Ceisteanna - Questions

Priority Questions

Mother and Baby Homes Inquiries

61. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs when he will formally establish the commission of investigation into mother and baby homes and publish the terms of reference for same; if he has secured additional resources for his Department’s budget to fund the work of the proposed commission; and if he will make a statement on the matter. [28269/14]

**Deputy Robert Troy:** I seek an update on the establishment of a commission of investigation into mother and baby homes. On establishing a cross-departmental group to review this matter, the Minister indicated the scoping process would be complete by the end of June, which was yesterday. Has the process concluded and does the Minister have further announcements to make regarding the terms of reference of the independent commission of investigation?

**Minister for Children and Youth Affairs (Deputy Charles Flanagan):** The commission of investigation into concerns relating to mother and baby homes will be statutory and independent and will operate under the Commission of Investigations Act 2004. The process of developing detailed terms of reference for the commission is being supported by a high-level, cross-departmental review committee. The report from the review committee was submitted to Cabinet this morning. The next stage will be for the Government to consider proposed terms of reference as soon as practicable.

I am deeply aware that people are living with the daily reality of these painful experiences. For this reason, establishing an appropriate inquiry which is capable of effectively addressing these important matters in a sensitive and timely manner is my primary concern. It is my intention to bring a resolution before the Houses prior to the summer recess to facilitate the making of an order to formally establish the commission of investigation.

It is my intention to continue to remain in contact with the Deputy and other spokespersons to seek the widest possible consensus on these matters. In this regard, I thank Deputy Troy for his engagement on behalf of the Fianna Fáil Party. I had at least one meeting with the Deputy...
and I invited him today to engage with me further on ongoing developments. I thank the spokespersons of other parties and representatives of the Independent Deputies.

With regard to funding, a key task of the initial scoping exercise is to ensure a realistic approach is taken to investigating these important and sensitive issues. Our approach should have regard to the facts established through recent inquiries into related institutions, and the general experience gained in conducting similar investigations into matters of public importance. The House is only too well aware of previous tribunals and commissions that generated a great deal of expense and, due to their protracted nature, took much longer to arrive at conclusions than those most centrally concerned would have wished.

The additional resources that will be required to facilitate this inquiry will be considered by Government in tandem with decisions necessary to finalise the terms of reference and establish the commission of investigation.

Deputy Robert Troy: As a party, we welcome the establishment of this independent commission. I acknowledge and thank the Minister for briefing and consulting us, as members of the Opposition. I got the Minister’s invitation and will respond to it today.

I ask the number of submissions the Minister got from advocacy groups and the NGO sector. Has the Minister received many submissions from them and has he engaged with and consulted the groups which represent those who suffered in this issue? It is important that this sensitive issue be progressed in a non-partisan manner, and the Minister is doing so thus far.

On the specific question of funding, has the Minister secured or will he be able to secure additional funding to ensure that the investigation into legacy issues will not impact and infringe on vulnerable children of today who need the resources of the Department?

Deputy Charles Flanagan: Again, I express my appreciation to Deputy Troy for the manner in which he has approached this entire issue. I undertake to keep him, on behalf of his party, fully informed of developments.

On the cost issue, there are a number of matters to be considered, not least the direct financial and staffing requirement of the commission of investigation. Once the commission of investigation is established and is setting about its task as agreed by the Houses of the Oireachtas, there will be an element of departmental oversight which will involve staffing and, consequently, expenditure of funds. There is, as Members will be aware, the heightened priority and workload given to my Department in the context of the awareness of the need to progress the importance and urgency of adoption reform. I am conscious of the cost implications. I would be happy to engage with him further on the work to date.

In response to Deputy Troy’s specific question as to the number of submissions received, I have received in excess of 100. I have met many of the advocacy groups, church leaders and other interested parties outside the House.

Deputy Robert Troy: I welcome the fact that the Minister has been meeting these groups. It is important that there is a high level of engagement with these advocacy groups and the groups that are affected.

The Minister will be aware from talking to these groups that they are resolute in the requirement that this independent investigation covers all mother and baby homes. It is important
from the outset, as I stated to the Minister privately when we met, that we get buy-in from the
beginning because this is a critical issue and we want to ensure that it has the support of all par-
ties in the House and of the groups affected.

The Minister might be able to expand further on that, perhaps not today but when we meet
at a later stage, and confirm the types of issues that he will investigate. He mentioned forced
adoption and illegal adoption, but in this area there are also the issues of the maltreatment of
women and babies, the high mortality rates of children, and vaccine testing and medical trials.
They are all issues. In his reply, the Minister might outline the areas and homes that will be
investigated and reconfirm that he will maintain consultation with the affected parties and that
the terms of reference will be established and published before the summer recess.

**Deputy Charles Flanagan:** As I have said before both here and elsewhere, I am anxious
that we can forge an historic all-party consensus on this most sensitive issue. I will undertake
to keep Deputy Troy, his party and others involved in the process, not only in a consultative
role but also in a participative one. I believe that is important and I welcome Deputy Troy’s
acknowledgement of what has taken place to date.

I refer the Deputy to the motion as agreed by this House on 11 June which dealt with mother
and baby homes, the arrangements for the burial of children, and the need to fully and accu-
rately document the history of such homes. I will cite a small example of the scale involved
because the breadth of the issue is huge. In Cork, the adoption section of the Child and Fam-
ily Agency has received a total of 25,000 files from the Sacred Heart Adoption Society. In the
context of the investigation, we will have to go through these documents as we deal with the
sensitive issues involved to ensure that we have at this point in our history a full and detailed
appraisal of what went on over the years. I am hoping to achieve a detailed history going back
to the foundation of the State and up to the 1980s.

I wish to inform Deputy Troy that I intend to meet with him later this week.

**Mother and Baby Homes Inquiries**

62. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if
he will outline the proposed model for the commission of investigation for mother and baby
homes; its terms of reference and scheduled programme of work; and if he will make a state-
ment on the matter. [28268/14]

**Deputy Caoimhghín Ó Caoláin:** I am seeking an update from the Minister for Children
and Youth Affairs on the proposed model for the commission of investigation for mother and
baby homes, and other similar institutions. I wish to know the proposed commission’s status,
including the preparation of its terms of reference and the scheduled programme of work. I am
anxious to establish if the Minister has an idea of the duration of the sitting of the commission
of investigation, and other matters.

**Deputy Charles Flanagan:** I wish to acknowledge Deputy Ó Caoláin’s constructive con-
tribution to this matter on behalf of his party. I also acknowledge his written submission. As I
told Deputy Troy, I intend to proceed with the process of consultation which I have found to be
both informative and engaging.
Deputy Ó Caoláin will be aware that the Government has undertaken to establish a commission of investigation into the concerns that have arisen about mother and baby homes. The decision to establish a commission into these matters received the unanimous endorsement of this House. I have undertaken to report back to the House on the establishment of the commission before 17 July. I have also publicly confirmed that the intended scope of the investigation will go well beyond the home operated by the Sisters of Bon Secours in Tuam, County Galway. These announcements have been widely welcomed.

