the Minister did not ask the Ombudsman for Children, Ms Emily Logan, to inquire into whether racial or ethnic profiling was a factor in the Garda decision last October to forcibly remove two Roma children from their families. Will the Minister now consider extending these terms of reference? It would seem that whether racial profiling impacted on Garda conduct is the central issue in that controversy. This inquiry could also be extended to examine the wider question of whether there are racial profiling practices in the Garda Síochána and to make recommendations in this regard. Will the Minister confirm that he will consider this extension to the terms of reference and that he will allow Emily Logan independent access to PULSE to assist such an inquiry?

In the past 18 months, the Minister has continuously refused to use the best legislation available to him, preferring instead to rubbish any allegations that question his authority and choosing to minimise and dismiss rather than help to throw light on the issues. In a reply to a parliamentary question in February, the Minister stated, "I believe it is of crucial importance that whistleblowers are treated with respect and their allegations taken seriously." Anyone who would have taken the time to read the transcript of the conversation between the whistleblower and Oliver Connolly, the Garda confidential recipient, will come to the conclusion that he took the whistleblower more seriously than either the Minister or Garda Commissioner. The confidential recipient's statement made yesterday was strange. His inability to deal satisfactorily with Maurice McCabe's allegations had much more to do with the dysfunctional structures presided over by the Minister and the Garda Commissioner. I can only presume that it was some loyalty to the Minister that prevented him throwing his pointless job back at him, a loyalty the Minister did not reciprocate.

The Government has defended the Minister for Justice and Equality 100%. It had to make a call on it. I believe it will regret making that call, however. The Minister has done little to seek out the truth about the series of allegations that have come before him over the past 18 months. It is nothing short of frightening the number of people who have contacted my office, as well as Deputy Clare Daly's and Deputy Luke 'Ming' Flanagan's, in the past month. There are so many allegations of Garda malpractice and corruption, we are finding it difficult to respond to all of them. Yet the Minister does not want to know about it. When will we get an independent public inquiry into these allegations? Why does the Minister keep postponing it? The dogs on

the street know we are not going to get the truth until there is an independent public inquiry. The dogs on the street also realise the Minister and the Garda Commissioner have long proved they are unfit for office. I find it incredible that the Labour Party has stuck with him. It is not good for the coalition Government.

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

I wish to share time with the Minister of State at the Department of Foreign Affairs and Trade, Deputy Joe Costello.

I welcome the opportunity to outline to the House some priorities for which I have responsibility, which are critical to the economic and social well-being of citizens and businesses across the State. The fundamental objectives of energy policy are the security, sustainability and competitiveness of energy supply. The programme for Government set clear objectives in a range of areas, including retrofit, network development and renewables. I am pleased to report significant progress to date, as well as work which is ongoing.

Last year we reached the significant milestone of having provided energy efficiency measures for 250,000 homes under the Better Energy programme, which represents approximately one in six of all homes. Between 2011 and 2013, more than 87,000 homes received energy upgrades, disbursing close to €100 million in Government grants. This year the Government is committed to spending an additional €57 million on the Better Energy programme which will deliver upgrades to a further 32,000 homes and support 3,500 jobs in the retrofit industry.

Government policy on energy affordability is founded on the principle that everyone should be able to afford to adequately light and heat his or her home. Our energy affordability strategy, Warmer Homes, has identified three key factors which dictate whether someone falls into energy poverty: costs, income and thermal efficiency. We will continue to ensure those on low incomes are supported through the household benefits package and specifically through measures such as the electricity and gas allowance and the fuel allowance. However, the most meaningful measure we can take is to improve the thermal efficiency of homes and, thereby, permanently reduce people's exposure to increasing energy costs. Extensive grants are available to cover the cost of retrofitting homes under the Better Energy-Warmer Homes scheme. Since its launch, more than 105,000 households have received free energy efficiency upgrades. This year alone 12,000 low-income homes will receive a free upgrade.

A protocol is in place to minimise the number of energy disconnections. Where vulnerable customers subscribe to a payment plan with the supplier or have a pay-as-you-go meter installed, they may not be disconnected. I am delighted Deputy Michael Colreavy is in the House, as otherwise for the first time in the history of Dáil Éireann I would be speaking to myself. I have been in discussions with the supply companies and the Commission for Energy Regulation to agree further steps to deal fairly with and, in so far as is reasonable, protect these customers. I will make an announcement in this regard soon.

I published a national energy services framework in December 2013. It sets out a roadmap to develop an energy efficiency market for the non-domestic sector. A total of 21 exemplar projects have been selected to test and provide feedback on approach, tools and structures. These demonstration projects will potentially result in up to €54 million being invested in energy efficiency measures, with a target of delivering €7 million in savings annually. A sum of €9 million will be spent over three years on an energy conservation programme for the public sector. This new programme will target more than 500 large buildings, aiming to achieve en-

ergy savings of 18% once the programme is fully rolled out.

The Government has also committed up to €35 million for investment in an energy efficiency fund, with a view to building up a fund in excess of €70 million, including matching investment from the private sector. This fund will enhance the level of finance available to support the clear opportunities provided in the public and commercial sectors. We have identified a preferred bidder to manage the fund and, subject to finalisation of terms, expect to open for business shortly.

Transition to a sustainable low-carbon energy system is central to Government policy. Implementation of this policy, as well as delivering substantial environmental benefits, is securing significant economic benefits for the State and citizens. The 2009 renewable energy directive set Ireland a target of 16% of total energy requirements being met from renewable resources by 2020. To achieve this target, we are committed to meeting a figure of 40% of electricity from renewable resources by 2020. To date, wind energy has been the largest driver of growth in electricity generation. The wind energy sector directly employs approximately 3,400 people. In addition, the SEAI estimates that €255 million worth of gas imports was avoided by wind energy production in 2012 alone. Renewables will continue to play a key role in the transition towards a competitive, secure and sustainable energy system. The European Commission recently outlined ambitious plans to reduce carbon emissions in the European Union by 40% below the 1990 level by 2030. It also proposes to increase the share of renewables in meeting at least 27% of the European Union's energy consumption by 2030. Yesterday Energy Ministers had their first opportunity to consider the Commission's paper and negotiations will be progressed on the framework this year.

Modern industry places a high premium on the availability of water, energy and high quality communications. Taken together with our climate change obligations, the need to ensure a fit-for-purpose transmission grid is essential. The Government approved my proposal to put in place a process, the integrity of which is overseen by an independent panel chaired by a former Supreme Court judge, to progress implementation of elements of Grid 25. No matter how frequently I explain that improvements to the grid are necessary to meet domestic requirements, some wish to conflate it with the examination under way of the potential for green energy exports. Whether the export project happens, the transmission grid will still have to be refurbished. Many times inside and outside the House I have explained that there cannot be a wind energy export project without an intergovernmental agreement and emphasised that there can only be such an agreement if significant economic and employment benefits accrue to Ireland. The Government will not conclude an agreement with the United Kingdom unless we are satisfied with the economic benefits that will redound to Ireland. However, the bottom line is that it is simply misleading to try to persuade people that the need to build out the grid would go away if only wind energy exports were stopped.

Ireland has a landmass of approximately 90,000 sq. km but a sea area approximately ten times that size. Our position on the Atlantic edge of Europe gives us almost unparalleled offshore energy resources. I launched the offshore renewable energy development plan last month. This will facilitate the development of offshore renewable energy projects across three key pillars - environmental sustainability, technical feasibility and commercial viability - by coordinating action across relevant Departments. My Department supports ocean energy production through the work of the SEAI in administering the prototype development fund, developing the Atlantic marine energy test site off County Mayo and through its funding of the Integrated Marine Energy Research Centre, a partnership between University College Cork, Cork Institute

of Technology and the Naval Service. In total, my Department has allocated €26.3 million for ocean energy projects during the period 2013 to 2016.

Last December I announced the selection of a preferred bidder for Bord Gáis Energy. A consortium comprising Centrica plc, Brookfield Renewable Power Inc. and iCON Infrastructure has been selected as the preferred bidder. Its bid values the enterprise at approximately €1.12 billion. Each consortium member brings with it deep industry experience and significant financial strength to support continued investment in the business. The arrival into our energy market of international strategic investors is a strong vote of confidence in the market, the energy economy and the Bord Gáis Energy business and its employees. Proceeds from this sale, when they become available later this year, will be used to support stimulus measures in the short term, with 50% to be used in the longer term to retire debt. This will enable investment in new infrastructure and job creation.

The energy policy landscape has changed considerably since the last energy White Paper in 2007. Recognising this, I am preparing a new energy Green Paper, identifying issues that need to be considered in developing energy policy to meet future challenges. Competitiveness, security of supply and sustainability, as well as the potential to support economic growth and job creation, will be the key objectives of the Green Paper which I expect to publish by the middle of this year.

The programme for Government set clear, forward-looking objectives for communications development, focusing on enhancing capacity and speeds and on providing world-class broadband technology in schools. The Government's national broadband plan aims radically to change the broadband landscape by ensuring high-speed broadband is available to all citizens and businesses. This will be achieved by providing a policy and regulatory framework that assists in accelerating and incentivising commercial investment and State-led investment for areas where it is not commercial for the market to invest. Since publication of the plan, significant progress has been made in the commercial deployment of high-speed broadband services. Telecommunications providers are investing in services and coverage that significantly exceed their original targets.

The Government is committed to intervening in areas where there is no case for commercial investment. Progress is being made in defining the scope of this intervention, including a major mapping process to identify the precise areas in which commercial investment will take place and those areas that will not benefit from such investment. These latter areas will be the target for intervention. Next week I will conclude debate on the ESB (Electronic Communications Networks) Bill 2013 which, when enacted, will enable the ESB to use its distribution network to provide high-speed telecommunications services. The potential to use the ESB's considerable network to deploy fibre will contribute significantly to the commercial deployment of high speed broadband.

We made a commitment in the programme for Government to incorporate ICT in teaching and learning across the curriculum. The 100 Mbps connectivity to schools broadband programme is a principal driver in meeting that commitment. The 2012 phase of the project saw broadband installed in all post-primary schools in 14 western and midlands counties, covering 202 schools. In 2013, 234 second-level schools in Dublin, Kildare and Meath were identified for connection to the high speed network. All remaining second level schools, approximately 269, in counties across the south and south east of the country will have high speed broadband installed by the end of September.

Phase one of the national digital strategy was published in July 2013. It focuses on three strands: citizen engagement, business and digital entrepreneurship and e-learning. One of the main goals of the strategy is to reduce by half the number of people who are not online by 2016. I introduced a grant scheme to provide digital skills training to people in danger of being left behind, including unemployed people, older people and people with disabilities. The scheme aims to train over 24,000 people. The business strand of the strategy aims to get 10,000 businesses online and a further 2,000 businesses trading online within two years. I have set aside a €5 million fund in 2014 to develop an online trading voucher scheme to help small firms develop an online trading presence.

The programme for Government commits to transforming the existing TV licence into a public service broadcasting charge, to be applied to all occupied households and businesses. The charge will replace the existing TV licence. It will not cost any more than the current TV licence, will be imposed on all eligible households and businesses and will not be dependent on ownership of any particular device. The purpose of public service broadcasting is to provide a full range of services and content catering for all interests in society, giving a platform for the expression of Irish language and culture. Everyone benefits from these services and therefore the cost should be borne by society.

We had the opportunity in this House last week to debate over two nights the future of the post office network. The post office has a unique standing in Irish life and is trusted and highly respected by the people. Apart entirely from its significant economic contribution over the years, the post office network has evolved a social role which is highly valued by local communities. As a shareholder, I have a strong interest in and concern for the future sustainability of the network and the company. This is backed up by the commitment in the programme for Government to ensure the sustainability of the post office network. The Government has agreed to a whole-of-government consideration, encompassing central and local government and the wider public service, of the nature and extent of services that can be provided to the public using the post office network as a front office of Government. This whole-of-government analysis is being undertaken in the first instance by the Cabinet committee on social policy.

I must repeat, however, that An Post is a commercial State company that earns its own keep and receives no Exchequer subsidy. My colleagues and I cannot arrange a hidden subsidy for it by dictating that all or even any Government business is automatically given to An Post. These are commercial contracts that must, under EU and Irish public procurement law, go out to competitive public tender between all interested parties. All stakeholders need to collaborate to achieve our shared objective of securing opportunities for new business and maintaining the post office network at the heart of national and local community life. That means the postmasters, as proprietors of independent commercial enterprises, must also by their own initiative develop an enhanced range of services and contribute to an increase in customer numbers.

Late last year the Government approved the development, roll-out and operation of a national postcode system following conclusion of the public procurement process in 2013. Householders will be informed of their postcodes in 2015, when the system will come into operation. In the meantime the groundwork of designing the code and updating private and public sector databases to accommodate the new postcode system is under way. This is a critical programme of work, which will, when completed, bring significant benefits across a range of areas. It will enable organisations to improve existing services and develop new service offerings. It will deliver improved efficiencies in logistics, including emergency service response. It will act as a strong support for the development of digital applications in the Irish economy and support

better planning and analysis capabilities across public and private sectors.

In November 2013 I established an Internet content governance advisory group. This specialist working group, including experts in child safety and online behaviour, as well as technical and industry experts, will consider emerging issues in the area of online content and its general impact on the lives of children and young people. The group will take submissions from the public and interested groups and will report by the end of May. I asked the group to produce specific recommendations on the appropriateness of existing regulatory and legislative frameworks around electronic communications, Internet governance and the sharing of material online and as to the most appropriate relationship between ISPs, online service providers, the State and citizens regarding access to legal material and bullying and harassment online.

Regarding the perennial matter of striking the correct balance between attracting investment and maximising returns to the Exchequer from our natural resources, I am announcing today the selection of international experts to advise on what fiscal terms should apply. Following a public procurement process, international oil and gas expert Wood Mackenzie has been selected to advise on the fitness for purpose of Ireland's current oil and gas fiscal terms. This will ensure regulatory certainty in advance of the next oil and gas exploration licensing round in June this year.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello): In the programme for Government three years ago we expressed our determination to restore Ireland's standing as a respected and influential member of the European Union and as part of the wider international community. We also recognised the importance of our embassy network and committed to use that resource to repair our reputation overseas. The results of our work are clear. We have regained access to international bond markets and the confidence of international investors. Export levels are higher than they were before the economic crisis.

6 o'clock

Net job creation from inward investment and our small and medium-sized exporting companies was higher in 2013 than it had been for ten years. Ireland is now ranked by *Forbes* magazine as the best country in the world for business. Much of this has been achieved owing to a renewed emphasis on economic diplomacy, using every opportunity to highlight Ireland's economic strengths and potential to international audiences. Ireland's embassy network has been working tirelessly to advance the Government's economic objectives and support Irish jobs. In 2013 alone our embassies organised 734 engagements to facilitate trade and investment, undertook engagements with 1,152 representatives of international media to promote Ireland's profile and global reputation and ensured the presentation of key economic messages about Ireland in articles and interviews in the international media, reaching an audience of more than 53 million people. Embassies also supported 28 ministerial-led trade missions and trade events during 2013, securing significant trade deals and investment for Ireland. These included a major trade mission to South Africa and Nigeria which I led, during which deals expected to be worth over €7 million to Irish companies were secured.

In the programme for Government we committed to implementing the Government's trade, tourism and investment strategy. My Department has recently completed a short, focused review of the strategy to ensure the resources of the State, including the embassy network and State agencies, are positioned to take full advantage of new opportunities in key emerging markets and keep delivering in our established markets. The programme for Government also

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committed us to develop better trade relationships and stronger cultural and diplomatic links with emerging economies. The five new embassies and three new consulates general recently announced will provide a platform for the further promotion of Irish exports, investment, tourism and education in key locations across South-East Asia, Europe, the Americas and Africa. As part of this expansion of our embassy network, we are reopening an embassy in Nairobi, Kenya. This will support Ireland's aid programme and help to accelerate the planned transition from "aid to trade" in Africa.

Irish people have always had a vision for the sort of world we want to be part of, an equitable, just and sustainable world where there are opportunities for all to live their lives free from hunger, fear, violence and discrimination and where all people have the right to peace and security, education, health, decent work and democratic and accountable government. The Government's new international development policy - One World One Future - responds to this vision of a sustainable and just world. It focuses particularly on the poorest countries and communities in sub-Saharan Africa and sets out three goals: reduced hunger and stronger resilience; sustainable development and inclusive economic growth; and better governance, human rights and accountability.

The Irish Aid programme is not some kind of add-on to Irish foreign policy but central to it. That is why the Government has worked hard since February 2011 to protect the overseas development aid budget to the maximum possible extent. I am not going to suggest it has not been reduced, as quite clearly it has. However, in the past three years the Government has managed to stabilise the ODA budget in order that, when economic circumstances allow, we will have solid foundations on which to begin again to move towards achieving the UN target of 0.7% of GNP. For the years 2011, 2012 and 2013, we provided overall budgets for development assistance of €657 million, €629 million and €622 million, respectively. For 2014, the Government has again managed to allocate almost €600 million in ODA. On current estimates, this should amount to some 0.43% of GNP. In current circumstances this represents a significant achievement, reflecting the commitment of the people to the fight to end extreme poverty and hunger.

Ireland has been engaged at a Government level in sub-Saharan Africa for 40 years. Today we have high quality programmes in nine key partner countries, involving bilateral funding this year of €155 million. This funding is aimed at reducing poverty and vulnerability and building state capacity. In the past two years I have visited a number of our key partner countries, including Mozambique, Uganda, Ethiopia, Sierra Leone and Liberia, and seen at first hand how we are improving the lives of some of the poorest and most marginalised people in these countries. I also took the opportunity during these visits to explore ways in which Ireland could assist our African partners to grow their economies and exit from aid dependency. Many of these countries are succeeding in reaching some of the highest levels of economic growth in the world. While maintaining our strong poverty focus, we are responding to this changing context and working strategically with our partner countries to advance inclusive economic growth and sustainable development. The economic, trade and political objectives of the Department's Africa strategy - launched in 2011 - are complemented by initiatives to promote an enabling environment for business and investment such as support for business licensing and registration in Mozambique.

We have had to make some strategic and tough decisions in the past few years, including closing our representative office in Timor Leste. This year we will see the closure, after 40 years, of our mission in Lesotho. On the other hand, we are also seeing some new initiatives. A new embassy will be established in Kenya and we are also deepening our engagement in Sierra

Leone and Liberia. Sierra Leone has become the newest of Ireland's key partner countries.

Irish Aid now spends and is committed to continue spending over 20% of its budget on activities that directly reduce hunger, delivering on the target set by Ireland's hunger task force in 2008. We support poor smallholder farmers to sustainably increase food production in Tanzania, Malawi, Ethiopia and Zambia. We particularly target women farmers who carry out a large portion of work on African farms but who rarely have equal access to land or services. Our programmes include investment in agricultural research, support for farmer training programmes, improving small farmers' access to high quality seeds and supporting farmers in diversifying to more nutritious crops. The Irish Aid programme also supports a wide range of nutrition programmes in our key partner countries, particularly focusing on pregnant women and infants to the age of two years.

Recognising the strong link between nutrition and health, we also prioritise access to adequate health care across the aid programme. Our support to the global fund to fight AIDS, TB and malaria has been particularly effective, with deaths associated with these diseases plummeting. Between 2002 and 2012, some 8.7 million lives were saved, with the global fund directly responsible for assisting 3.6 million people to receive anti-retroviral therapy for HIV infection and 9.3 million people to receive TB treatment and funding 270 million insecticide-treated anti-malaria bed nets. Despite these successes, global efforts in poverty reduction are increasingly being undermined by the devastating effects of climate change. To address this, we are working to ensure all of our programmes are designed with climate change in mind. To help developing countries to address the effects of climate change, Ireland pledged and met our commitment to provide fast start finance to help developing countries to adapt to and mitigate the effects of climate change.

Humanitarian relief is another vitally important aspect of Ireland's aid programme. The budget for Irish Aid's emergency humanitarian assistance fund for 2014 is €57.5 million. This enables us to provide flexible and timely funding for our UN and Irish NGO partners to deliver effective humanitarian assistance in response to clear and identified needs on the ground. Irish Aid also dedicates resources - close to €30 million this year - to emergency preparedness, recovery activities, peace building and a rapid response initiative which provides essential supplies and personnel to various hot spots throughout the world.

We will soon be entering the fourth year of one of the most appalling humanitarian emergencies the world has seen in decades. An estimated 140,000 Syrian people have died since the uprising began in March 2011, with over 2 million refugees in neighbouring countries. Irish humanitarian assistance will continue to be focused on meeting the needs of beleaguered populations both within Syria and in neighbouring countries. Irish Aid also pays particular attention to so-called "forgotten emergencies", or those situations where a crisis continues but no longer commands the attention of the world's media. For example, last week the Tánaiste and I announced €6.5 million in funding to support UN life-saving work in Sudan, South Sudan, Democratic Republic of Congo and Somalia, where the continuing deterioration of the humanitarian crisis is a cause of grave concern.

As we approach the deadline for achieving the millennium development goals in 2015, the international community has been ratcheting up its consideration of the shape of the post-2015 development framework. Our EU Presidency in the first half of 2013 came at a crucial stage. The post-2015 agenda was starting to dominate global development discussions and preparations were being made for the global review of the millennium development goals at the UN

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high level event in New York in September 2013. A key priority for Ireland's EU Presidency was to facilitate the development of a co-ordinated, coherent and credible EU position in advance of the UN special event.

In this we received full support from our EU partners at an informal meeting of EU Development Ministers which I chaired in Dublin in February 2013 and which saw the first substantive political level discussion in the European Union on the post-2015 framework.

In April 2013 the Department of Foreign Affairs and Trade, in conjunction with the Mary Robinson Foundation, Climate Justice, organised an international conference in Dublin Castle on the inter-linked themes of hunger, nutrition and the impact of climate change. The key messages from that conference have informed discussions, including within the European Union, on a successor framework to the millennium development goals. We continue to play an active role in these vitally important discussions, including through our membership of the open working group on sustainable development, on which we share a seat with Norway and Denmark.

Aid is not charity. It is not given as an act of benevolence by the wealthy to the less fortunate. It is much more than this. It involves putting our money where our mouth is, backing up our vision for the sort of world we want to be part of with the actions necessary to achieve this, recognising that the best way to defeat hunger is to overcome poverty, helping those countries and people that need a helping hand to begin to generate their own sustainable future, and investing in a better future for us all.

Deputy Michael Moynihan: Two things came to mind as I watched the debate during the past two days. One was a sketch in a local play of a politician making a speech before an election. When he says he will open a creamery at the cross, there is tremendous applause and he follows it by saying he will open two creameries at the cross. The other was a "Hall's Pictorial Weekly" sketch about the installation of telephones by a former Minister, Albert Reynolds. Every time he said he would install 100,000 telephones there was an applause button instead of an audience applauding. The Government should have brought an applause machine into the Chamber to be played after every Minister's speech to add to the chaos of the past couple of days.

For many years Irish Aid has delivered huge projects around the globe. I have had a personal involvement through my late uncle, Denis Cronin, who was a Redemptorist missionary for 51 years in Brazil, where his order did tremendous work. We were involved in trying to get aid for the people in Uganda during the genocide in 1994.

I welcome the opportunity to review the performance of the Department of Communications, Energy and Natural Resources and the commitments made in the programme for Government and by the Minister in his speech. The Department has done continual battle with communities in disputes over pylons, turbines, post offices and broadband services. Communities feel as though it does not listen to them at all.

No one disagrees with the Government's goal to reinforce the national electricity grid to secure future energy supplies in Ireland. We all see this goal as important and necessary. Fianna Fáil is disappointed, however, at the lack of a fully independent review of the Grid Link and Grid West projects, despite the 35,000 submissions received by EirGrid. While we welcomed the appointment of Mrs. Justice Catherine McGuinness and an expert panel to oversee the quality of the route options presented by EirGrid, we criticised the fact that EirGrid would be the

body responsible for carrying out the studies of the possibility of fully undergrounding power lines for the Grid Link and Grid West projects. We criticise the fact that the new committee initially did not propose to examine the health concerns surrounding the location of pylons or the other EirGrid projects in Ireland, in particular the North-South interconnector. Thankfully, the Minister seems to have seen the light in this regard. There should be a complete moratorium on, or cessation of, development until there is a proper, fully independent international review of this issue, taking into account every aspect of it, environmental, tourism and health, everything of concern to communities, including the value of their property, noise levels and so forth. Every international expert should contribute to a report in order that nobody will be able to say it was half-baked.

Communities across Ireland had to organise large protest campaigns and lobby groups in order to assert their right to be heard by EirGrid and the Department of Communications, Energy and Natural Resources. As a result, there is now great suspicion surrounding any plan coming from either of these parties. The Minister must take some responsibility for the suspicion and fear which have engulfed communities in the affected areas. That a review is taking place shows how misguided was the original strategy for the EirGrid plan. We in Fianna Fáil recognised the difficulties arising in communities across the country when last November we tabled a Private Member's motion calling for an independent international assessment of the EirGrid proposals. Despite some support from the Government backbenches for the motion, the Whip prevailed and our proposal for an independent assessment was defeated. The Government then claimed that the new review was an independent assessment, although EirGrid was being asked to examine the routes it had already approved. This seems like a bizarre move which will certainly not put communities' minds at ease. The Minister has tried to kick this issue to touch in order that it does not interfere with the local election results of the two Government parties. Having visited many communities across the country, I can assure him and the Government that the fears and concerns of communities about this issue have not gone away.

Another issue causing great concern across Ireland is wind farm planning. The regulatory guidelines in this regard are far behind where they should be. Fianna Fáil firmly believes renewable energy is part of the solution to reduce Ireland's massive dependence on energy imports. The pursuit of renewable energy in Ireland offers the potential to shield it from ever rising oil and gas prices and help to reduce our CO2 emissions. It is vital, however, that renewable energy projects are developed in a manner that is sensitive to their environment and that they benefit local communities. The increasing number of planning applications for wind farms means that legislative guidelines must be introduced to protect local communities from dramatic intrusion on their properties and give certainty to planners. The construction of larger, technologically advanced wind farms must be conducted in line with international best practice. Fianna Fáil advocates the adoption of Danish-style planning rules for these projects.

We are committed to the development of renewable energy projects in Ireland where proper planning guidelines are laid down in legislation. We see the development of renewable energy projects as a mechanism to reduce our dependence on energy imports, while also being a conduit for increasing prosperity in rural Ireland. We have proposed that there be a minimum distance of six times the height of a wind turbine between the turbine and any residential dwelling. This would ensure current regulations did not become outdated, as the size and scale of wind turbines increase over time. This proposal would ensure residents and communities were protected from undue intrusion by wind farms. It would also provide clarity for future planners of wind farms as to where they had the potential to construct new turbines. I ask the Minister

to consider this proposal.

Another innovative proposal which the Minister might consider is the introduction of community benefits from wind energy farms. Fianna Fáil believes communities should be given the option of benefiting from the presence of local wind energy resources. Communities should be offered the option to purchase a minimum of 20% of the proposed wind energy project in their area in order that they could share in the wealth the project would create. The developer would advertise locally shares equal to a minimum of 20% of the project value at cost price. Any citizen aged at least 18 years and living within eight times the height of a new turbine would be eligible and have priority entitlement to buy into the local project. The shareholder would share the profits, risk and costs on an equal footing with the developer. Remaining shares not bought by citizens within the original radius would be offered to permanent residents in the rest of the county. This would provide a new wealth creation mechanism for rural Ireland and ensure wealth created in an area benefited that area. It is similar to an approach employed in Denmark and could easily be adopted here. This provision could provide the basis for a sustainable and prosperous rural Ireland.

Rural Ireland also needs a secure and high quality connection to broadband if we are to prevent a two-tier economic recovery between urban and rural areas. I am glad that the Minister for Education and Skills in the Chamber because a number of primary schools still do not have access to broadband.

Deputy Ruairí Quinn: Do the communities in which they are located have access to broadband?

Deputy Michael Moynihan: No, there is no access to it. One can imagine the disadvantages these children will face when they proceed to secondary level. They are Irish citizens who live in rural communities and attend schools which have provided education services for generations. One such school is in Milford in north Cork and it has no broadband service.

Last week we debated a motion calling on the Government to secure the viability of An Post. However, the Government voted down the motion, even though it was not controversial. The ESB is statutorily required to maintain electricity networks for all communities. The memorandum of understanding with An Post should be changed because the only way of ensuring the security of post offices is by requiring a postal network in every village and community in the country. An Post would then be forced to go after the business that would make post offices viable. I know the applause machine will not be in the Chamber when I sit down, but I ask the House to consider the points I have made.

Deputy Michael Colreavy: In the north west of Ireland we use the phrase “a poisoned pup” which is referred to as a “poisoned chalice” in the rest of the country to describe a gift that does harm instead of good. Just over three years ago the Minister for Communications, Energy and Natural Resources was handed a poisoned pup when he took over his brief. The previous Fianna Fáil and Green Party Government had bequeathed a communications privatisation agenda that left us in the dark ages in terms of Internet access and usage, an energy agenda that allowed companies and their shareholders to run rings around the Government and the people and a natural resources agenda dominated by vested interests, secrecy and inept handling. Our natural resources were handed over to multinational conglomerates with few, if any, benefits for the people.