The commission of investigation will be statutory and independent and will operate under the Commission of Investigations Act 2004. The process of developing detailed terms of reference for the commission is being supported by the work of a high-level cross-departmental review committee. The committee was asked to complete its considerations by 30 June, so as to inform the Government’s deliberations. That deadline was met and I reported to the Cabinet this morning.

I wish to thank the officials on the review committee and the Departments involved for the significant body of work they have undertaken within a short period. I will now consult with my Government colleagues on decisions to be made on foot of the committee’s report and on the earlier endorsement by the House of the proposal to establish a commission of investigation. The appropriate model, including the matters to be investigated and the proposed approach to these matters, is being considered as part of the consideration of the commission’s terms of reference. Public calls to include a range of institutions and concerns related to particular practices are also being considered as part of this work.

Additional information not given on the floor of the House

As well as working closely with my own officials, I wish to acknowledge the constructive contribution of the Deputy and other Opposition spokespersons with whom I have met in recent days. I look forward to continuing engagement across the House with a view to achieving all-party consensus as the necessary arrangements are finalised. I have also met with representatives of a number of key advocacy groups and church leaders, including the Adoption Rights Alliance, First Mothers Group, Bethany Homes Survivors Group, Cúnamh, Adoption Loss and Archbishop Diarmuid Martin. I also hope to meet with Archbishop Jackson at his earliest availability. The submissions made to me during these constructive discussions, together with those received through my Department’s dedicated e-mail facility, will feed into the process. I am confident that this inclusive approach in the essential scoping phase will assist in establishing an inquiry which is capable of effectively addressing these important matters in a sensitive and timely manner.

I assure the House that I am committed to taking the most appropriate approach to establish the truth in respect of these deeply tragic and disturbing events. It is my intention to bring a resolution before both Houses prior to the summer recess to facilitate the making of an order to formally establish the commission. It is my earnest wish that, with the support of both Houses of the Oireachtas, we can conclude these matters and have the commission embark on the investigation of matters of great priority at an early date.

Deputy Caoimhghín Ó Caoláin: Will the Minister ensure that all victims and survivors of these so-called mother and baby homes and other similar institutions will have their experiences fully acknowledged so that real healing, if not closure, can get under way? I emphasise that the process should include all victims and survivors. This is the opportunity and time to
address these issues. I ask him to ensure nobody is left behind. When we review this exercise following a period of time, I will not want to see a situation whereby others are still knocking at the door and hoping their circumstances will be taken on board and acted on. Will the Minister ensure that we leave nobody behind and that the commission of investigation will have terms of reference that provide for a fully inclusive and comprehensive investigation?

Deputy Charles Flanagan: I am anxious to ensure that we establish the truth and the historical context of mother and baby homes. We will do so without losing sight of the responsibility that my Department and this House bear for the children of today. Over the past couple of weeks, as well as holding several constructive engagements with Deputy Ó Caoláín and his party colleague, Deputy McLellan, I have also met representatives of a number of key advocacy groups and church leaders, including Adoption Rights Alliance, First Mothers Group, Bethany Homes Survivors Group, Cúnamh, Adoption Loss and Archbishop Diarmuid Martin. I also hope to meet with Archbishop Jackson at his earliest opportunity. The submissions made to me in the course of these constructive discussions, together with those received through my Department’s dedicated e-mail facility - I have received in excess of 100 written submissions - will feed into the process. I am confident that this inclusive approach in the essential scoping phase will assist in establishing an inquiry which is capable of effectively addressing these important matters in a sensitive and timely manner.

Deputy Caoimhghín Ó Caoláin: Apart from the need to ensure that account is taken of all relevant institutions as part of the investigation, I hope the scope of the investigation will include how these institutions were established and run; the infant, child and adult mortality and morbidity rates; adoption, nursing, fostering and boarding out practices; the vaccine and other clinical or medical trials and medical experimentation; forced labour and incarceration of unmarried girls and women; general conditions in the institutions; burial practices and locations; and cross-Border and international movements of pregnant women and babies. This movement applied not only in regard to adoption practices with the United States, but also in respect of movement or trafficking on the island of Ireland that must also feature in the remit of the commission of investigation. I urge the Minister to seize the opportunity. I believe he intends to do so and, if he does, he will have the full support of this House.

Deputy Charles Flanagan: I refer the Deputy to the resolution already agreed by this House regarding mother and baby homes, the arrangements for the burial of children, the need to document fully and accurately the history of these homes and other issues that have arisen, a number of which have appropriately been mentioned by the Deputy. I refer specifically to infant mortality rates, irregular adoptions both within this jurisdiction and beyond our shores, the issue of clinical trials, the North-South dimension and the matter of anatomical research. I am committed to taking the most appropriate approach to establish the truth in respect of these deeply tragic and disturbing events. It is my intention to bring a resolution before both Houses prior to 17 July to facilitate the making of an order that will formally establish the commission. It is my earnest wish that the support of Dáil Éireann and Seanad Éireann can lead to a conclusion of these matters with the commission and embark on the investigation of matters of great priority at an early date.
63. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs if he will support a child care service (details supplied) and protect this vital community service from closure; and if he will make a statement on the matter. [28129/14]

**Deputy Finian McGrath:** I raise an issue that is not about the past but rather concerns a group of children in Ireland in 2014. Will the Minister support Darndale Belcamp Integrated Childcare Service Limited, also widely known as the Jigsaw centre, in Darndale, Dublin 17? It is under major pressure and if it does not get extra funding, this excellent service will have to close. It provides child care services for children under four. It has great potential and seeks to ensure children, particularly those at risk, can be helped.

**Deputy Charles Flanagan:** I have provided the House with regular updates on issues regarding the services delivered by Darndale Belcamp Integrated Childcare Service Limited to approximately 260 children across the areas of Darndale, Belcamp and Moatview. I am happy to update the House and Deputy Finian McGrath in particular on the current position. I have been contacted about this by colleagues such as Deputies Bruton, Seán Kenny, Terence Flanagan, Broughan and Ó Riordáin, as well as Deputy Finian McGrath.

It is a matter of record that Darndale Belcamp Integrated Childcare Service Limited has been experiencing cashflow difficulties. The centre incurred expenditure of €2.022 million in 2013 and received funding amounting to €1.96 million, resulting in a deficit of €62,000. Projections by the centre indicate income of approximately €1.8 million is anticipated during 2014. With such a level of financial support available, it should be possible to work constructively to continue services and avoid the closure scenario that has previously been outlined by the centre and Deputy Finian McGrath.

Senior representatives from the Child and Family Agency, Pobal, Dublin city child care committee and representatives from the board and management of Darndale Belcamp Integrated Childcare Service Limited met on 20 May. The objective of this meeting was to ensure all possible solutions to the current difficulties were explored. Representatives from Pobal and Dublin city child care committee subsequently met representatives from the board and management of Darndale Belcamp Integrated Childcare Service Limited on 26 May to continue this process and explore options available to allow the service operate on a sustainable basis within the allocated funding. A number of options were considered and, to assist in this process, Dublin city child care committee engaged the services of an external mediator to undertake an independent detailed analysis of the matter.