I will examine how much has changed under the Minister and, to paraphrase the previous Government, how much remains to be done. I believe the Minister genuinely wants to make significant improvements in his areas of responsibility and do the right thing by the people. I commend him on his initiatives to roll out broadband and his recent announcement that he would publish a Green Paper outlining the Government's vision for the future of energy supply in this country. Less than one hour ago he announced the establishment of a panel of international experts to advise him on the fiscal terms that should apply to oil and gas exploration. I look forward to learning the composition of the panel and hope the experts will not all be oil industry insiders. However, in the continuing absence of a coherent strategy for natural resources, the winners from policy decisions will be energy company investors and well placed political lobbyists and insiders. There will be a new golden circle. Without clear direction, incorrect decisions will be made and in ten years' time we will be holding inquiries into the basis of these decisions. We need a clear and coherent strategy for ensuring the people will benefit from energy and natural resources.

The Government has signed a memorandum of understanding with the British Government on exporting a renewable energy supplies from Ireland to Britain. In effect, this will turn Ireland into an offshore wind farm for the British grid. In order to satisfy the needs of the British energy market, it is proposed to erect wind turbines across the midlands, despite massive opposition from local residents who rightly believe they are being burdened with turbines to produce electricity that will not be used on the Irish grid. To add insult to injury, the lack of proper regulations for the erection of turbines is causing distress for many families. Sinn Féin will be introducing legislation to the House to provide for minimum set-back distances, suspending the memorandum of understanding and requiring Irish renewable energy supplies to be sufficient to meet Irish consumer demands before they can be exported. I find the claim that the Irish and British Governments have not discussed financial arrangements to be incredible. If that is true, it is crazy.

In regard to post offices and the wider issue of rural sustainability, last week we had a debate on the future of the post office network. The programme for Government committed the Administration to maintaining the network of post offices and ensuring communities had access to adequate postal services. However, the Minister stated last week that commercial and trading businesses were moving out of small rural towns into supermarkets based in larger county and provincial centres. Any business on the high street in rural towns and villages should be concerned that the Government is resigned to the running down of rural areas. Where is the Government's strategy for ensuring the sustainability of rural areas? It most certainly was not set out in the Minister's comments.

I applaud the Minister for his efforts in the roll-out of broadband services. The ESB (Electronic Communications Networks) Bill 2013 is a positive measure that will help to bring the broadband network up to speed. The privatisation of Telecom Éireann in the late 1990s resulted in Ireland having the lowest rate of availability of high-speed broadband in the European Union until recently because of a lack of investment in broadband infrastructure. I am glad that the Government is making an attempt to rectify the connection problems, but the philosophy of privatisation has not gone away. Under the Government, we have witnessed the privatisation of Bord Gáis Energy and very nearly witnessed the privatisation of Coillte which was only stopped by protest. The Government needs to move away from the ideology of privatisation and I worry that down the line the fibre optic network for broadband being rolled out will be privatised and that we will suffer the mistakes of Telecom Éireann all over again. The Minister has

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stated - I accept his word - that he has no intention of selling the broadband network, but, as I said to him, he will not always be Minister for Communications, Energy and Natural Resources and that this statement should be explicitly included in the legislation going through the House.

In the term of the Government a report was produced on Ireland's offshore oil and gas resources. The report which was authored by members of all parties made a number of recommendations. Among them was the recommendation that there be staged taxation, whereby petroleum companies would pay 80% on large finds, 60% on medium finds and 40% on small finds. Under the 1992 and 2007 licensing terms, a tax rate of 20% on net profits is applicable. However, oil and gas companies can write-off against tax 100% of their costs, including costs incurred up to 25 years before production begins and the cost of drilling unsuccessful wells anywhere in Irish waters in that 25 year period. As I stated, the Minister has today announced that he is setting up an international panel. We must ensure we stop giving away our oil and gas.

It would be remiss of me not to talk about something that is of deep concern in my constituency, that is, fracking. There are some measures that should not even be considered. For example - this is not the responsibility of the Minister, Deputy Ruairí Quinn - there was a report circulating in HSE West stating maternity services might be reduced or withdrawn from Sligo Regional Hospital. That matter should not be under consideration. Fracking in the north west should not be under consideration either. We should not even consider the possibility of turning the beautiful north west and the west, into an industrial and, possibly, a poisoned wasteland by permitting fracking that would only benefit energy company investors. It is wrong and should not be on the agenda. We should not be wasting taxpayers' money on an Environmental Protection Agency study of fracking. We should say it is not going to happen. I plead with the Minister, Deputy Ruairí Quinn, to ensure this is done.

Deputy John Halligan: I will concentrate on the EirGrid project. Despite being the head of communications in this country, the Minister has failed abjectly to communicate a clear and comprehensive account of the Government's involvement in the project. I am not saying this is intentional, but the feeling outside the House and among many of us here is that such is the case. The Government has stood idly by while EirGrid has displayed what I can only describe as heinous arrogance towards local communities. With the local elections looming, no doubt Government Members are being made aware by their colleagues at all levels of the unrest across the country over the proposed Grid Link and Grid West projects. Despite making a significant proportion of the 35,000 submissions received by EirGrid, we are still left with unanswered questions.

The issue of costs has been clung onto by the Government on many occasions. There have been significantly varying estimates of the cost, for instance, of undergrounding, an issue I will go through carefully. At one point the Minister stated it would treble the cost of the project. Elsewhere he was quoted as saying it would add 3% annually to energy costs. The Taoiseach offered a figure of €600 million, yet the renowned Professor Denis Henshaw who has worked in the area for 20 years suggests burying cables would cost everybody in the country a mere €4 a year over the lifetime of the pylons. One can understand how people are confused. Many politicians are confused. Many believe the way forward is to bury the cables, yet we are given confusing estimates of the cost by various Departments. In fairness to the Opposition and those on the ground, we need to know, for once and for all, what the cost would be of putting the cables underground. We do not want one Department to give one figure and the Taoiseach to give another, with a professor providing a different one. I am especially disappointed, given the understandable concerns being expressed in many rural areas, not to mention in the aforemen-

tioned 35,000 submissions, that the Government has failed to order a full independent review of the project. Where is the credibility in appointing a so-called independent panel which will only be able to examine studies produced by EirGrid? That is not independent and not fair.

Given the significant legitimate health concerns being expressed, particularly by the parents of young children, why has no health expert been brought in? I am not a health expert and accept that some of the findings are controversial. I also accept that some of them may well be dubious. However, the World Health Organization, if one looks back over a number of years, has made various recommendations. It is important, if the project is to go ahead, that we at least conduct some health study. If the Government was to do so, we would be able to say Ireland had initiated an independent health study. It would only be to the benefit of the Government if it was to state it was initiating such a study. Let us not go with what the World Health Organization or some health expert in England or Scotland is saying; we need to initiate our own study which would allay the fears of many. Many people do not want the pylons, but there are fears that there is a health issue and we have done nothing to allay them.

I also want to know if the Government can clarify whether the remit of the independent panel will include the North-South interconnector and whether an extension of the review has been granted for this purpose. We need to know if this is the case. Will the cost of repairs and maintenance, the cost of repairing the damage done to health, the cost to tourism, the cost in terms of property devaluation and the damage done to the view all be considered by the body being put in place? I note that a new report by the London School of Economics has revealed that the presence of wind farms can reduce property values by as much as 11%. This independent and extensive report was initiated by an all-party group in England. It examined over 1 million sales of property located close to wind farms over a 12 year period. Given this consistent pattern and the fact that so many in this country are drowning in negative equity, surely property devaluation should be central to the Government's review. I earnestly ask the Minister, Deputy Ruairí Quinn, to look at this comprehensive report produced by the London School of Economics. I have read it and there has been no criticism of it in England by any of the British Government parties. Incidentally, those involved travelled as far as France and stated conclusively that properties had been devalued by a figure of 11%. Regardless of the findings of the independent commission, there will be no tangible change to the policy of not placing high voltage electric cables underground.

The Minister has previously admitted his own failure to explain the separate nature of the pylon and wind farm projects which has contributed to the ongoing controversy. I ask him to state at some stage what portion of the electricity to be transported via the proposed pylons will be destined for essential use in Ireland. This is something we must explain to the people. We are told the pylons are required for domestic supplies only, yet power usage in Ireland at the height of the boom was 25% higher than at present and there were no outages and shortages. This must be explained clearly. Various Deputies in various constituencies are saying we need the power supply and that we will not export supplies. People do not believe this because we have heard experts on the "Today with Sean O'Rourke" programme saying we do not and will not need it for years to come. Can we foresee a situation where new pylons will facilitate proposed wind farms in the midlands? Can the Minister categorically state any electricity to be transported along the pylons is not intended for export from private wind farm companies? People are not fools and are beginning to wise up in terms of the power supplies we will need in the coming ten to 15 years. It would, therefore, be advisable to tell them the truth. If we are going to export power supplies and make money from it, the Government should say so. We

should remember the cost in so doing.

The Government is failing to communicate a clear message on how pylons will facilitate job creation and curb emigration. Are we talking about jobs in and emigration from the regions the pylons will plough through? We do not know because there is no provision for an electricity supply to the dozens of rural areas through which the pylons will pass. Many of us have gone to meet EirGrid representatives who have stonewalled Deputies, as some Deputies on the Government side have acknowledged. They are unable to give us statistics and facts and how they treat people is outrageous. They set up meetings in hotels around the country, but they tell us very little. I am not here to run down the Minister, Deputy Pat Rabbitte, because I like him, but he is doing himself an injustice in not providing the answers to questions other Deputies and I have asked in the past few months. If we were honest with people and carried out an investigation into health issues, including examining the studies conducted in London and France, we could see how we should push forward on this matter. This would be preferable to backing up what EirGrid is doing and accepting everything it states to the public, which is very little. We owe this to hundreds of thousands of people.

It is easy to use expletives, but people are outraged. I have attended three meetings in Waterford, one of which was attended by almost 1,000 people, even though it was lashing rain outside. They brought along their children and said they would not accept the proposals made. They do not have proper information and are being treated appallingly by EirGrid. I made a submission to it and it took months to get an answer to it. It treats politicians with contempt, as well as the general public. I did not come here to criticise the Minister, but we must be more informative in dealing with the public and find out whether we need the pylons proposed.

I do not want to insult the Minister for Education and Skills, but I will be unable to remain in the Chamber when he speaks, as I have to attend another meeting.

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to share time with the Minister of State, Deputy Tom Hayes.

I am pleased to have the opportunity to participate in this debate on the Government's priorities for the year ahead. I acknowledge and welcome the presence in the Chamber of the Sinn Féin parliamentary spokesperson on education and skills. When we entered government, I spoke about how Fianna Fáil had lost our economic sovereignty. When we exited the bailout last December, I felt for the first time that our sovereignty had been regained because of the actions of the Government. In the past three years we have taken many decisions, some of which have been difficult, but we have been committed and determined to make progress, day by day, week by week, to deliver real recovery. We resolved the promissory note issue and put an end to the bank guarantee. Instead of losing jobs, we created them - over 60,000 net new jobs last year alone. Unemployment is now at its lowest level since May 2009. We restored the national minimum wage and reinstated the joint labour committees, JLCs, which had been abolished by Fianna Fáil. The economy is now growing and steady progress is being made to reduce the number out of work. It is impossible to overstate the challenge that faced the Government when it entered office three years ago. Dire predictions were made - many of them by Members on the Opposition side of the House - that Ireland would have to default, that we would implement massive cuts to core welfare payments and that hundreds of schools and post offices would close. These and many other predictions proved to be wrong. Three years on, we have exited the bailout and are delivering real recovery for all of the people.

Not all of our achievements have been economic. Our record on social reforms is also one of which I am proud. After the failure of six successive Governments to legislate for the judgment in the X case, the Government had the courage to legislate to protect the lives of pregnant women. Our determination to focus on the real needs of children in society was shown by the creation of a new Department of Children and Youth Affairs and the Child and Family Support Agency. Gender quotas are being introduced to increase the number of women in the Oireachtas and we will fight and win a referendum on same-sex marriage to deliver equality for gay and lesbian couples.

In the world of education I am proud of the progress we have made since taking office. Five items of primary legislation have been completed in the past three years. FÁS no longer exists, having been replaced by SOLAS, an organisation that will oversee the modernisation and reform of the further education and training sector. A key objective of the sector will be to meet the education and training needs of the unemployed, providing high quality pathways to work. Some 33 VECs have been amalgamated into 16 local education and training boards, each with the scale and capacity to improve the opportunities offered to those out of work. We have created Caranua, the Residential Institutions Statutory Fund, to ensure the survivors of institutional abuse receive the care and services they need to live dignified lives. The various qualifications and quality assurance agencies have been merged to create Quality and Qualifications Ireland, QQI, an initiative that was started by the previous Administration.

Many reforms have been undertaken within existing legislation. A national literacy and numeracy strategy is being funded and implemented and is making steady improvements to the literacy and numeracy levels of children and young people. The introduction of Project Maths, together with bonus points for honours mathematics, has seen a rise of over 60% in the number of leaving certificate students taking the higher level paper. Since 2012, 50% of the marks are now allocated for oral and aural Irish language skills at leaving certificate level. This has also led to a steady increase in the number of students studying at higher level.

A forum on patronage and pluralism in the primary sector was established just after I came into office and reported within one year. The parents of children in 43 towns have since been consulted on the types of school they would like to see available. In 28 areas where the population was static and there was no growth parents said they wanted more choice. I am working with the Catholic Church to make this a reality.

Other members of the Government have provided detail of many of our priorities for 2014 that will help to deliver real recovery. The Taoiseach and the Tánaiste have spoken about our determination to continue driving job creation and ensuring the recovery delivers for all of the people. The Minister for Social Protection, Deputy Joan Burton, has outlined our ongoing commitment to creating pathways to work for all of the people and making sure those in work earn a living wage. The Minister for Jobs, Enterprise and Innovation, Deputy Richard Bruton, has explained how the Government's jobs action plan will continue to create the opportunities necessary to deliver full employment. The Minister for Public Expenditure and Reform has spoken about the need during the next phase of our recovery to focus on improving the outcomes of public services, in addition to delivering improved efficiencies and accountability. The Minister of State at the Department of Health and Children, Deputy Alex White, as well as the Minister for Health, Deputy James Reilly, will deliver free GP care for all children under the age of six years during the term of the Government. The Minister for Children and Youth Affairs, Deputy Frances Fitzgerald, and I will determine how preschool quality can be improved. All of these reforms and many more will be delivered in 2014.

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Let me turn to my field of responsibility, education. My priorities for 2014 can be summarised under three themes: improving quality and accountability in schools; supporting inclusion and diversity; and creating opportunities for adults. I want to summarise some of the key policy developments I expect to deliver during 2014.

The junior certificate is being abolished and replaced with the junior cycle student award, JCSA, involving a new system that will see less of a focus on examinations and rote learning. It will provide for young people the skills they need for life and learning. These many skills include team work, communication skills, being creative and managing information. The implementation of the JCSA will begin this coming September in all 750 second-level schools.

Of course, reform of the curriculum is but one element of improving quality in schools. Equally important is ensuring high-quality teaching in all classrooms. Earlier this year I commenced section 30 of the Teaching Council Act 2001 which ensured only qualified teachers could be paid to teach children. This will ensure the 87,000 teachers on the payroll are properly qualified by their own professional organisation, the Teaching Council. This year we will amend the vetting legislation to ensure anyone working in a school will be vetted by the Garda. I will be amending the Teaching Council Act later this year. This will give the Teaching Council a broader range of actions to prevent below-standard teaching. These changes will supplement the improvements to initial teacher education which I have discussed in this House previously.

A key mechanism for continually improving the quality of schools is increasing the accountability of schools to their communities. We have already ensured parents receive a detailed end-of-year report on their children's progress, including the results of standardised tests in literacy and numeracy. We will extend this assessment and reporting into secondary school as the new junior cycle arrangements are introduced. We have increased the frequency of school inspections and ensured that, for the first time, parents' and students' views are fully incorporated into inspections. The chief inspector has published national analyses of inspection findings, providing more detail than has ever been previously available. Since 2012, schools have been working to implement a model of school self-evaluation, SSE, which allows them to reflect on their own performance and requires them to produce a school self-evaluation report and school improvement plan by the end of the current school year. By June this year, each school will provide a short summary of its self-evaluation report and improvement plan for parents. For the first time, parents will be provided with details of how schools are seeking to make improvements to their practice. This is how we will empower parents and make schools accountable to their communities.

As we all know, Ireland has changed significantly in recent decades. It is now more diverse than ever before. It is essential that schools reflect that diversity, which is why I will focus on supporting inclusion and diversity in the coming year, as I have done in the past. I have mentioned my determination to work with the Catholic Church to ensure a wider range of schools are available to communities. This year will also see the publication of a White Paper on patronage and pluralism which will help to confirm that all schools, regardless of ethos, are welcoming, inclusive spaces.

Today the Oireachtas Joint Committee on Education and Social Protection provided me with its pre-legislative report on the admissions to schools legislation. The Bill will support parents by requiring that open, fair and transparent enrolment processes are in place in all schools, both primary and post-primary.

During 2014 a parents' and learners' charter will be created and underpinned by legislation. The charter will put the voices of parents and learners even more at the heart of the operation of schools. As a first step in that regard, schools have just concluded ballots among parents on school uniform policies to allow parents a say on one of the biggest back-to-school costs they face.

Allowing for the diversity in society and putting the voices of citizens at the heart of schools are essential elements of creating inclusive schools. Equally important is the question of how we can better support children with special educational needs. In the coming weeks the National Council for Special Education will publish a proposal for a new model for teacher allocations to support children with special needs. This new model will allow us to improve equity within the system and I look forward to discussing it with Members of the House in greater detail when it is available. Also in 2014 we will build on the continuously encouraging results from DEIS - the action plan for educational disadvantage. We now have clear evidence that this programme is working and is a positive force in tackling educational disadvantage.

The final theme on which I wish to focus is the question of how we can best create opportunities for adults in Ireland. As I mentioned, the Government has supported over 60,000 people in returning to employment in the past year. However, an unemployment rate of 12% still demands that we focus relentlessly on providing people with pathways to and back to work. The creation of SOLAS and the local education and training boards, ETBs, was necessary to allow for reforms in this area. By 1 July this year, the transfer of all remaining training centres to the ETBs will be completed. This will conclude the consolidation of the delivery of all further education and training places in these local boards. I congratulate and thank all those who have assisted in this massive logistical exercise which has been very successful, due no doubt to their co-operation.

By the end of this month, SOLAS will submit to me the first ever five-year strategy for the consolidated further education and training sector. SOLAS will be to that sector what the Higher Education Authority is to the 39 higher education institutes across the country. It will co-ordinate and communicate and, in many cases, fund the provision of further education. Unlike its predecessor, FÁS, it will not be a direct provider. The strategy will set out how further education and training can support the Pathways to Work strategy. It will also show our ambition to improve adult literacy and numeracy, community education, etc.

Within the next few months I will be publishing an implementation plan for reform of the apprenticeship system. The reporting body, chaired by Mr. Kevin Duffy, the current chairman of the Labour Court, submitted its report to me just prior to Christmas. It sets out how we can have a modern apprenticeship system fit for the 21st century. I hope the response from the partners examining the report will be positive and constructive. The objective is to allow more people to gain access to high-quality apprenticeships across a much broader range of sectors.

In the higher education sector we need to keep developing the regional clusters that will allow for inefficiencies and unnecessary duplication to be removed from the system. New legislation, currently with the Oireachtas education committee, will improve the governance of the institutes of technology. In line with the programme for Government commitment, this legislation will allow for the creation of technological universities, thus creating clear pathways for institutes in the south-east, south and Dublin regions. First, they will be able to come together, as required in the legislation, and move down the necessary path of improved performance and capacity such that they will be deemed to qualify for technological university status. That status

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will not be determined by me or any other politician but adjudicated upon by an international group of experts. It will report to the HEA objectively on the standards achieved by the applicant institutions.

7 o'clock

I have focused today on three themes: quality and accountability in schools; supporting inclusion and diversity; and creating the right opportunities for adults. These themes summarise my approach to reform. However, they do not capture all of the reforms under way. I wish to mention a few other areas for the record of the House.

First, I have not made any reference to school buildings, although 2014 will see a €100 million increase in expenditure over 2013. The replacement of prefabricated accommodation and the roll-out of a summer works scheme will also bring significant improvements to our schools this year and will provide very welcome employment in the areas where those schools are situated.

The legislation to preserve the records relating to child abuse will ensure that the most shameful part of our history is never forgotten. The 18 religious congregations only consented to participate in the process on condition that the records would be destroyed. I have written to the congregations and informed them of my intention to preserve those records through legislation passed with the consent of this House. The records would be locked away for an acceptable period of time, which would be for the House to decide, such as for over 70 years. Nobody who is alive or anybody related to them should be identifiable in any way if they choose not to be and if they entered into the process on the understanding that the records would be destroyed. It would be a criminal act against history to destroy such records. Future generations must have access to them to understand that never again can this Republic do such damage to people as happened in the past. The legislation is quite important and I am glad that, so far, I have received positive responses from the people directly involved.

The implementation of the action plan on bullying will be continued, with a budget of €500,000 during 2014. We will continue to work to reduce the pressure on leaving certificate students by making changes to the transition between school and third level education. I will explain what I mean. Twelve years ago young people who were preparing for their mock examinations, if they had not already done them, and for the last lap before doing their leaving certificate examinations would have completed their Central Applications Office, CAO, forms by this stage. In completing that form they would have had a choice of approximately 400 courses from the 39 third level institutions. Now, students are beset with an amazing 900 courses. There has not been an increase in course provision *per se* in terms of overall capacity; there has just been a mix-and-match of a great deal of what was already available. It is very difficult and confusing for students and their parents and advisers to navigate that landscape. We have therefore asked the institutions and the State Examinations Commission to deal with the issue because it is very stressful for our young people.

Where do we go next? Across all of the Government and in education, it is clear that real and substantial progress has been made over our three years in office. Now we have a chance to look to the future, a better future. It is a future where our economy is stable and sustainable, where the recovery is shared by all of our people, where all of our people leave school with the skills they need for work and for life, where the financial burden of school costs on parents has been eased a little and where we return to full employment for all those seeking work, but where

we do not subsequently throw it all away.

The new legislation currently with the education committee will improve the governance of our institutes of technology.

In conclusion, I commend the actions this Government has taken. We have not always been right. I certainly have not, and I have made mistakes. When one is making decisions one makes mistakes, but if I got eight out of ten right I think I am way ahead of the posse. When we make mistakes, the first thing we must do is to listen to the Opposition and Members of the House and, where it is clearly established that mistakes have been made, we should be capable of saying we got this thing wrong and we will repair it within the budgetary framework. We have done that on this side of the House. I invite the parties and Members on the other side of the House to reflect on all the advice they gave and all the accusations they made to us three years ago, to look at how far we have travelled and to take stock of the progress we have made, despite their worst or best projections.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Tom Hayes): I am pleased to report to the House on the Department of Agriculture, Food and the Marine and its agencies, which are responsible for 23 recommendations in the programme for Government, and on the substantive progress that has been made on virtually all of these recommendations.

My Department's actions under the programme for Government cover a wider range of activities, including achieving good outcomes from EU and international negotiations; developing the meat, dairy, food, aquaculture and sea fisheries sectors; progressing Food Harvest 2020 and specifically developing a brand image for Irish agrifood; supporting young farmers, the environment and animal welfare; and assisting integrated marine policy. I will summarise the position on each of these areas.

With regard to EU negotiations, our main priorities over the past year were to achieve financial and policy clarity on the multi-annual financial framework, MFF, and to achieve nationally desirable outcomes on the review of the Common Agricultural Policy, CAP, and the Common Fisheries Policy, CFP. Deputies will recall that the EU seven-year budget was agreed last year with guaranteed funding of €1.5 billion per year for Ireland. The CAP agreement was delivered under the Irish Presidency in June. It was hugely significant and provides a sound policy framework for the sustainable development of the agriculture sector up to 2020 and beyond. The key aspects of the reformed CAP are as follows. There is a continuation of a redeveloped single farm payment system which benefits active farmers, supports farm incomes and provides a direct payment ceiling for Ireland of over €1.2 billion per year. The system agreed included an option of a partial convergence model. This was developed by the Irish Presidency and agreed by the Commission, and in our view it provides for a fairer and more equitable system than that originally proposed by the Commission. In 2013, more than €1.18 billion was paid on foot of almost 130,000 applications under the single farm payment scheme and a further €200 million under the disadvantaged areas scheme. There is a new rural development regulation which sets the parameters for Ireland's rural development programme, greater market orientation allied to safety net provisions in case of severe market disturbance and flexibility for member states to adapt policy measures to deal with specific challenges.

Reform of the Common Fisheries Policy was also secured during the Irish Presidency. This included higher fish quotas, the retention of fish quotas as a public asset and the phasing out

of fish discards at sea. Political agreement on the common organisation of the markets regulation was also reached. Both initiatives placed sustainability at the core of fisheries policy and strengthened the competitiveness of the EU industry. Quotas of 270,000 tonnes were secured for Irish fishermen for 2014. This is worth €260 million to the fishing industry and is an increase of 2% on last year.

Further major initiatives are planned under the new rural development programme. Approximately €4 billion in national and EU funding will be made available under this programme for rural development over the seven-year period. A draft programme has already been developed. This has a strong emphasis on sustainability and is also strategically aligned with the Food Harvest 2020 environmental assessment report. The Department is assessing the many submissions received under the recent public consultation process, and our intention is to submit the final draft to the European Commission by the end of June. Proposals under consideration include a substantial new agri-environment and climate scheme, GLAS; continued strong support for disadvantaged areas; incentives for on-farm capital investment; knowledge transfer and innovation measures; and a new beef data and genomics measure.

Internationally, on foot of technical and diplomatic activities, ministerial-led trade missions and extensive trade negotiations, a series of valuable new market and trade outlets for Irish produce were gained in 2013. These include the first steps in opening of the US market to EU beef; opening the prestigious Japanese market to Irish beef, which will be worth approximately €12 million to €15 million annually; opening the UAE market for sheepmeat; opening the Libyan market for livestock; opening the Australian market for pigmeat; opening the Iranian market for beef; opening the Canadian market for sheepmeat; opening the Chinese market for salmon; and being permitted access to the Russian market for meat products previously excluded.

In 2014 we will build on these achievements. Expansion and innovation in the meat, dairy, food, aquaculture and sea fisheries sectors are key priorities for Food Harvest 2020. In preparation for the dairy-quota-free environment, the Department is providing a range of supports to assist farmers to exploit fully their potential for expansion and development. Dairy supports encompass the new entrants to dairying scheme and the dairy efficiency and development programmes, which are designed to encourage the adoption of best practice management and production methods on Irish farms.

Beef farmers are assisted by the beef technology adoption programme, BTAP, the suckler cow welfare scheme, the beef data programme and the BETTER farm programme. All of these schemes are geared towards improving the performance of beef enterprises by sharing knowledge, improving breeding data, and expanding expertise, technical and financial advice. In 2013, €10 million was provided for the beef data programme and 6,200 farmers received payments amounting to €5.1 million under the 2013 BTAP programme. In addition, the new 2014 beef genomics scheme, with a budget of €23 million, will improve the quality of suckler calves in participating herds and will develop a training population to allow for further genetic improvements in the national beef herd.

On the processing side, the dairy sector has already planned for increased processing capacity post-2015 and key global players, in conjunction with Enterprise Ireland, are committing to significant new capital investments. To plan for a 60% increase in milk production, Glanbia has committed to a €150 million capital investment in a new major dairy processing unit; Dairygold is investing in its Mitchelstown plant and is proposing a €90 million investment for a new dryer in Mallow; and Kerry Co-op is developing its Charleville plant to enhance its infant formula

project with Beingmate, its Chinese partner. In addition, the Irish Dairy Board announced a €20 million investment in a Saudi dairy company and Kerry Foods has opened a new development centre to cater for specific customer tastes in the Middle East. Both of these projects will lead to increased exports of Irish milk powders.

The food industry's contribution to the Irish economy is very significant, as more than three quarters of its expenditure is on Irish goods and services. It will deal with unemployment issues throughout rural Ireland. We have taken a strong stand on all aspects of agriculture, including organic and green farming and supporting young farmers throughout the country. I am very pleased to support what the Government is doing with regard to harnessing the potential of rural Ireland, particularly with regard to food and agriculture.

An Leas-Cheann Comhairle: Deputy Robert Troy will share time with Deputies Jonathan O'Brien and Catherine Murphy.

Deputy Robert Troy: I am disappointed that Opposition spokespersons do not have an opportunity to speak to the Minister they shadow. The way the Government tabled the agenda of the House is a retrograde step. That being said, I am delighted to have an opportunity to speak about the Department of Education and Skills and the Minister, Deputy Quinn. I am disappointed he is not here because he stated that he welcomes criticism and an opportunity to admit where he has gone wrong. I will give him a hand to refresh his memory on where he has gone wrong in recent years as we see it.