**Deputy Finian McGrath:** The Minister indicated all efforts have been made to avoid the closure but I do not accept that. The Minister does not really get what is going on at the centre, which is important. This is a child care centre with 260 young children and 99 jobs. It has been proven, as we know, that early intervention works with many at-risk children. The Minister knows the centre requires approximately €200,000 and an immediate injection of €100,000 or it will have to close. In 2012, the centre had a deficit of €65,000 and in 2013 it was €63,000. In 2014, the deficit is €200,000.

The centre has been magnificent in its fund-raising and in 2013 it brought in €112,000. The people who run this centre mean business. These are genuine people helping 260 children from disadvantaged communities. How come the Government can find €800,000 to refurbish Fine
Gael headquarters? How can the Government refurbish buildings in the Leinster House complex for the banking inquiry at a cost of between €3 million and €5 million, yet it cannot find €200,000 for a child care centre in Darndale?

Ministers talk every day about the way children were treated in the past. I challenge the Minister and the Government to treat the children of the present in a dignified, respectful manner and support this child care centre in Darndale.

**Deputy Charles Flanagan:** I agree with Deputy Finian McGrath that these are genuine people. I have met them. When I stated earlier that an external mediator had been appointed I meant an “external mentor” had been appointed. This mentor will complete the report by mid-July 2014. My objective is the same as Deputy McGrath’s, to ensure the development of a sustainable model of service delivery into the future.

The Child and Family Agency, as one of a number of State funders of the centre, agreed and has made additional pre-payments to the end of August to Darndale Belcamp Integrated Childcare Service Limited. This is in addition to previous pre-payments advanced for May and June. This will be of assistance to the centre and is designed to allow the necessary time and space to examine the issues involved in greater detail.

I agree with Deputy McGrath about the importance of the centre. When he says I do not get it, he is not reflecting the accurate position on the ground, in correspondence and from my deliberation with Deputies involved. I would be happy to continue to engage with Deputy McGrath on this issue because I am anxious that this centre has a viable future having regard to the great work it is doing throughout the north Dublin area.

**Deputy Finian McGrath:** My problem is that we have been talking about this for the past five or six weeks and I have raised it many times before in the Dáil. We are great at tabling motions in this House and talking about inquiries and the past. Here is an opportunity to do something for preschool children in the present.

The centre did a cashflow analysis recently, which it submitted to the Minister last Friday. It is still awaiting a response. The Minister spoke about the external mentor. The centre is under huge pressure to have this assessment made and the up-to-date report finished because it will run out of cash on Sunday, 20 July, three days after the Dáil adjourns for recess. A total of 99 jobs will be lost, 260 children will have no service and a community already riddled with severe economic problems will suffer severe damage. I urge the Minister to act on this important matter over the next couple of days.

**Deputy Charles Flanagan:** The feigned outrage of Deputy McGrath-----

**Deputy Finian McGrath:** Absolutely.

**Deputy Charles Flanagan:** ----is underscored by the fact that he says I received the document last Friday afternoon and I have not replied by Tuesday morning. If he regards that as an undue delay, he is being a little unfair to the process. I welcome-----

**Deputy Finian McGrath:** I got a call from the centre this morning. The Minister should take it seriously.

**Deputy Charles Flanagan:** I welcome the process of engagement that is taking place. I welcome Deputy McGrath’s contribution and I hope that a satisfactory outcome will be arrived
at in order to ensure the continued operation of this centre.

The Deputy should be reasonable. If I get a report on a Friday afternoon I think it is somewhat unreasonable to say that because I have not replied by Tuesday morning, there is an undue delay. We are fully aware of the need to forge a resolution to this issue. I am keeping a close eye on the situation and I hope that with the positive engagement of all concerned, including Deputy McGrath, we can reach a resolution of this issue.

Deputy Finian McGrath: The Minister should support the centre and stop the waffling.

Child Care Services Regulation

64. Deputy Robert Troy asked the Minister for Children and Youth Affairs his views on the fact that a year on from the “Prime Time” investigation into crèches, a new registration process has still not been enacted; that new child care services continue to use the old notification model; and if he will make a statement on the matter. [28270/14]

Deputy Robert Troy: The first anniversary of the “Prime Time” investigation into crèches has been somewhat overshadowed by recent political developments and the mother and baby home issue. None the less it is a matter of grave concern and one that is happening now. It is not an historical issue. Can the Minister please update the House on how he is addressing this issue?

Deputy Charles Flanagan: Significant progress has been made in implementing the national early years quality agenda, which involves a range of actions in key areas aimed at improving the quality of early years services and enhancing the regulatory regime. Additional funding of €4.5 million has been allocated in 2014 for this work. The quality agenda provides an overdue recognition of the importance of promoting quality in early years settings. By contrast, the predominant focus in earlier decades was on the number of places and facilities available. The Child and Family Agency Act 2013, which completed its passage through the House at the end of last year, made a number of amendments to the Child Care Act 1991. Regulations to give effect to the legislative changes are expected to be published later this month.

A new registration system, which will require child care services to register with the early years inspectorate in advance of opening, rather than simply notifying the inspectorate of their existence, will be placed on a statutory basis at that point. This will require the inspectorate to commence the assessment of the quality of a service before it opens. Inspectors will also be able to impose conditions on services. Failure to comply with these conditions could result in a process of de-registration. In the meantime, services are being registered on an administrative basis. All new services receive a pre-registration visit from the early years inspectorate. The drafting of the regulations required a new review of the draft national standards, the 2006 regulations and the associated guidance document, as well as an input from Tusla, which has to introduce new systems for implementing the new regulations. Legal advice has informed the approach taken. I expect all matters to be finalised soon to allow for the making of regulations this month.

Deputy Robert Troy: Very little has changed in the year since the “Prime Time” exposé. There has been very little follow-through on the raft of announcements we have heard. At the time of the exposé, the Minister’s predecessor published an eight-point plan. In the limited
Dáil Éireann

time available to me, I would like to focus on three of the points in question. In his reply, the Minister cited an amendment that has been made to the Child Care Act 1991, a measure that received cross-party support at the end of last year. The lack of a requirement for pre-operational registration was one of the issues that received the most criticism. A full year later, the Minister is unable to say the process of providing for such a requirement has been fully completed. In light of the severity of the criticism that was levelled at this process over 12 months ago, it is not good enough to say we are still awaiting the publication of regulations.

My second point relates to the development of the early years strategy, which was announced over two and a half years ago. The strategy has yet to be completed even though the expert advisory group completed its work last year. I will make some other points in my follow-up. Not enough progress has been made in this regard in the 12 months since the “Prime Time” exposé.

Deputy Charles Flanagan: A significant amount of progress has been made on the quality agenda. Anybody engaged in the service, both service providers and consumers of the service, will testify to improvements over a wide range of areas. I accept what Deputy Troy is saying in so far as the publication of the regulations is concerned. However, the Department is continuing to build on the actions to date and we are anxious at all times to ensure that quality in the early years service is improved. Following the receipt of the legal advice, I expect all matters to be finalised so as to allow the regulations to be made during the course of July. I undertake to keep in contact with the Deputy and inform him of further progress.