Fianna Fáil believes a high-quality education is a basic right for all of our people and that prioritisation and development of our education system must also be at the core of our drive to strengthen and rebuild our economy. Throughout the 31st Dáil, the Fianna Fáil party has put the education of our children front and centre. Our first Dáil motion in opposition debated education and called on the Government to protect the education budget and front-line services. Our very first policy conference after the election in 2011 was devoted to education. Our budget submissions for 2012 and 2013 committed to protecting education and our submission for budget 2014 reiterated this commitment.

I want to acknowledge some positive measures the Minister has taken since assuming office. The establishment of Quality and Qualifications Ireland is a welcome move in streamlining our qualifications and quality assurance framework for further and higher education and one which my party fully supported. I also commend the Minister on progressing plans to reform the further education and training sector by merging the training side of FÁS with our VECs through the passage of the Education and Training Boards Act and the establishment of SOLAS. These are progressive moves which my party fully supported and on which work had been started by the previous Government. I also commend the Minister on initiating work on a schools admissions Bill, which will help bring clarity to school admissions policies throughout the country.

However, on the whole the Minister's performance and track record bear little resemblance to the picture consistently painted in his rhetoric. The Minister likes to portray himself as delivering change and a break with the past in our education system. He has delivered change and a break with the past, especially with regard to his own past commitments. We saw change with the most flagrant breaking of a promise not to increase the third level contribution. This is what change has too often meant with the Minister - changing his mind and breaking his election commitments. The Minister, Deputy Quinn, must take responsibility for the decisions he has taken and explain to the students of Ireland why he is systematically breaking his promise not

to increase the student contribution fee. Blaming the previous Government for these decisions simply does not wash. We are not the ones who signed public pledges not to introduce further fee increases in the days leading up to the general election. The Government was elected based on promises it had no intention of keeping. During the election campaign the Labour Party pledged to reverse the €500 increase in the student services charge and the €200 charge for post-leaving certificate courses which had been introduced by Fianna Fáil. In February 2011, the Tánaiste, Deputy Eamon Gilmore, stated that the Labour Party was opposed to third level fees by either the front or the back door. These promises were made in full knowledge of the fiscal situation. Fine Gael and the Labour Party were consistently opposed to increasing the student contribution while in opposition, stating it was unfair on students. Not only did the Minister, Deputy Quinn, break his election pledge, but he has gone much further and will have increased the contribution a total of four times by 2015. The fact is the Minister, Deputy Quinn, is over-seeing the largest increase in student fees of any Minister for Education and Skills.

Sadly it would appear the Minister has no similar intention of reversing his decision to hike the pupil-teacher ratio in small schools. The protection of small schools is a critical issue for Fianna Fáil and we believe that Government changes announced in budget 2012 unfairly targeted rural communities. His policy of introducing phased staffing cuts in small schools with under five teachers is a cause of serious concern in many local communities. The local national school is at the heart of many rural communities across Ireland. Even more than a post office or a sports club, it is where parents, children and families meet five days a week during the school year. It is invaluable in terms of building a sense of community. For a small school to retain a second teacher in September 2014, it will need 20 pupils, an increase of eight pupils or a 66.6% increase on the position that obtained in 2011. A 14% increase is needed to retain a third teacher and a 7% increase is needed to retain a fourth teacher. This is clear evidence the Government is consciously and deliberately targeting small schools. As this attack on small schools is being combined with a hike in school transport costs, not only is the Government seeking to make children travel further to school, it will charge them more for transport as well.

In the decade before 2010, there was a substantial increase in the resources provided to small schools in respect of teacher numbers, teaching support staff and the physical infrastructure, with new or upgraded classrooms and ancillary accommodation. These decisions were made and that investment was made because Fianna Fáil perceives local primary schools as an irreplaceable part of community life. The Government's attack on small schools is a source of great concern, particularly for those from minority faiths. For example, nearly half of Protestant primary schools have fewer than 56 pupils. As Fine Gael and the Labour Party cannot be unaware of this, surely the only conclusion to be drawn is they place a diminished value in comparison to previous Governments on protecting the rights of minorities in the Republic. Rural schools must be given greater flexibility. They are much more vulnerable to changes. A small school's viability could be threatened by the decision of just one family with three children to move house. There also are signs of a double jeopardy effect whereby parents who fear their child will not be able to spend eight years in the same school decide to go elsewhere and it then turns into a self-fulfilling prophecy. The loss of a school has a dispiriting effect on a community and a detrimental economic effect and jobs also will be lost. Consequently, to protect rural Ireland, communities, jobs and minorities, one must support the smaller schools and Fianna Fáil calls for the reversal of these changes.

I wish to touch on another issue that means a lot to primary schools and the families that attend them, that is, the supports the Government provides towards the cost of book rental

schemes. Sadly, the Government appears to have no intention of reversing its highly discriminatory policy of excluding schools that already have commenced a book rental scheme from a new State-supported initiative. The Minister for Education and Skills, Deputy Quinn, announced funding for school book rental schemes amid great fanfare in the recent budget. However, it now turns out that 76% of primary schools, which had the foresight to begin their own book rental schemes, will not see a cent. At the time of the announcement, the Minister neglected to state that he only will provide funding to those schools that have no scheme at present. He will not compensate schools that made sacrifices, cut their budget elsewhere or fund-raised heavily to establish their own book rental schemes. It means that schools that took the initiative in seeking to ease the cost of the school books bill for parents now are being penalised by the Minister, Deputy Quinn. This discrimination also extends to schools that are due to have growing pupil numbers and will need to invest in expanding their book rental schemes. They too will not have access to the new State funding and will be obliged to fund-raise to make the necessary changes to their own scheme. If the Minister truly believes in the value of this policy, he must start to show some flexibility in its operation. Schools that need to make improvements or extend their school book rental programmes must be supported by the State in so doing. Moreover, many of the schools that took the initiative in this regard were those catering for children of families with lower incomes in which the school management, principal and staff realised the cost of school books was placing an undue burden on such families and took the initiative to fund-raise. These are the families which are being discriminated against the most. It was not schools in well-off areas that introduced school book schemes. What kind of message does it send out to schools and parents who take the initiative to improve the facilities for students off their own bat? The actions of the Minister, Deputy Quinn, will discourage such initiative by schools in the future.

I have other-----

An Leas-Cheann Comhairle: I apologise to the Deputy but I must call Deputy O'Brien as we are out of time.

Deputy Robert Troy: I thank the Leas-Cheann Comhairle and will conclude on that point.

An Leas-Cheann Comhairle: I call Deputy O'Brien and note we are going into Private Members' time at 7.30 p.m.

Deputy Jonathan O'Brien: This debate will adjourn at 7.30 p.m.

An Leas-Cheann Comhairle: Yes.

Deputy Jonathan O'Brien: While the Minister for Education and Skills, Deputy Quinn, is not in the Chamber, he will read back the Official Report of the debate and consequently, I will focus on education although the Minister of State, Deputy Kathleen Lynch, is present. I wish to touch on some of the issues the Minister raised in his contribution. I will be the first to recognise that due to the economic situation in which we found ourselves and in which the current Government found itself on entering office, huge challenges existed, particularly in respect of the bigger portfolios such as social protection and education. Moreover, given that the budgets have been cut on an annual basis since the Government took office, these challenges have been compounded by that fact. That said, I have put on record previously that some decisions taken by the Minister probably have led to some of the most radical and reforming legislation this House has ever seen in the area of education. I refer to the policy and legislation he has

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brought forward with regard to Quality and Qualifications Ireland, QQI, the establishment of the education and training boards and the Further Education and Training Act 2013, on which I commend the Minister. Moreover, I pledge my continuing support for what he is doing, particularly in respect of further education and higher education and what he is trying to achieve for adult learners.

However, he also took some decisions that neither I nor my party would have taken had we been in his position. The position with regard to career guidance counsellors and removing the *ex quota* allocation was a retrograde step. Moreover, the evidence now is beginning to back up that analysis, when one notes the number of one-to-one consultations by students on career guidance is falling consistently. This will have a detrimental impact on student welfare and the longer this goes unchanged or not reversed, the greater that impact will be. The Minister has made a personal mission of junior cycle reform. It is a highly difficult area and I can understand from where the Minister is coming and what he is trying to achieve. However, the way he has gone about it has created a situation in which he now has difficulties in trying to implement what he set out to achieve. For all his good intentions, I believe he got off on the wrong foot when he completely disregarded the recommendations from the National Council for Curriculum and Assessment, NCCA, and went on a solo run. Moreover, the lack of consultation at the very outset now has come back to haunt the Minister and the difficulties he is encountering in trying to implement this particular policy now are evident. I note that discussions are under way with both teaching unions to try to resolve some of those outstanding issues and one awaits the outcome of these discussions.

The Minister touched on three areas in his contribution and I wish to refer briefly to a couple of them before this debate is adjourned for Private Members' business. The first pertains to SOLAS and I am aware the Minister will take delivery of a five-year strategy from SOLAS in the coming weeks. That strategy will be highly important in respect of the provision of further education and training in this State. This strategy document will face huge challenges because if one considers the objectives of SOLAS, on the face of it a number of them are contradictory.

Protection of Residential Mortgage Account Holders Bill 2014: Second Stage

(Resumed) [Private Members]

Question again proposed: "That the Bill be now read a Second Time."

Deputy Seamus Healy: Ba mhaith liom cuidiú leis an mBille seo, an Bille um Chosaint Sealbhóirí Cuntais Morgáiste Cónaithe. I support this Bill. Last year was the hundredth anniversary of the great 1913 Lock-out, the struggle for workers' rights. The previous year was the hundredth anniversary of the formation by James Connolly and Jim Larkin of an all-Ireland Labour Party. In a few short years, we will remember the sacrifice of James Connolly and his comrades in 1916. It is also 125 years since Michael Davitt initiated his Land League campaign against rack-renting absentee landlords. These were all movements for freedom, for rights, for independence and for self-determination for the Irish people, but now the Government is prepared to sell the roofs from over the heads of 13,000 people to the modern equivalent of rack-renting absentee landlords, namely, foreign vulture capitalists.

Some 13,000 former Irish Nationwide Building Society mortgage holders face the appalling vista of their mortgages being sold to foreign companies which are not subject to Irish

regulation. These regulations were put in place to protect distressed mortgage holders. These mortgages are expected to be sold at huge discounts. Without the legislative protection, these companies will be able to squeeze former Irish Nationwide Building Society mortgage holders with increased interest rates, to repossess homes and to make obscene profits. Without this legal protection, these mortgage holders will be thrown to the wolves.

Three things must be done immediately. The Government must reverse its decision to sell these mortgages and instruct the IBRC liquidator to stop the sale. We must immediately pass legislation to protect these mortgage holders and, indeed, other mortgage holders who may face difficulties in the future. To promise legislation in 2015 is completely unacceptable and is simply closing the stable door after the horse has bolted. Mortgage holders must be given the opportunity to bid for their own mortgages. Deputy Peter Mathews asked me to confirm to the House his support for this legislation.

Deputy Finian McGrath: I thank the Leas-Cheann Comhairle for the opportunity to speak on this very important legislation, the Protection of Residential Mortgage Account Holders Bill 2014. I warmly welcome the Bill and strongly support it as it tries to do something sensible to assist mortgage holders and their families. It is essential when dealing with this matter and the broader issues directly connected to the banking crisis to take a humane approach and to deal with the issues in a sensible but a compassionate way. These people were hammered and let down by the financial institutions and they need a leg up in these difficult financial times. Of course, we must deal with the problem in a professional way. We all have a responsibility to the citizens of this State who pay their taxes.

I welcome the fact that the Government will not oppose the Bill, but we need to act soon. The Minister for Finance said he accepted the principle of the Protection of Residential Mortgage Account Holders Bill 2014 and he intends to bring forward legislation. He should do so now and get on with it. Time is running out and this is very important. Thirteen thousand people need his help and support.

The Protection of Residential Mortgage Account Holders Bill 2014 will protect residential mortgage account holders whose loans are owned by financial institutions or entities supervised by the Central Bank of Ireland by making it a precondition of the sale or transfer of residential mortgage loans to persons or entities not supervised by the Central Bank of Ireland that the persons or entities that acquire the personal mortgage loans agree to be bound by codes of practice issued by the Central Bank of Ireland.

Today we saw how Bank of Ireland suffered a major share rip-off following the sale of shares by Wilbur Ross. We need people in the Department of Finance who understand these kinds of issue and the markets and we need to get decent advice. A total of 96,474 mortgages - 12.6% - are in arrears of 90 days, and 1,014 properties have been repossessed, including 503 buy-to-let properties. Some €18.2 billion - 16.9% - is outstanding on mortgage accounts. I urge every Deputy to support this legislation and urge the Minister to act soon for these 13,000 families.

Deputy Joan Collins: I support this Bill. It is an outrage that this Government, which includes the Labour Party, is allowing vulture capitalists to buy up these mortgages at knock-down prices while the 13,246 mortgage holders will be asked to pay full whack and could face huge increases in interest charges. The fact that almost 50% of these mortgages are in arrears will also be a huge concern to these mortgage holders.

It was somewhat stomach-churning last week to hear Fine Gael and Labour Party Deputies challenge the IBRC representatives at the Joint Committee on Finance, Public Expenditure and Reform. Legislation was voted in by those same Deputies last year to allow this to happen. It is a pity more of them did not listen during that debate and oppose the legislation rather locking the stable door after the horse has bolted.

At a minimum, the Government must secure protection for these mortgage holders under the code of conduct for mortgage arrears and ensure they have access to the Financial Services Ombudsman if they have complaints. However, it would be wrong to overstate the protection mortgage holders have under the code of conduct for mortgage arrears. These are simply guidelines and there is no compulsion on lenders to offer real, sustainable solutions to those struggling to hold onto their family homes. Despite the Minister's repeated statements that he does not consider the threat of repossession a sustainable solution, the reality is 55% of what the banks consider to be offers of sustainable solutions involve voluntary sales or repossessions.

According to information from the banks themselves, one in five properties, or 26,000 mortgages, could be repossessed. That figure only relates to the main lenders operating in Ireland. Obviously, the figure includes buy-to-let properties. The Government must act to ensure that in the case of family homes where there is a genuine inability to meet full payments, repossession should be a non-starter. This could be done by making it compulsory for lenders to offer genuine solutions, such as split mortgages, write-downs and, where suitable, the mortgage-to-rent scheme. I know of several cases in my constituency in which mortgage-to-rent is the only way to keep families in their homes, yet lenders such as Bank of Scotland refuse to investigate the scheme.

The Insolvency Service of Ireland is absolutely useless in protecting the average home owner. This issue of the IBRC sell-off is yet another example of the Government's failure to put the interest of the homeowner first.

Deputy Catherine Murphy: I am happy to support this Bill and I welcome the fact that it is not being opposed by the Government, but it needs to go to Committee Stage quickly if there is a genuine desire to do something about this issue. Along with some other members of the Technical Group, I first met a group of Irish Nationwide Building Society mortgage holders last October after they had received their letters. They were very concerned and there was a feeling of powerlessness among them. Through no fault of their own and behind closed doors, decisions were being made on their behalf. They felt their own Government was not protecting them. The talk was that this was being done in the common good to protect the taxpayer. They see a great contrast between the negotiation of very large debts directly and the selling of smaller debts such as mortgages - although they are large debts for the individual - in bundles. They feel moral hazard is something for the little guy only, and one cannot blame them for feeling that.

Last February the Minister told us it was critically important that deposit holders, mortgage account holders and those indebted to the Irish Bank Resolution Corporation understood that their situation, following the liquidation, should generally remain unchanged. He came back and said their circumstances very much depended on who bought the loan book. We must look at this from a practical perspective. If people end up encouraged or forced to leave their homes because they have a huge debt, it will become the responsibility of the State to house them while people in the US and elsewhere will be laughing all the way to the bank. They will have won on two counts. First, they will have bought these loans very cheaply and second, they will

have secured a return in a market that is on the way up. We will be left in a situation where, in a housing crisis, the State will have to house yet more families, on top of the 90,000 that are on the housing waiting lists at the moment.

Deputy Helen McEntee: I welcome the opportunity to speak on this issue and also welcome the fact that Deputy McGrath has brought this Bill forward for consideration. I agree with the concept of the Bill but unfortunately I do not believe it offers much more than the agreement that was reached last week. Having said that, it is important that we are debating the issue. This issue was brought to my attention for the first time by a constituent who was understandably worried and shocked when she found out that her mortgage with a regulated entity was going to be sold, possibly, to an entity that is not regulated.

A home is the biggest investment that most people will ever make in their lives. Those who are able to buy or build a home without recourse to a mortgage are the lucky ones but for most people that is not the case and a mortgage is the only option. We are all fully aware of the difficulties many people have been facing in regard to their mortgages in recent years. I am still meeting landowners and home owners who feel they are not being helped. They are struggling and feel they have nowhere to go. In those instances, it is up to us as public representatives to stand up and protect them and to make sure that their rights are not being infringed upon. We must work to ensure that they are being given the best possible opportunity to find a solution and losing their home should be the last resort. It is important to note that because of the negotiations that have happened in the past year, we have seen over 50,000 mortgages restructured, the number of mortgages in arrears has dropped and the number of split mortgages has increased. While nobody is saying this is an easy process, this is good news. I believe the banks need to make a greater contribution and I am still meeting people who have had very negative experiences with banks. Unless one goes to meetings with such people or makes a few phone calls on their behalf, they are being walked on. However, I know the Minister is dealing with this issue.

The recent announcement of the sale of the IBRC mortgage book is another twist to the story that we could do without. However, the Government has listed the sale of loan books to unregulated third parties Bill on the legislative programme. This will address concerns surrounding the continued application of the code of conduct on mortgage arrears in the context of mortgages that are sold to unregulated entities. The 13,000 people who are affected in the short term want to know how that will help me them and why we are not bringing that legislation forward now. I understand what the Minister has said and I accept that it is not as easy as that. Were we to attach additional conditions to the mortgages now, we could face legal challenges that would be difficult to win. Extending the protections of the code of conduct to unregulated entities is complex and requires careful consideration. It cannot be rushed and cannot happen overnight. However, that is not much comfort for those who are affected now. I spoke to a woman earlier today who accused me of having my head in the clouds. She said I was living on a different planet if I thought that these vultures would not hike up interest rates and allow the 13,000 people be hung out to dry. Maybe I am on a different planet but I do not think this will happen. Obviously it is an emotive issue and I do not blame her for getting angry. However, we must be reasonable about this. We cannot start screaming and shouting about something that might never happen. There have been two previous examples where groups of mortgages were sold and the treatment of those mortgage holders was consistent with the code of conduct, on the advice of the Central Bank. The loan book of Bank of Scotland (Ireland) was sold to Apollo Global Management which met representatives of the Central Bank and the Department of Finance. The company indicated clearly that it would adopt the code of conduct. Perhaps

my head is in the clouds but I do not see why it should be any different in the case of the IBRC loan book. I do not agree with the hype and scaremongering that has been going on. We should not be using this issue for political gain. However, we are dealing with people's lives and the mortgage holders need a bit more certainty than a voluntary agreement affords them. The Minister has said that whoever purchases the loan books will have to agree to adhere to the code and we all know that an agreement was reached between the special liquidators and the second phase bidders. Having said that, it is only a voluntary, verbal agreement and while I feel a verbal agreement carries some weight, a written agreement would help to put the minds of the 13,000 people affected to rest. We are trying to rebuild the reputation of the banking and financial sector and I believe that is the least they could do to assist in this matter.

Deputy Michelle Mulherin: We are here because the situation of the IBRC mortgage holders has brought this issue to the fore. We heard the assurance given by the special liquidators last week that in the event that these mortgage holders - approximately 11,000 of whom have mortgages on their own principal private residences, with 4,200 in arrears - get into difficulty, the code of conduct on mortgage arrears would be accepted and applied, on a voluntary basis, by non-regulated entities from outside the State. This is a very serious and solemn issue for people, especially those who are in arrears at the moment. It beggars belief that there must be a public outcry before consumer protection for these mortgage holders comes into play or is offered at the eleventh hour. I attended the Oireachtas committee meeting with the special liquidators last week and I must say that an assurance of a voluntary signing-up to the code of conduct on mortgage arrears, with nothing in writing, does not hold water. One only has to read the *New York Times* or the *Wall Street Journal* to know that Ireland has been identified as a soft target for hedge funds and venture capitalists. Such entities do not come in and try to have nice relationships with mortgage holders. They come in, strip assets in certain cases and in other cases, they sell the loans on again. Even if they stick to their word, the next purchaser of the loans may not do so.

We need legislation on this issue sooner rather than later. Otherwise we will only store up more problems for ourselves in terms of these mortgage holders. If they fall into arrears, they will look to the State for assistance. The State will have to deal with the problem then but we might have some control over it now, especially in the case of IBRC. It is not impressive to hear the special liquidators peddling the proposition that a voluntary agreement is in some way binding and represents a solution for people. Of course we must consider the taxpayer's position in this but there is fine balance to be struck. Given what has happened in the banking sector here, there is no way that we should allow a situation to develop whereby people in mortgage distress, dealing with IBRC, should be left on their own when their loans are sold to non-regulated financial institutions. We must act sooner rather than later. I welcome the acceptance by the Government of the concept of consumer protection as provided for in this Bill but legislation must be enacted sooner rather than later.

Deputy Liam Twomey: This is another consequence of the economic fallout that we have been suffering from over the past six years. The liquidation of IBRC had to be done in haste and, as a result, an issue such as the protection of mortgage holders crops up. What the Minister for Finance said several weeks ago on this matter was important, a point glossed over by the Opposition. Essentially, legislation such as this could have been perceived to affect the value of this bundle of assets. The argument coming from the Fianna Fáil finance spokesperson is that some of these companies would have to pay more for the assets if they had to give a commitment to abide by the code of conduct on mortgage arrears. It does not matter whether it is real

or not; if there is a perceived effect on the price of the asset, it is possible then for creditors to sue the State. Considering the Fianna Fáil spokesperson is an accountant, he understands the Minister's position in this regard. This is just politics being played out with this Bill.

The bidders for these assets, as we have been told by the Department of Finance, will be happy to follow the CCMA if they are successful in their bids. Anyone else who bought similar assets in the past was happy to participate in the CCMA. We are attracting investment into Ireland. When one considers the crisis we went through, it is important that there are still people who believe Ireland is the right place in which to invest. The Opposition, with its cheap shots at the Minister, should be careful they do not have any knock-on effects and damage Ireland's reputation. We are not only successful in getting foreign direct investment but in changing the image of Ireland that was there when Ajai Chopra crossed from the Merrion Hotel to the Department of Finance three years ago. There was some difficulty in changing that image, considering what had been left behind. The Minister for Finance, Deputy Noonan, is careful how these issues are managed and whom we attract to invest in the country.

We want to avoid the debacle that was the sale of Eircom, as do Fianna Fáil Members. It was State-owned and one of the leading technological companies of its time. After its sale, it went through various ownerships and was asset-stripped by vulture capitalists, leaving it a shadow of its former self. The Minister for Finance does not want something similar to happen when we invite investors into the economy. He is also well aware of the protections required not just by mortgage holders but by citizens, because of the Wild West economic policies that were in place in the past. The great work that has been done in restoring our reputation, attracting investment and looking after those who could be perceived as being very vulnerable must be taken into account. After the sale of these assets, the Minister can move to protect the mortgage holders in question. He has made it quite clear he will. Many of the companies bidding for these loan books have said they will enforce the CCMA too. When one considers how difficult economic conditions are, that is a significant change from the *laissez-faire* attitude of previous Administrations that I have seen here since I was first elected to the House in 2002.

Deputy Michael Creed: I commend my Cork colleague, Deputy Michael McGrath, on his Protection of Residential Mortgage Account Holders Bill and welcome the Government's decision not to oppose the legislation on Second Stage. Mortgage difficulties are the ultimate legacy issue of the economic downturn. It is too big an issue on which to score political points, but it was the result of the bubble economy based on construction and the belief that the upward rise in property values would continue forever. We are now left with problems such as collapsed incomes, unemployment, overvalued properties and people struggling to keep their family homes.

I do not want to dwell at any length on the shortcomings of this legislation, which have been referred to by other Members. It is an important and timely debate considering what is happening with the special liquidator at IBRC. It must also be considered in the overall context of mortgage arrears. I welcome the decline for the first time in the number of home mortgages in arrears of more than 90 days since the Central Bank commenced publishing this data. It is an indicator of a small improvement but we need much more movement in that direction. I also welcome the increase in the number of mortgage restructures, which shows engagement with lenders.

When the special liquidator appeared before the Oireachtas finance committee recently, I was struck by the fact that of the 13,000-plus mortgage holders in IBRC, 900 had not engaged

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in any way with the special liquidator or the bank previously in respect of their arrears. Every Member knows this is the ultimate recipe for disaster. We must examine ways of enabling financial institutions, regulated or unregulated, to find ways of getting intermediaries to engage with people in arrears. I see people coming into my constituency office with mountains of paper, who are wholly ill-equipped to deal with the problem. One can see the ferocious pressure they are under. I have had people in my office whose physical welfare has concerned me. We need to find a way to reach out in a non-adversarial manner to those intimidated by the process, no matter how much it has been improved. It must be remembered there is a cohort of people who will always be intimidated by any correspondence that falls through the letter-box, whether due to illiteracy or personal inability.

If I were one of the 13,000 mortgage holders in question, I would be very fearful. The ones I would fear for most are those who are in positive equity but are having difficulties with arrears. That is the obvious kill for vulture capitalists. There are some existing protections under law through the Land and Conveyancing Law Reform Act 2013. Current court practice shows that where people engage in a meaningful way, a reasonable amount of protection will be afforded to them.

Deputy Twomey stole my line on Eircom, as I did not think anyone would see the interesting analogy between it and the sale of these loans. Eircom is but a shadow of its former self in service delivery in rural areas, as Deputy Dooley opposite knows. It has been parcelled up and sold off again and again. Everyone has taken their pound of flesh out of it, leaving a service that is a shadow of what it used to be. It is not an admirable legacy for the company's staff, who were very committed to it, and a public dependent on it. Everyone wants to play on Patrick Street or O'Connell Street. Down in west Cork or west Clare, however, there are few telecommunications companies that want to compete with Eircom.

Vulture capitalists do not change their spots. They are in it for what they can get out of it. We would be far more reassured of the Government's bona fides on the sale of these mortgages if we had seen the colour of its money. In other words, it is not that we want the taxpayer to bail out these mortgage holders, as the taxpayer has been hit for enough with bank guarantees and so forth. We would have liked to see heads of a Bill sent to the finance committee as a strong approach, as opposed to what might be seen as a deft kick to touch by the Government of an awkward issue, although I hope I am proved wrong about that. Those 13,000 mortgage holders deserve better.

I take voluntary codes of conduct with a grain of salt.

8 o'clock

I fear, as happened with Eircom, that when this loan book is wrapped up and packaged on - while the bona fides of the first purchaser with whom the liquidator deals may be reasonable - we will have no reach in this House or elsewhere regarding the next step in the chain of events if the purchaser is not subject to a legally binding framework. I remain to be reassured by the Government and I would be if I had seen some evidence of the colour of its money in respect of the heads of a Bill being sent to the finance committee for further deliberation.

Deputy Eamonn Maloney: The collapse of the banking system and the economy in 2008 has had multiple effects and, as legislators, we have been dealing with various issues that have been thrown up. The sale of the IBRC loan book is the latest issue as the bank's mortgage

holders find themselves in a precarious position as the loan book is about to be sold off. It is a matter of great concern, although thanks to the focus on both sides of the House we are agreed in principle that the issue must be addressed in such a way that those who have loans with IBRC are protected. That is good and it is the right thing to do. All of us who have had telephone calls or mail from them will be aware that they find themselves in a nervous and concerning predicament but it is up to us to step up and reassure them and to reach a conclusion that gives them protection.

As previous speakers said, the Central Bank's code of conduct on mortgage arrears is a strong document and these people are seeking protection under it. I was assured by the Minister of State's contribution last night on two fronts. It was made clear at last week's meeting of the Joint Committee on Finance, Public Expenditure and Reform that if a voluntary code cannot be adhered to, the issue will be dealt with the only other way it can be. I was also reassured by the Minister of State's comment that the loss of the family home would be a last resort. There may be exceptions but most Members do not want families to lose their homes and be evicted. Some may hope that happens for short-term political gain but the debate has proven that most of us are concerned that they do not.

References have been made to foreign vulture capitalists in a number of contributions. I was brought up to believe - I still believe - that there is little difference between foreign vulture capitalists and some of those whom we have bred, although I will not refer to ongoing proceedings. The Technical Group ratcheted up the rhetoric earlier about what these foreigners would do. I do not distinguish between vulture capitalists, irrespective of where they are born and I am a little concerned about some of our own.

I am glad we can agree on the principle of the legislation because this addresses a very human issue. It is a position in which none of us or our families would want to be. As legislators, we have to reflect on the emotional damage this is doing to people and get on with doing what is right for them. That is the bottom line and the Minister of State assured us in this regard last night. At the end of the day, all of us would be happy, assuming the sale of the loan book proceeds, with a resolution that meant all the IBRC mortgage holders were protected in full under Irish law.