Deputy Robert Troy: The Minister is saying that we should consider it progress that the registration process, which commenced more than 12 months ago, is still not complete. Both service users and service providers are anxiously awaiting the publication of the regulations, which the Minister is now saying will happen by the end of this month. An early years strategy was promised more than two and a half years ago but we are still awaiting it. Will the Minister indicate when that strategy will be published? In terms of the recruitment of additional inspectors, the most recent quarterly meeting with the Minister’s predecessor confirmed that there are still areas in this country where no inspector is in place. Can the Minister confirm today that every area now has a fully qualified inspector overseeing preschool settings?

There is a great deal more I could say if time permitted. Certainly, there is a lot more work to be done. I ask that this matter receive the urgent attention it warrants.

Deputy Charles Flanagan: The Deputy will agree that the promotion of higher and more consistent quality right across the early years services requires a sustained effort involving many different actions and activities. I note his point regarding inspectors. Recruitment of inspectors is under way and it is my hope that all regions throughout the country will have a sufficient quota of inspectors as deemed appropriate in the circumstances. I expect progress to be made on the regulations in the course of July and I will keep the Deputy informed in that regard, as requested.

Child Poverty

65. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs if he will actively support the 375,000 children experiencing deprivation in 2014; and if he will make a statement on the matter. [28130/14]
**Deputy Finian McGrath:** Will the Minister indicate the sensible policies he intends to pursue to address the situation of the 375,000 children in this country who are experiencing extreme poverty? It is not acceptable in 2014 that our society should be so unequal and divided. Given the level of wealth and resources in this country, it is unacceptable that we cannot target those resources to help the hundreds of thousands of children living in poverty.

**(Deputy Charles Flanagan):** Support for families who require income support to meet basic needs is provided through the social welfare system, which is the responsibility of my colleague, the Minister for Social Protection. A range of income supports is available to parents, both those who are unemployed and those on low incomes. The Department of Social Protection has lead responsibility for the national action plan for social inclusion.

In regard to issues pertaining to my Department, we are working on a number of initiatives which are relevant in addressing issues related to children experiencing deprivation. For example, my Department is taking the lead in implementing the area-based childhood programme. This programme is being co-funded by Atlantic Philanthropies and will have a total funding allocation of up to €29.7 million. It is being introduced on foot of the programme for Government commitment to adopt an area-based approach to child poverty, drawing on best international practice and existing services to break the cycle of child poverty where it is most deeply entrenched and improve outcomes for children and young people. I acknowledge that Deputy McGrath’s constituency is one containing an unacceptable level of disadvantage.

As provided for in the recently published document, Better Outcomes, Brighter Futures: the National Policy Framework for Children and Young People 2014-2020, the Department of Social Protection, under commitment 4.2 therein, has lead responsibility for a national child-specific social target to lift 70,000 children out of consistent poverty in the coming six-year period, a reduction of at least two thirds on the 2011 level. This target will include reducing the poverty rate for households with children, which is consistently higher when compared with non-child households - 8.8% versus 4.2% - and for children as compared with adults, which is 9.3% versus 6%. It is expected that this commitment will be addressed on a cross-departmental basis.

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

A number of other areas of my Department also contribute to the support of families experiencing poverty. Approximately €260 million is invested annually by the Government specifically to support the provision of early childhood care and education through three child care support programmes. These child care programmes, implemented by my Department, support the provision of childhood care and education for more than 100,000 children each year.

A number of these programmes are targeted at those on lowest incomes. The Child and Family Agency provides a range of services and supports to families experiencing difficulty, for example, the statutory Education Welfare Service has specific responsibility for the agency’s general function to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

The youth services provide targeted support for disadvantaged, marginalised and at risk young people and these services are funded through the special projects for youth scheme, the young people’s facilities and services fund and local drugs task force projects. In addition, national and regional youth work organisations are supported under my Department’s youth
service grant scheme. In 2014, current funding of €49.78 million has been provided to my Department for these schemes.

My Department is actively involved in supporting cross-Government policies and programmes seeking to promote the economic security and opportunity of children and families.

**Deputy Finian McGrath:** I welcome the Minister’s response in regard to some of the proposals he put on the table. I encourage him, as the new Minister for Children and Youth Affairs, to make these priority issues because we must deal with this problem. If we do not intervene early, we will have many other problems in the future. The Minister mentioned Atlantic Philanthropy, Chuck Feeney’s organisation, which is making a contribution to support some of these projects on the ground.

The Minister will accept, when we talk about child poverty, that we can see very clearly that it leads to educational disadvantage and lack of stability, which leads to children dropping out of school and low self-esteem. We need to focus on these issues because if we do not, we will end up with more neglected children and more children at risk getting involved in drugs and ending up in our prison system. We are a great country for talking about children and we held a referendum on children’s rights, but now is an opportunity to do something about them.

**Deputy Charles Flanagan:** In addition to what I said already, approximately €260 million is invested annually by the Government specifically to support the provision of early childhood care and education through three child care support programmes. This benefits in excess of 100,000 children each year. A number of these programmes are targeted at those on lowest incomes. The Child and Family Agency provides a range of services and supports to families experiencing difficulty, for example, the statutory Education Welfare Service has specific responsibility for the agency’s general function to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

The youth services provide targeted support for disadvantaged, marginalised and at-risk young people and these services are funded through the special projects for youth scheme, the young people’s facilities and services fund and local drugs task force projects. In addition, national and regional youth work organisations are supported under my Department’s youth service grant scheme. In this year alone, current funding of €49.78 million has been provided to my Department for these schemes.

I recently visited a centre in the Deputy’s constituency which is partly funded through the ABC programme. I know what he is talking about when he talks of disadvantage. I am anxious to ensure we have improvements to report on an ongoing basis.

**Deputy Finian McGrath:** To go back to the issue of child poverty, which we must prioritise, I heard the Minister state that there is a budget of €260 million for early childhood education. What I would say to him is that I do not know what is going on with the talks in regard to the Darndale centre but all we are looking for is €100,000 immediately and €200,000 in the long term. If there is money available, I urge the Minister to put it into services on the ground because many of these children suffer from poverty. The Minister knows that from his visit to the area.

It is all very well to lash out money left, right and centre, and we hope there will be more, but we must ensure we focus that money on the children who need it most. I have given examples of genuine and credible projects, such as the one in Darndale. We need value for money
and to prioritise those 375,000 children in poverty.

Deputy Charles Flanagan: The Deputy can be assured that I will not lash out money left, right and centre. I will look for value for money, which is what the Government is doing across a range of Departments. We now have a clear plan to guide this economy to better times. Our economy has stabilised. Employment is increasing, international confidence has returned and the economy has returned to growth. Employment has increased by 42,000 in the past 12 months compared with 300,000 lost in the final three years of the previous Fianna Fáil Administration. Much of the focus in alleviating poverty is going to be determined by the number of jobs and the level of employment available in regions and constituencies. I realise there is a particular difficulty in parts of Deputy Finian McGrath’s constituency, but I wish to forge a direct link between the alleviation of poverty and the tackling of child poverty and the creation of jobs. The job creation and job facilitation figures continue to grow. I accept it is not at a pace we would like but it is regarded as steady.