Deputy Timmy Dooley: I wish to share time with Deputy Calleary.

I welcome the opportunity to contribute to the debate. I thank my colleague, Deputy Michael McGrath, for the efforts he has made to frame legislation that deals with this important issue. It speaks volumes about the approach of my party in opposition. For too long, Opposition parties were critical of everything the Government did and they were relatively shy, quite and hamstrung when it came to offering solutions. This issue is a perfect example of a gap in the Government parties' thinking, notwithstanding the platitudes with which they have lauded themselves in resolving various crises, some within and some outside their grasp. Unfortunately, this issue was within their gift to deal with and they failed to do so.

I commend the approach of my party's finance team and, in particular, our spokesperson, Deputy McGrath, to frame legislation that deals with a potential crisis. It has the potential to be a serious crisis for many reasons, but, principally because home ownership in Ireland is among the highest in the OECD. It was the highest at one stage but recent trends, including the lack of availability of mortgages, have changed the statistics. Notwithstanding that, there is a huge cultural attachment in this country to home ownership. Some of this is historic. In other countries

that were more industrialised, people had a more secure form of income by way of pensions, etc. and they could plan to rent for the rest of their days without concern. The Irish mentality is much different because it is based on being able to earn an income while one can work and surviving for the rest of one's days in retirement with little or no income. That has been the case for many people and, therefore, the ownership of a home with the mortgage cleared before retirement formed a central plank in their planning.

I am disappointed by Members who criticised Deputy McGrath and said he was playing politics. Deputy Twomey stated that he is an accountant and he should know better. However, Deputy Twomey is a doctor and he should be well aware of the mental strain that many people are experiencing in the current climate regardless of the apportionment of responsibility for how they got there. In many cases, they have a crisis on their hands and they need to see the Government, or at least the Parliament, responding in a way that gives them some security. I thank Deputies Creed, Mulherin and others who genuinely recognise the potential benefit of the legislation for a number of reasons.

It is fine for potential buyers of the loan book to assert that they will sign up to a code of conduct but that is voluntary. They can change their minds about that next week or the week after, next month or the month after and the State will have no capacity to force them to live up to their voluntary acceptance of the code. This is hugely important because many of the venture capital funds involved in this process, as Deputy Creed and others indicated, clearly have a relatively short-term interest in what they see as a product. They will buy the loan book, strip the assets out and sell the better quality loans at a higher price and the lower quality loans at a lesser price. Nobody knows where these mortgages could end up within a relatively short period. One has only to trace back to what happened in the US with the collapse of Fannie Mae and Freddie Mac. Some would argue that this is where the whole world crisis developed from. It was about house mortgages and people who, under a certain code at the time, were able to gain access to mortgages even without having the basic capacity to repay them. The products were packaged and repackaged and sold around the world. They sat on the balance sheets of financial institutions that did not know what reserves sat behind the loans that had been extended. That is the concern here. While the initial bidders may, with the best possible intentions, sign up to a code of conduct, albeit voluntarily, there is no way that can be passed on to the next unbundling and rebundling that will happen with these mortgages. That is why a couple of the speakers have been rightly concerned at the Government's approach.

The Government has promised legislation in 2015 to deal with the sale of mortgages to unregulated entities. That is too late and some of the Minister's colleagues have identified that. It is too late because at best one might be able somewhat retrospectively to force the people who have already indicated they will sign up in a voluntary capacity to the code of conduct. However, any unbundling or further manipulation of the asset will be well outside the scope of any future legislation. That is why I thought it would have been a far more sensible solution to take the legislation Deputy Michael McGrath has prepared and, if the Minister wishes, strengthen it.

A number of speakers have said this legislation does not cover every eventuality. With the best will in the world, even where Government Departments are behind the scripting and publication of legislation, it is regularly necessary to amend it through Committee Stage and Report Stage. I hoped the Government would find it within its grasp to take this Bill as the principal foundation on which to deal with this crisis and let the parliamentary draftspeople study it and see where it is deficient. Deputy Michael McGrath would not be overly upset or concerned if the Government brought forward a series of amendments that would strengthen or tighten the

provisions of the legislation. This needs to happen and the support is there on the Government benches.

The Government's refusal to enact legislation in the short term to protect the IBRC mortgage holders whose mortgages are being sold leaves the mortgage holders extremely vulnerable and having to rely on the kindness of strangers. That is a very dangerous precedent to set. A number of speakers sought to look back and try to ascertain why we are in this crisis. One speaker traced the root of the problem back to when Mr. Ajai Chopra had to come here. That may be the case, but this legislation seeks to create a level of equity for all mortgage holders. The people who in the first instance took a mortgage with the Irish Nationwide Building Society did so in the full knowledge that it was regulated by the Central Bank, like AIB and Bank of Ireland. As a result of the Government's decision to liquidate IBRC we find ourselves in a situation where those people who started out equivalent to their neighbours who happened to have mortgages with Bank of Ireland or AIB find themselves in a potentially perilous state, depending on the goodwill and kindness of strangers. That should be within the grip and capacity of the Irish Government to regulate. We are assisting in providing it with the capacity to do that.

We welcome the fact the Government supports the Bill here on Second Stage, however it is deeply disappointing that the Government will not legislate on the issue until 2015, which is too late for the 13,000 IBRC mortgage holders and, possibly, thousands of others whose banks may decide to sell their loan books. I welcome the fact that in the past two days both Bank of Ireland and AIB have posted much more favourable results. While both have posted losses for the current cycle, they are considerably reduced and the banks seem to be dealing with the crisis that has enveloped them. Notwithstanding that, asset disposal and reduction is an integral part of their plan for the future and becoming leaner and fitter for purpose. That may see the disposal of mortgages into an unregulated environment.

We need the legislation and I hope the Government, having taken the views of some of their backbenchers on board will bring forward amendments to the legislation, which remains on the Order Paper and provides the appropriate vehicle to deal with the issue. The Minister should clarify if it is the Government's intention to provide time for a Committee Stage debate on the subject before the summer recess or if we will have to wait for it to publish its own Bill to address this serious issue. It is all very well to say it is not opposing an Opposition Bill but if it does not allow this to proceed it has the same effect as voting it down. It is very clear that many of the Minister's colleagues on the backbenches want legislation to be enacted. We are not playing politics. If the Government decides to bring forward a Bill within the next week or two we will stand back, let the Government's Bill proceed, support it and work with the Government to try to ensure it meets the concerns of all.

The Minister of State, Deputy O'Dowd, in his speech last night gave considerable detail on the consideration that must be taken into account when legislating to protect borrowers. The Government's representative who closes the debate tonight may be able to clarify a point as to whether the 5,000 mortgage holders at Bank of Scotland and GE Capital as well as the 12,000 IBRC mortgage holders whose loans are being sold will benefit from any future legislation or will be left in limbo. This is a complex issue but this is the same Government that had no problem passing emergency legislation overnight to appoint a liquidator to a bank with assets worth €12 billion. We know the negative impact of the appointment of that liquidator in the way it happened. It has put local authorities which retained bonds on behalf of developers in a very serious situation. The council with which I am most familiar has approximately €8 million worth of bonds that are now useless and it will not be able to draw down the kind of moneys

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necessary to bring some of the uncompleted housing estates up to the standard one would expect, particularly for those homeowners who are left having to pay the property tax.

It was politically motivated at the time to get rid of the legacy Anglo Irish Bank was creating and which was causing a problem for the Government. It has created some unintended consequences which have a negative effect on so many. We all know this is a complex issue but, as I said, this is the same Government that had no problem passing that legislation overnight to appoint that liquidator. Fianna Fáil does not believe it is beyond the capacity of the Legislature to deal with the plight mortgage holders face. The sad truth is that the political will is not there on the part of the Government to deal with this. It seems to be taking a rather lethargic approach in seeking to get the maximum return for the assets of IBRC to help shore up the notion that the Government took the right decision to liquidate at the time while ignoring the plight of private citizens and individuals who will be impacted so negatively.

In deciding not to address this issue before the sale of the mortgage book by the special liquidators, the Government has completely abandoned the IBRC mortgage holders. Once the sale of the mortgage book is finalised in the coming weeks, the mortgage holders will stand alone against a multi-billion dollar US fund which is answerable to nobody. From what the special liquidator told us last week we know there will not even be an agreement written down. Borrowers will be left with little more than a gentlemen's understanding which will have no legal standing in the event of a dispute, not having any means of enforcement. While I do not suggest for one minute that any of the people involved in these venture funds are anything other than gentlemen, they are driven by greed and profit. I would be greatly concerned at the capacity for these agreements to be enforced voluntarily in the event the products are packaged and sold on to new owners. We have only to see the approach of the people who came in and bought Bank of Ireland shares at rock bottom level - the Wilbur Ross group - to see it is now selling those shares because there is a profit to be made. The nature of the activity of these companies is to turn over the asset and sell them on relatively quickly. I am deeply concerned and hope the Minister will be able to give some solace to these mortgage holders and to mortgage holders in other financial institutions who expect their loans will be sold on at a future date. I hope the Minister is prepared to bring forward legislation quickly, or if not that he will assure us the provision will be applicable retrospectively.

Deputy Dara Calleary: I thank Deputy Michael McGrath for bringing forward this Bill, which gives us a chance to provide protection and to have a debate not just on the IBRC mortgage holders, but on the issue of mortgage arrears generally. The debate is timely given the latest publication from the Central Bank.

Like all my colleagues, I would prefer if we had a timescale for Committee and Report Stages of this Bill and for its implementation. The Government has a habit of accepting Second Stage Bills, but then they go to the great cupboard in the Cabinet sky where they await Committee Stage. This issue is urgent because we have the proposed sale of the IBRC book on 14 March. It is clear from the comments of the special liquidator last week that there is currently no legal protection for mortgage holders. It is clear also that the proposal of some sort of informal guarantee from those who may buy the loan book has no legal standing. It is clear too that those seeking the protection of this legislation are currently not protected and will not be unless the legislation is passed.

We do not claim this legislation is perfect. We do not have the resources the Government draftsmen would have. Given the urgency and need for protection, I would like an indication

of publication of Government legislation. In a week where we have had no legislation in the House and when, I understand, no legislation is planned for next week - we will have another week of statements on how good the Government believes it is and on Teanga na Gaeilge for Seachtain na Gaeilge - there is no pressure on the legislative system. Therefore, the Government could, if it wished, pursue this legislation next week ahead of the final sale so as to provide protection. Whatever happens, what Deputy McGrath has done in introducing this Bill is beneficial and we should now be given a timescale for when the Government will see through this legislation.

There are many issues in regard to mortgage arrears. Today's publication from the Central Bank provides some good headlines in regard to mortgage accounts arrears falling for the second quarter. However, when we dig into the detail on that, the situation is not quite as rosy as it seems. Considerable challenges remain and we still had 136,564 - 17.9% - mortgage accounts in arrears at the end of quarter 3 of 2013. More importantly, the number of accounts in arrears for more than 720 days has increased by 1,755. This presents a long-term problem. David Hall, who has given so much time, effort and energy to this issue in recent years, stated in today's *Irish Examiner* that the mortgage arrears crisis is coming to a head. For people who are more than two years in arrears - some 33,500 mortgage accounts, including the extra 1,755 - this is coming to a head. Many of the mortgages in this group are on principal private homes. We cannot support a situation where there is ongoing acceptance of arrears that go over two years. To provide protection to these people and to give them some sort of guarantee about their homes, the Government must act. It must work with the Central Bank on the issue.

Deputy Dooley referred briefly to the pressure on these people. We all know people with mortgage arrears on their principal private residence, as they have come to our offices and clinics. We are aware of the pressure they are under to try to reach an accommodation and that they have few options if they decide to sell their houses. If they decide to go the route proposed by the Central Bank and sell their houses, they face particularly high council waiting lists. Also, the restrictions on rent supplement and allowances that have been introduced in the past few years have excluded many from those provisions. The latest restrictions involve people having to negotiate with their landlords to reduce their rents. This is happening at a time when in Dublin and other big population centres landlords are leaving rent levels to the market and people are being thrown out of their houses. The lack of new capital investment in social housing and in the voluntary housing organisations also exacerbates the situation. We need to focus on a resolution of the housing crisis generally. The mortgage arrears issue, the lack of social housing and the lack of opportunity for people who are looking to get on the housing ladder must all be taken into account.

The Central Bank seems to present slightly conflicting views in its surveys and results. On the one hand, it welcomes the fact the number of mortgage accounts for principal dwellings in arrears has fallen, but it acknowledges that many of those have gone into a resolution process. It goes on to say that of the total stock of restructured accounts at the end of December, some 54% were not in arrears. This suggests that 46% were in arrears and there is still an issue there. Some of these may refer to accounts that were in arrears prior to restructuring, where the arrears balance has not been eliminated and others to accounts that are still in arrears on a current restructuring arrangement. If the restructuring has not worked out, where does one go then? We cannot restructure a restructured account.

If we are to be honest about the state of our banks as the economy begins to grow again, we need to address this issue. It must not be given the kind of arms length treatment it is be-

ing given currently by the Government and the Central Bank. Such treatment is evident in the way this Bill had to be introduced to focus on this issue. We were being told everything would be fine and would be all right on the night and that whoever bought the loan book from IBRC would give guarantees. However, in an exchange at the Oireachtas Joint Committee on Finance, Public Expenditure and Reform, Deputy McGrath found out from Kieran Wallace, the special liquidator, that these guarantees do not have any legal standing.

Deputy McGrath asked what status the guarantees had and whether Mr. Wallace could advise where it would be written into the sale process. Mr. Wallace responded that it was just a voluntary agreement and would not be written into a particular agreement. Deputy McGrath went on to ask whether it would be written down anywhere, and Mr. Wallace answered "No". When Deputy McGrath suggested it had zero legal standing, Mr. Wallace said that was correct.

This is not fair and is not good enough for those who, through no fault of their own, find their homes and lives are tied up in this process - in particular the 13,000 mortgage holders who had mortgages with Irish Nationwide, tied up with Anglo, who are being thrown into this mix. They entered into mortgages in good faith and made the same commitments the rest of us made with our mortgage holders. They are entitled to the same protection, but they have no protection at the moment. Perhaps the Minister will clarify in his response what is planned for these mortgage holders post 14 March.

These 13,000 people look at what is happening in the commercial sector and the work NAMA is doing in selling off the old Anglo loan book in that sector. There, they see that the State, through various banking organisations, is assisting some people to buy assets from NAMA, yet they are left without any protection at all. They see this inconsistency and ask what they have done to deserve this. Many other mortgage holders are also watching what is happening and wondering what protection is available to them legally once their mortgage arrears have gone beyond two years. They want to know what protection is available to them and whether the Central Bank is interested in getting a resolution that is fair to them.