Deputy Finian McGrath: The Minister should not forget the 99 jobs in Darndale.

Other Questions

Mother and Baby Homes Inquiries

66. Deputy Maureen O’Sullivan asked the Minister for Children and Youth Affairs if he will include Magdalen laundries in the Government inquiry into mother and baby homes; and if he will make a statement on the matter. [27896/14]

Deputy Maureen O’Sullivan: My question is to ask the Minister if he will include Magdalen laundries in the Government inquiry into the mother and baby homes.

Deputy Charles Flanagan: The Government has undertaken to establish a commission of investigation into the issues relating to mother and baby homes. While I have confirmed that the intended scope of this investigation will go beyond the home operated by the Sisters of Bon Secours in Tuam, County Galway, the process to develop specific terms of reference is being advanced in collaboration with relevant colleagues across Government. Significant progress is being made in this task which is being supported by a high level, cross-departmental review committee involving representatives of eight Departments, the Office of Public Works and the National Archives.

Following the decision to establish a commission of investigation, there have been calls for the inclusion of a range of other institutions, including the Magdalen laundries and related concerns, and those are being given consideration as part of the process under way. The position as outlined by my colleague, the Minister for Justice and Equality, in response to a recent parliamentary question on the issue may be of interest to Deputy O’Sullivan. The Minister, Deputy Fitzgerald, advised the House that the facts available regarding Magdalen laundries have been set out in detail in the McAleese report which exceeds 1,000 pages. The women concerned have received an apology from the Taoiseach, had the opportunity to relate their stories to both former Senator McAleese and Mr. Justice Quirke, and are entitled to receive a capital sum of up to €100,000 depending on duration of stay as well as life-long pension top-up payments and access to medical services.
The McAleese report examined the links between mother and baby homes and Magdalen laundries. His statistical analysis of the known entry routes into Magdalen laundries for the period 1920 onwards showed that 4% of entries were from mother and baby homes and adoption societies.

Additional information not given on the floor of the House

In the light of the above, the Minister suggested that there was a valid question as to how inclusion of the Magdalen laundries within the terms of reference of another inquiry would be in the interest of or be of benefit to the women in question. I do not wish to prejudge the outcome of the Government’s deliberations on the commission to investigate mother and baby homes. I assure the Deputy that the question she has raised will be reflected upon and considered carefully by Government in the context of setting the terms of reference for the commission of investigation. All of the matters raised publicly and submitted to my Department with regard to the proposed commission’s terms of reference will be given consideration in arriving at an overall scope for the commission which is workable and effective.

Deputy Maureen O’Sullivan: I welcome the Minister’s statement that the inclusion of Magdalen laundries in the terms of reference of the commission of inquiry is under consideration. People who have taken oral testimonies from some of the ladies in the Magdalen laundries did say that babies were born and nursed at the Magdalen laundry in Sean MacDermott Street in Dublin. The biennial reports that were found in the Department of Health archives contained information relating to 26 children in the mother and baby home in Tuam between 1953 and 1958 for whom the whereabouts of parents was listed as a Magdalen laundry. It was stated also that the children were “maintained” in Tuam by both Galway and Mayo county councils. It was still policy in 1933 that unmarried mothers who had given birth a second time would also be transferred to a Magdalen laundry. A quote from the interdepartmental committee report - the McAleese report - shows that it was inadequate.

As the HSE was unable to provide the names and other relevant details ... before the publication date of this Report ... [consequently] it was not possible for the Committee to track these cases in the records of the Religious Congregations ... or to determine what became of the women after their referral to a Magdalen Laundry.

There are gaps in what has happened to date and that is the reason I would urge that the laundries would be included.

Deputy Charles Flanagan: It is not my intention to prejudge the outcome of the Government’s deliberation on the commission to investigate mother and baby homes. I hope the detailed terms of reference could be formulated in the coming weeks. It is my intention that the commission will commence work during the summer and that prior to 17 July, the last Dáil sitting day, the formal terms of reference will be agreed. However, I must advise the Deputy that the McAleese report examined links between mother and baby homes, in particular the institution in Tuam, and Magdalen laundries.

My colleague, the Minister for Justice and Equality, Deputy Frances Fitzgerald, asked a valid question relating to how the inclusion of Magdalen laundries in the terms of reference of another inquiry will interest and benefit the women in question. Deputy Maureen O’Sullivan may be in a position to advise me on such issues but I assure her the question she raised is being considered. Given the scale of the issue and the scope of investigations already under way, I do
not wish to reopen issues that have been dealt with in many respects.

**Deputy Maureen O’Sullivan:** The Irish Human Rights Commission and the Committee Against Torture of the United Nations Office of the High Commissioner for Human Rights have raised the continuing failure to investigate abuse in Magdalen laundries. There are many connections between mother and baby homes, industrial schools and Magdalen laundries. Justice for Magdalenes is an organisation that works with survivors of the Magdalen laundries and it submitted 793 pages of survivor testimony to the McAleese committee. However, none of this appeared in the report because the committee’s terms of reference related to State involvement with the institutions. As the Minister pointed out, the committee did this but unanswered questions remain. We now have an opportunity to collate the evidence and testimonies and get things right in order that there can be real closure.

The investigations will require experts in archival work and historians. Having conducted investigations, some county councils said certain material did not exist but the material was subsequently found by historians. I thank the Minister and hope he gives this serious consideration.

**Deputy Charles Flanagan:** I acknowledge the Deputy’s contribution on this. As I said earlier, there is a wide range of documentation before the interdepartmental committee. I agree that a social historian or archivist should be involved to ensure all documentation is appropriately logged. Issues exist relating to burial arrangements and high mortality rates at mother and baby homes. There are other issues too, such as clinical trials, domestic and international adoptions, the circumstances of mothers and the manner in which homes were run generally. It has already been suggested that an important North-South dimension must be examined.

If the Deputy has further documentation that could be of use to the Department or the commission of investigation, she should forward copies to me. I have already received over 100 written submissions and they will all feed into the process. It is expected that the Government will agree appropriate terms of reference in the coming weeks prior to the Dáil’s recess on 17 July. I want an historic all-party agreement on this issue and I ask Deputy Maureen O’Sullivan, in conjunction with her colleagues on the Independent benches, to make submissions and engage in the process. I am anxious that full and detailed consideration be given to all aspects of this matter.

**Early Childhood Care Education**

67. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs if he will provide a rationale for including only a portion of early years staff as eligible for FETAC level 6 training subsidies through the learner fund as a means of enhancing quality standards; and if he will make a statement on the matter. [28010/14]

**Deputy Robert Troy:** In reply to an earlier question today the Minister cited the need for improvements across the board to enhance quality standards in early childhood care and education. However, the fund announced by his Department is restrictive in nature and leads to an inconsistency in standards in terms of who can apply for funding. Can the Minister explain the rationale behind the decision to launch such a restrictive fund?

**Deputy Charles Flanagan:** International evidence indicates that raising the qualification
levels of staff working with children is key to improving the quality of services. As part of the ongoing progression of the early years quality agenda, it was announced last year that by September 2015 all early years services staff working directly with children in the zero to six years age category would have to have a minimum level 5 qualification on the national qualifications framework in early years care and education, or an equivalent qualification. This requirement will apply to new services from September. Preschool leaders, delivering the free preschool provision to children between the ages of three years and two months to four years and seven months under the early childhood care and education programme, who are currently required to hold a level 5 qualification will have to have a minimum level 6 qualification, or equivalent, by September 2015.

In March this year the launch of a learner fund to assist existing staff working in the child care sector to meet the new requirements was announced. The first and most important objective of the funding is to ensure that all existing staff are in a position to meet the mandatory qualification requirements for their current roles; otherwise it will not be possible for them to continue in these roles after September 2015. This requires that all staff working directly with children in the child care sector hold a minimum level 5 qualification and staff in the role of preschool leader under the early childhood care and education programme hold a level 6 qualification.

The learner fund, which is administered by Pobal with the help of local city and county child care committees, has a total allocation of €3 million for the years 2014 and 2015. This fund has been clearly linked to the introduction of the mandatory qualifications and while other training priorities can be examined at a future date, the priority for now is to use the available funding for staff to achieve the mandatory qualifications if they are to continue in their current roles.

Deputy Robert Troy: If the Minister does not mind, I will refer to a section of the report from the advisory group on the early childhood strategy. The report was commissioned by the Department. It states the training and professional development of staff is a key indicator of quality in all types of services for young children. High-quality services require professional competence at all levels, including those working directly with children, their managers and supervisors, inspectors and those in advisory and leadership roles as well as those who carry out training. Ensuring high professional standards at all levels of service delivery requires that individuals not only have appropriate initial training but also have access to continual professional development throughout their careers.

The fund is highly restrictive in nature. It will lead to further inconsistencies in standards in the early childhood sector. The Minister has confirmed funding for 2014 and 2015. Will he examine expanding the fund to include all levels of qualifications to ensure people working in the sector can avail of the fund and progress and develop qualifications much further than levels 5 and 6? They should be progressing to level 7 or 8 to ensure we have a real quality professional workforce dealing with early childhood.

Deputy Charles Flanagan: I agree with Deputy Troy that the object of the exercise must be to ensure a level of quality. The Deputy speaks of consistency, and there needs to be an element of balance. He is aware a panel of more than 50 training providers has been approved to deliver the training programmes following the completion of the expression of interest process. More than 2, 200 staff have already applied. A difficulty has arisen because some people, who have been working with children for many years, wish to be exempt from the requirements of the new qualifications. As the purpose of upskilling is to boost quality in the best interests of
children, it is only possible to do this in a very limited way.

3 o’clock

While we have a very high degree of quality, capacity and capability, which is what our children deserve, nevertheless some people, who have been working in the system for many years, for some reason or other are not eager to attain or are not in a position to meet the quality standards. That is why there must be a transition period. I am sure Deputy Troy has received representations in this regard, as I have. We need to ensure an element of balance.

Deputy Robert Troy: I agree that we need to ensure an element of balance, but I do not think anybody would appreciate if their children in a national school or a secondary school were being taught by somebody who did not have appropriate qualifications. I do not think for one minute we would accept that. The sector has expanded drastically over the previous decade and we are catching up in certain respects. We need to work with the people who are working in this area to ensure they get the required qualifications so that we have a high quality workforce dealing with children in the early childhood years. Report after report confirms that the earliest years in a child’s life are the most formative years.

An Leas-Cheann Comhairle: I thank the Deputy.

Deputy Robert Troy: If people for whatever reason do not want to come up to the minimum standard, we have to work with them to bring them up to the minimum standard.

An Leas-Cheann Comhairle: I thank the Deputy.

Deputy Robert Troy: If not, then we have to ensure that people working in this area have the necessary qualifications because if they do not have the necessary qualifications-----

An Leas-Cheann Comhairle: We are over time now. I must call the Minister.

Deputy Robert Troy: -----in any other sector of education - in national schools or secondary schools or third level - they will not maintain their job.

Deputy Charles Flanagan: The first and most important objective for me as Minister for Children and Youth Affairs is to ensure that there is a level of competency on a mandatory basis in order that all existing staff are in a position to meet an appropriate level of qualification.

Questions Nos. 68 to 74, inclusive, replied to with Written Answers.

Adoption Legislation

75. Deputy Robert Troy asked the Minister for Children and Youth Affairs the issues he views as the constitutional impediments to bringing forward comprehensive tracing and information legislation in the area of adoption; and if he will make a statement on the matter. [28009/14]

Deputy Robert Troy: We are certainly flying through our questions today, which is somewhat unusual.

This is an issue which has come up repeatedly, certainly since I took over as spokesperson
for my party in the area of children. The information and tracing legislation is critical legislation that has been promised time and time again. What are the impediments to bringing forward this legislation?

**Deputy Charles Flanagan:** The right to privacy has been firmly established as a constitutional right through a series of legal cases beginning in 1974 with McGee v. the Attorney General, which concerned marital privacy, and culminating in the Kennedy v. Ireland case in 1987 where a general constitutional right to privacy was fully recognised. The right to privacy was also recognised in the IO’T v. B case, a Supreme Court case from 1998. The case concerned two people who were the subject of so-called “informal” adoptions. The majority of the court held that a natural child had an implied constitutional right to know the identity of his or her mother, though this had to be balanced against the right of the natural mother to her privacy.

In considering the right to privacy of a birth mother in the context of the adoption (information and tracing) Bill, very many legal and constitutional issues have arisen in the drafting of the legislation. A particular difficulty has arisen in seeking to reconcile an adopted person’s request for information about his or her identity with the right to privacy of his or her birth parent. While I am anxious to improve the legal status for access to adoption records, my proposals to the Government must reflect the constraints on the Legislature in providing such access if they are not to fall foul of constitutional challenge. The Office of the Attorney General has provided comprehensive legal advice to my Department and has assisted in identifying the constitutional parameters within which policy can be advanced. It is on the basis of that legal advice that I have indicated there is a need to take into consideration the constitutional right to privacy of the birth mother.

My Department is continuing to work on the adoption (information and tracing) Bill and I hope to be in a position to seek Government approval to publish the heads of the Bill as soon as possible. Thereafter, there will be consideration by the all-party Oireachtas Joint Committee on Health and Children, which will provide an opportunity to tease out the relevant considerations in detail and to hear the views of interested parties.

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

I would like to confirm my intention to provide access to as much adoption information as is possible, taking account of relevant legal and constitutional considerations.

**Deputy Robert Troy:** I thank the Minister for his comprehensive reply and accept at face value that he wishes to see this issue progress. In the course of our meetings in recent weeks on the whole issue of the mother and baby homes, I have suggested this may be one area in which the State can make good its past failings by bringing forward a system to enable the tens of thousands of people who were adopted through forced adoptions, illegal registrations or whatever and who cannot get access to what is a fundamental basic human right, namely, a right to their identity. Members must somehow manage to bring forward such a system to ensure the right of those people, that is, the right of the child, is not infringed upon as a result of the constitutional right to privacy. The Minister has stated he will bring forward draft heads of the Bill in the near future.

*An Leas-Cheann Comhairle:* Thank you, Deputy.