We still have protests at auctions when family homes and principal private dwellings are being sold off because people are unprotected. That is wrong in a country in which people have a strong relationship with their homes. That relationship is very unusual in the European context and difficult to explain to people outside the country, but it is real. People like to own their home and we have to get behind this.

Many in difficulty with their mortgage seek advice from organisations such as the Money Advice and Budgeting Service, MABS, which is struggling because of the pressure exerted by the financial disaster that has befallen many. We could get more resources for MABS to employ people to deal with its case load. In that way, some of the 13,000 who are on the books of Anglo Irish Bank or the restructured banks would have a forum in which professionals would not fleece them for advice and use their crisis to line their own pockets. MABS gives an honest service and assistance, but waiting lists around the country are so extensive that many will not use it. That is the first practical step to get people affected by this legislation back on the road.

When and if the Oireachtas Joint Committee on Finance, Public Expenditure and Reform holds the banking inquiry, it should consider protection for mortgage holders in the future. It should ensure that when the restructuring of the banking sector is complete and the banks are back in business, the situations that arose in the so-called boom will not occur again such as bidding wars between banks to get people in by offering 100% mortgages and another loan to

cover stamp duty fees or clean out the house. That is what brought many people to the situation we are discussing. The role of the financial regulator during that time and what it did to try to stop the race to the bottom should be examined too. I hope the inquiry will have the opportunity and resources to consider how banks began to sell unsuitable products to many clients.

We have until 14 March. The Government intended to bring forward this legislation in 2015. It would be good if a legislative path were laid out for when the Minister intends to take the legislation on Committee and Report Stages and when the protection will be offered to the 13,000 people mentioned. Many speakers have suggested extra protections and this is the time to include them. Deputy Michael McGrath is not precious. If we can make improvements, let us make them, but let us aim to do it this side of the recess and not let it drag through the summer waiting on the voluntary code. There is no suggestion organisations that buy loan books to make a profit have a good nature. They are out to make a profit and serve a shareholder - there is nothing wrong with this, contrary to what some on this side of the House think - but our duty, as legislators, is to protect the legal interests of homeowners tied to this loan book and we have an opportunity to do so. I hope the Minister will outline some framework for legislation.

Minister for Finance (Deputy Michael Noonan): I thank all Deputies for their contributions to what has been a constructive debate. I am fully aware of the concern among mortgage account holders that they could lose the protection of the Central Bank's code of conduct on mortgage arrears. The Sale of Loan Books to Unregulated Third Parties Bill which is listed in the Government legislative programme was always intended to address concerns surrounding the continued applicability of the code after the sale of loan books to unregulated entities. My officials have examined the complexities of this issue with their colleagues in the Central Bank and the Attorney General's office. This is a complex issue. Therefore, I am not in a position to say when the draft legislation will be ready for submission to the Government. I do not want to bring forward unworkable legislation or legislation that will have unintended consequences for mortgage holders.

The proposed Bill that we have discussed tonight and last night would create an unenforceable obligation on the purchaser in respect of the CCMA and the Central Bank and the Financial Services Ombudsman would lack the power to impose sanctions. Depending on the outcome of the examination of the issue, it may be that we can amend Deputy Michael McGrath's Bill or it may be more appropriate to introduce a new Bill. I will not prejudge the outcome of the detailed examination of the issue, as that would not be helpful to the consumers concerned. I do not accept that legislation must be in place before the IBRC loan books are sold. Following the meeting of the Oireachtas Joint Committee on Finance, Public Expenditure and Reform last week, the remaining bidders for the IBRC loan books have committed to abide by the Central Bank's code of conduct on mortgage arrears on a voluntary basis. This is similar to the commitment given by Apollo which is not regulated. No specific difficulties have been raised about the ongoing operations of Apollo.

As I have stated on numerous occasions, it is better for legislation to cover all mortgage loan books owned by unregulated entities than to interfere with ongoing or other particular sales processes. Even the perceived interference with a sales process opens up the taxpayer to significant financial risk. The Government's approach of legislating on the basis of protecting consumers has the same outcome for the consumer and lower risk to the taxpayer.

I wish to address some of the concerns raised by Deputies in last night's debate about mortgage holders not being able to bid for loans and clarify the matter. The special liquidator has

said no IBRC borrowers are being provided with an exclusive opportunity to buy back their loans at a discount. All loan sales processes have been undertaken as competitive bidding processes where any qualifying bidder may make a bid for the loans. Anyone buying back loans did so after such a competitive process where the full details of the loans were available to all potential buyers. Such a process raises considerable data protection issues in respect of individual mortgage customers.

I fully understand the frustration of some customers owing to not being in a position to bid for their loans. The special liquidators, however, must decide what process is most likely to achieve best value on an aggregate basis. To this end, the special liquidators have received independent professional advice that states the maximum value will be obtained for the residential mortgage books by selling them as portfolios of loans. I also understand mortgage holders may be concerned that their variable interest rate will be affected by the sale of a loan book to an unregulated entity. The terms and conditions of a mortgage continue to apply on the sale of the mortgage and the lender must have discretion with regard to the interest rate charged in line with these terms and conditions. As Minister for Finance, I do not regulate interest rates and this situation applies to both regulated entities such as the banks and unregulated entities.

The Government is committed to bringing forward legislation to protect mortgage holders and I look forward to working with Deputy Michael McGrath and the other members of the Oireachtas Joint Committee on Finance, Public Expenditure and Reform to achieve the best solution for consumers. I feel obliged to caution that it is not helpful to generate unwarranted fears among persons who hold mortgages which may or may not be sold, either with IBRC or other banks. That serves no purpose.

Deputy Brendan Smith: This Bill is an example of a party in opposition contributing positively to political debate by putting forward positive, sensible and viable proposals. Most importantly, it proposes to deal urgently with a major potential problem and avoid putting many hard-pressed families and individuals across the country in a more vulnerable position in dealing with mortgage forbearance and resolution issues. They also face possible increases on the interest rates they pay when their loans are sold. As a responsible society, we need to act speedily and decisively in advance of the sale of the former Irish Nationwide mortgage book. As the law currently stands, customer mortgages can be sold to a third party which is not regulated by the Central Bank. This is far from a niche problem. In the case of IBRC, 10,633 residential mortgage holders could find themselves in this situation. Some 4,175 of these accounts are in arrears and 38% have been restructured. The problem extends beyond the IBRC, however. Residential mortgage holders with Danske Bank, ACC and Bank of Scotland face a similarly uncertain fate because these institutions are in the process of closing their personal banking businesses in Ireland. We regularly receive representations from people with mortgages for these institutions. These mortgages could be sold to unregulated third parties who are not subject to Central Bank supervision. Even AIB and Bank of Ireland could decide to sell a portion of their home loan books.

David Hall and his colleagues in the Irish Mortgage Holders' Organisation have been helpful to individuals and families throughout the country but the Government is maintaining a hands-off approach on the issue. Hoping is not good enough. We cannot wait until the sale has been completed. Asking a purchaser of the loans to voluntarily comply with existing protections is not sufficient. The special liquidators have indicated that an agreement with phase two bidders would result in the purchasers servicing the mortgages in accordance with the Central Bank's code of conduct on mortgage arrears. Resolving this issue is a responsibility for the

Government but unfortunately it has decided to leave it in the hands of the liquidators. Deputy Calleary referred to the recent exchange with the liquidators at the Joint Committee on Finance, Public Expenditure and Reform. When my party colleague, Deputy Michael McGrath, asked one of the liquidators the status these voluntary agreements would have, he replied that it would be a voluntary agreement that would not be on any particular piece of paper. When it was suggested that the agreement would have no legal standing, the liquidator agreed. This is why Deputy Michael McGrath produced this Private Members' Bill and we urge the Minister for Finance to use it as a spur to action.

A number of speakers on the Government benches have described the Bill as flawed. Yesterday the Taoiseach went so far as to call it grossly flawed. How can it be grossly flawed for the Oireachtas to act speedily to protect those who hold mortgages that are being sold by IBRC? It is in the remit of the Oireachtas to amend the legislation if needs be so that it fulfils its purpose. I contend that it is grossly flawed for the Government to wait until 2015 to deal with the sale of unregulated mortgages to unregulated entities. It is grossly flawed for the Government to fail to legislate in advance of the deadline. If Government Deputies sincerely believe there are flaws in the Bill, let us address them on Committee Stage at the earliest opportunity. We could show that our politics and parliamentary process can be operated to the benefit of our citizens. Thirteen thousand families are very concerned about the imminent sale of this loan book and they want to hear from this House that their difficulties will be dealt with speedily and properly.

Deputy Billy Kelleher: I am glad the Minister for Finance is taking an interest in this debate. Deputies on all sides of the House have expressed concern about this issue. Nobody on this side is intentionally trying to scaremonger. We are expressing genuine concerns which are reflected in the fact that the Minister will be introducing legislation to address this issue in 2015. This House passed legislation late at night to establish the special liquidator for the IBRC and there is an onus on us to embrace this Bill. It has been described as flawed by the Minister and the Taoiseach but the principle behind it has been embraced by most Deputies. The purpose of Second Stage is to establish the principles of a Bill so that the details can be finalised on Committee and Report Stages. It will be too late to legislate if we wait until the mortgage loans of 13,000 families are sold to an unregulated entity. The families concerned are already stressed by mortgage arrears and impairments.

We should learn from history. Commitments made without legislative support have tended to ring hollow. The purchasers may agree to the code of conduct but the mortgage book may subsequently be split up and sold on in a short space of time. Every loan book contains good and bad assets. As sure as night follows day, the loan book will be divided so that the impaired assets can be sold on. This has already happened in the subprime market in the United States with Fannie Mae and Freddie Mac, which has had a major impact in a global context. However, we should also consider the individual context. The families concerned deserve the protection of this House. They have been through a lot and we should stand in solidarity with them. The most recent data on mortgage arrears from the Central Bank indicates that while the figures have stabilised, a considerable number of mortgages are two or more years in arrears. These people have no chance or hope. Deputy Creed made a valid point in this regard. We see these people in our clinics week in, week out. They are already vulnerable and lacking hope but now they face the prospect of their mortgages being sold to unregulated entities.

The Minister should accept the principle of this Bill and work with the Parliamentary Counsel and the Attorney General to fine-tune it. That would be the sensible approach in light of the views that have been consistently expressed by speakers on both sides of the House. In general

the tone of the debate has been co-operative in seeking to identify a solution to this problem.

With the best will in the world, venture capital funds want to make a profit. There is nothing wrong with that in the capitalist world in which we live, but we cannot expect them to have in mind the best interest of a mortgage holder in some part of this country who is in considerable distress. Their interest is profit. In doing that, there may be a difficulty with regard to a move to repossess some homes by subsequent purchasers of these loan books, and that is the issue of concern.

If there was no concern at all, the Minister would not even be talking about publishing legislation in 2015 to protect mortgage holders in general. I believe the Minister accepts that is an issue of concern.

The special liquidator was established by the Houses of the Oireachtas on a late night on the Minister's advice - when a Minister for Finance walks into the Parliament and says that this has to be done for the obvious reasons, Members take that on board - but the *quid pro quo* should be where the vast majority of Members in this House expresses a strong view, not only to ensure that families are protected but in solidarity with families who are under significant stress and pressure, that the Members are not willing to sacrifice them and throw them to the wolves. That is something that can be interpreted by the flat refusal to embrace this legislation and move it to Committee and Report Stages and, through the Houses of the Oireachtas, to pass it in time.

Reference has been made to the possibility that the Bill may impact on the special liquidator's ability to realise the full potential of the loans, and that is the obvious reason it should be passed. By saying that, they admit that these purchasers will try to maximise the profits in the loan book and that will potentially mean threats of eviction and repossession, and repossessions. If there was no difficulty, there would be no cost to the State or to the special liquidator in trying to realise the full potential of the loan book if this legislation was in place. The statement of the special liquidator, and the Minister, that the Bill could diminish the special liquidator's ability to maximise the full potential is an indication that such inherent danger lurks there for every family who is on this loan book that may be sold to unregulated entities outside the State.

I am not definite whether the Minister agrees that these loan books will move repeatedly and become further removed from the CCMA. In my view, that will happen. Many of these purchasers will try to shorten their exposure and quickly sell off a certain proportion. Such purchasers normally like to limit their exposure and then over a period of time sell off the various tranches within a loan book. As for the idea that the Minister could come in here, or that the special liquidator could go into the Joint Committee on Finance, Public Expenditure and Reform, and state that there is an agreement in principle, I cannot believe that these funds will abide by that. Even if the original purchasers do, there will not be a perpetual covenant with regard to compliance with the CCMA for those who purchase thereafter, and that is the issue of concern.

If we, as a people, are trying to express solidarity with families who have been hurt by the downturn and the difficulties that the economy is still facing, this would be a powerful signal, not only to those who are on the IRBC loan book under the special liquidator but in general. The CCMA is working reasonably well. Banks are making an effort. Some banks could make more of an effort in trying to deal with the impaired mortgages on their loan books. It would be a welcome powerful signal, from the Government and from us collectively, that we are there to assist in what is a challenging time for families all over this country.

In view of the fact that there are other banking institutions which are winding down their loan books here as well, this issue could arise repeatedly. The other concern I would have, and this is not to scaremonger either, is that AIB, for example, does not have to refer to the Minister for Finance to sell less than €100 million of its loan book and we could easily have a situation, if there was a jolt in the international markets or the bank's viability was threatened again, whereby it might decide to wrap up some of its loan books and sell them off. It is not only in the context of the IRBC. It is also in the context of our own banks whereby they could sell loans in the market to capital funds and mortgage holders could quickly find themselves losing the protection of the CCMA as well once they are so at once remove. That is an issue that has to be addressed.

I urge the Minister to embrace this legislation, bring forward his own views in terms of Bill that he will publish in 2015, expedite the process and ensure that there is a protection on a legislative basis for borrowers on the IRBC loan books that are being sold and for others who may find that they are in a similar position in the time ahead. A stitch in time saves nine. In this case, a piece of legislation in time could save 13,000 borrowers from the stress and concerns under which they are currently living, night after night.

Question put and agreed to.

Protection of Residential Mortgage Account Holders Bill 2014: Referral to Select Committee

An Ceann Comhairle: Since this is a Private Members' Bill, it must, under Standing Order 118, be referred to a select or special committee. Does the Deputy wish to move the motion of referral?

Deputy Billy Kelleher: I move:

That the Bill be referred to the Select Sub-Committee on Finance pursuant to Standing Orders 82A(3)(a) and (6)(a) and 118 of the Standing Orders relative to Public Business.

Question put and agreed to.

The Dáil adjourned at 8.55 p.m. until 9.30 a.m. on Thursday, 6 March 2014.