**Deputy Robert Troy:** With due respect, Members have been listening to that for the last two years and more, albeit not from the Minister himself but from his predecessor. When can
Members finally expect to have before them this draft legislation?

**An Leas-Cheann Comhairle:** Sorry, Deputy, other Members are in the Chamber for questions.

**Deputy Charles Flanagan:** I accept what Deputy Troy has said. However, I again advise him as to the complexity involved and I do not make this point lightly. Earlier, I referred to the Supreme Court case and if Members will indulge me, I must state the advice from the Attorney General indicates that any right to know one’s own identity, such as was found in a legal judgment in the case I mentioned earlier, flows from the legal relationship between birth mother and her child. The advice states that the effect of an adoption order is to sever the parent-child relationship, thus eliminating the basis of the right to know. When Deputy Troy stated that in his view, this was a fundamental and basic right, this is the point at which I am unsure whether the legal position is as absolute as he or perhaps most Members would wish. There may not be a constitutional right on the part of any person adopted under the Adoption Act 2010 - or indeed going back to the 1952 Act - to know the identity of his or her birth mother. As Members are aware, the mother has an effective veto on the disclosure of information.

**An Leas-Cheann Comhairle:** I thank the Minister and will come back to him.

**Deputy Robert Troy:** A situation now exists whereby even when both parties forgo their rights, they cannot get access to the required information. Only six weeks ago, I met a lady who came over to visit her adopted son. Both parties are in regular contact with and visit each other but cannot get access to their records, despite both of them agreeing to forgo their rights and being willing to engage with each other. What interim solution will be introduced to resolve this issue?

Many of the tens of thousands of people to whom I referred are already in contact with their biological mothers but still cannot secure access to their personal information. Nothing brings home this issue more profoundly than the recent revelations and reports concerning mother and baby homes. The State, if it is to acknowledge its past failings, must provide a comprehensive solution to this issue. As a member of the Joint Committee on Health Children, I look forward to the proposed legislation coming before the committee. I ask the Minister to be more specific on the timeframe for the Bill, however, because many people believe the policy being pursued is one of “deny until death”.

**Deputy Charles Flanagan:** On the commission of investigation, whose terms of reference I expect to be approved by the Dáil before we rise for the summer, it is not my intention that it will in any way hamper, curtail or delay the process under way between my Department and the Office of the Attorney General in advancing the heads of the Bill for further discussion.

The Deputy referred to an individual case. While it would not be wise or appropriate of me to comment on individual cases of which I do not have the particulars, I suggest the Deputy’s constituent contact the Adoption Authority of Ireland and avail of the most helpful service it provides for tracing and assisting in this most personal and sensitive matter.

I am engaged in an ongoing series of meetings with the Attorney General and I am most anxious to ensure the Bill is advanced. However, any legislation in this area may provide only for the retrospective identification of information to be given to an adopted person in very limited circumstances and where the birth mother consents. These are the constitutional parameters within which we are required to work.
76. **Deputy Colm Keaveney** asked the Minister for Children and Youth Affairs when he will bring forward adoption information and tracing legislation; and if he will make a statement on the matter. [28013/14]

**Deputy Colm Keaveney:** The object of the question is to establish when the Minister will introduce adoption information and tracing legislation and if he will make a brief statement on the matter.

**Deputy Charles Flanagan:** My Department is continuing work on the adoption (information and tracing) Bill and I hope to be in a position to seek Government approval to publish heads of the Bill as soon as possible. While I am anxious to improve the legal basis for access to adoption records, proposals to government must reflect the constraints on the Legislature in providing such access if it is not to fall foul of constitutional challenge. The Office of the Attorney General has provided comprehensive legal advice to the Department that has assisted in identifying the constitutional parameters within which the heads of the Bill must be drafted. The most difficult circumstances to address within the proposed legislation are those where the consent of other parties, such as natural mothers, does not exist for the release of information.

It is intended to proceed to finalise legislative proposals in order that I may bring a general scheme and heads of a Bill to the Government as soon as possible. At that stage, I intend to refer the matter to the Joint Committee on Health and Children to allow the issues to be carefully teased out and the views of different interested parties on these important and sensitive matters to be fully considered. I urge people to buy into this process and look forward to this important objective being advanced following due consideration.

As I indicated to Deputy Troy, these are complex, difficult and sensitive personal issues, which have legal implications that go to the heart of the Constitution. I accept that the process has been under way for some time and we have not yet reached a position of some certainty. I assure the Deputy of my anxiety to progress this issue in the next few weeks and to report progress when the Dáil resumes in the autumn.

**Deputy Colm Keaveney:** We must consider establishing some form of holding agency to engage in a form of shuttle diplomacy between the adopted child and biological mother in cases where both parties are prepared to forego their rights. In such circumstances, we must ensure we do not inhibit people from availing of an opportunity to undo the difficulties of the past and to ascertain their identity. People seek this information for many important reasons, including on medical grounds. The State must take whatever action is necessary to introduce, within the parameters set by the Constitution, the most contemporary, advanced and human procedure for allowing people to engage with each other without providing offence to the biological mother or child.

**Deputy Charles Flanagan:** I agree with Deputy Keaveney. I also remind Deputies from all sides of the existence in the Adoption Authority of Ireland of a dedicated section that provides assistance, including appropriate information, records, access, advice and guidance. I urge Deputies, through their constituency clinic network or otherwise, to alert constituents and interested parties to the existence of this unit which, as I am aware from personal experience, provides invaluable advice and guidance to interested parties.
1 July 2014

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 Sandra McLellan - the need to make funds available to upgrade the R624, which connects Cobh to the mainland;

(2) Deputy Kieran O’Donnell - the need to extend BreastCheck to women aged from 65 to 69 years;

(3) Deputy Regina Doherty - the loss of a teacher at a school in County Meath;

(4) Deputy Derek Nolan - the financial impact of the long waiting period for the nursing home support scheme;

(5) Deputy Michael Colreavy - the loss of jobs at Aurivo in County Sligo;

(6) Deputy Seán Kyne - the need to immediately commence insulin pump treatment for young persons with diabetes aged over five years in the HSE west region;

(7) Deputy Marcella Corcoran Kennedy - the funding crisis facing the provision of early child care services;

(8) Deputy Michael P. Kitt - the changes needed to attract new business for post offices;

(9) Deputy Gerald Nash - the number and variety of training courses offered by SOLAS in Drogheda;

(10) Deputy Noel Coonan - the need to provide blood tests free of charge to patients under the General Medical Services scheme;

(11) Deputy Thomas P. Broughan - the need to address recent allegations of illegal activity among some companies working under contracts awarded under the schools building programme;

(12) Deputy Willie O’Dea - the need to protect and properly resource the free travel scheme;

(13) Deputy Seán Ó Fearghaíl - the commissioning of a monument to commemorate Irish men and women who served in peacekeeping missions of the United Nations;

(14) Deputy Simon Harris - the new treatments for children with spina bifida; (15) Deputy Noel Harrington - the status of job creation projects in the west Cork region;

(16) Deputy David Stanton - the need to begin construction of a premises for the amalgamation of two primary schools in Carrigtwohill, County Cork;

(17) Deputies Kevin Humphreys, Brendan Ryan, Robert Dowds and Aodhán Ó Riordáin - the need to ensure the maintenance of existing grants and funding to the four Dublin local authorities;

(18) Deputy Mattie McGrath - the evidence from Social Justice Ireland that children represent one quarter of Ireland’s poor, with one in five children living in households with incomes below the poverty line, and the urgent need to clarify the Government’s response to these statistics;
Deputy Jerry Buttimer - the need for clarification on where civil marriages and civil partnerships can be solemnised;

Deputy Eoghan Murphy - the need to move from wood to concrete in the provision of vital utilities infrastructure, such as broadband and electricity, as a safer and more durable alternative;

Deputy Clare Daly - to discuss the report of the Ombudsman for Children on the removal of two Roma children from their families;

Deputy Anthony Lawlor - in light of the renewed Garda recruitment campaign, the need for the Minister to ensure the newly trained gardaí will be distributed fairly and, in particular, that counties with a low Garda presence, for example, County Kildare which has one of the lowest garda to population ratios, will be given priority in terms of allocation;

Deputy Dessie Ellis - to discuss the need to retain a motor tax office in the Ballymun area;

Deputy Robert Troy - the need for the Minister for Children and Youth Affairs to make a statement on the report by the Ombudsman for Children on the removal of two children from their home by the Garda and the action the Government intends to take on foot of the report;

and (25) Deputy Brendan Griffin - the jailing of three al-Jazeera journalists in Egypt.

The issues raised by Deputies Marcella Corcoran Kennedy; Michael P. Ó Càit; Sandra McLellan; and Kevin Humphreys, Brendan Ryan, Robert Dowds and Aodhán Ó Riordáin have been selected for discussion.

Leaders’ Questions

Deputy Micheál Martin: As the Taoiseach is aware, obesity is a major issue affecting children and adults across the western world. It requires a societal response and full range of interventions. I propose to focus on those who are morbidly obese, particular morbidly obese public patients who need urgent intervention in the form of bariatric surgery. Clinicians have stated that morbidly obese people need this type of surgery to save their lives. The Minister for Health, Deputy James Reilly, has rejected calls by Professor Donal O’Shea of St. Vincent’s University Hospital to restore bariatric surgery to the hospital. Only 20 operations have been carried out at the hospital this year and it does not have funding to perform any more life-saving operations. The 200 people on the waiting list for bariatric services at the hospital have been clinically assessed and the course of action designed for them by clinicians is to have this form of life-saving surgery carried out. The Minister has been dismissive of the calls for the restoration of this surgery. The Minister stated that prevention is better than cure. He also stated that in its wisdom, St. Vincent’s decided to perform the 20 operations in the first five months of the year. I do not know whether it occurred to the Minister that this decision by the hospital was made not merely “in its wisdom”. Clinically, it decided it wanted to save lives and perform those 20 operations. It needs to perform more of them.

This is a callous and dismissive response to a serious issue for those patients involved. It is not good enough to say, as the Minister is saying, that it is tough on a patient that he or she is now morbidly obese, he cannot and will not do anything for the patient, and the next operation will be in 2015. The simple question I have to put to the Taoiseach is how many lives have to
be lost before the Government will get the message, intervene and do what is right in terms of the prioritisation of life over death.

**The Taoiseach:** I regret if the language used by the Minister, Deputy Reilly, in referring to the process by which 20 important surgical interventions were carried out, was deemed to be callous or uncaring by Deputy Martin. I would be certainly sorry about that.

I noted this report. Deputy Reilly also stated that one does not have sufficient resources available to do every operation that one might like to do and for that reason, I understand that the clinician involved, who is a skilled person, carried out the 20 operations in the first half of this year. I am not competent to say on what basis they were prioritised or whether those who were on the waiting list are in a more serious condition than those who were operated on or whatever, but I believe, as Deputy Martin does, that prevention is better than cure.

This is an issue that has arisen over the past years. Despite the fact that there is a huge voluntary movement in terms of health initiatives on such important issues as diet, activity and exercise, the Minister made the point that there is not an endless resource for this operation or any other. He also made the point about the extraordinary level of commitment that is required for essential drugs, where, for instance in regard to hepatitis C, there is a 95% curable rate with what will be developed in AbbVie in Sligo. In these cases, while the moneys are not there now to perform all the operations that might be deemed to be necessary by the clinicians, I am sure it is possible for the clinician expertise to be able to ask what can be done for the patient in the meantime pending an operation.

Deputy Martin will be aware that given the circumstances that apply, patients have unfortunately had to wait for a very long time for many different kinds of operations and still do - much too long in many cases. The Deputy refers to this case. Unfortunately, this is an issue that has to be dealt with by these clinicians. Pending a clinician’s assessment of the necessity for an operation, I am sure that advice to otherwise deal with the problem is available. Clinicians know best about the urgency of carrying out an operation, if it is to be a life-saving operation, and I am sure it is on that basis that they prioritise them.

I hope the 20 operations carried out this year have been successful. The Minister made the point that if one takes funding from other priority areas where operations are required, one does not do any favours to those others with different ailments. It is simply a case of not having funding available to be able to do all that one needs or might like to do just now. In the meantime, I would hope that the expertise of the clinicians will be available to those who are deemed to require an operation carried out at some stage.

**Deputy Micheál Martin:** I put it to the Taoiseach that he insults those who are morbidly obese when he states that prevention is better than cure. We are referring here to patients who could be 20 or 24 stone, facing imminent organ failure. One would not say that to a heart patient, nor to a cancer patient. We have developed those services, such as cancer services, where we want immediate intervention based on clinical assessment.

Professor O’Shea made a good point when he stated that because the Minister does not take it seriously enough, obese patients were subject to the last remaining acceptable discrimination. The Minister does not get it that this is a life-saving operation. This is not a lifestyle choice for those concerned right now. It is an urgent surgical intervention that is required to prevent loss of life.
We prioritise in the health service. One always would prioritise in terms of life-saving surgical interventions vis-à-vis non-life-saving surgical interventions.

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

**Deputy Micheál Martin:** The Minister has chosen not to do this on this occasion. There are other areas where he is spending millions of euro-----

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

**Deputy Micheál Martin:** -----in terms of providing medical cards to those who will be healthy and young, but he has taken that choice. There is a small number of patients here. There are 200 on a waiting list right now. The Minister has it within his capacity to address this problem if he stopped insulting patients.

**An Ceann Comhairle:** Would Deputy Martin put his question?

**Deputy Micheál Martin:** The Minister should stop saying to them that it is tough that they are morbidly obese and that prevention is better than cure. That is not good enough.

**Deputy Paul Kehoe:** The Minister did not say that.

**Deputy Micheál Martin:** That is what is being said.

**An Ceann Comhairle:** Deputy Martin should put his question.

**Deputy Micheál Martin:** In reality, that is what is being said.

**Deputy Paul Kehoe:** That is what Deputy Martin is saying.

**Deputy Micheál Martin:** I ask the Taoiseach to engage with the clinicians involved here. Will he meet them? Will he work out with them and the hospital a solution to this which will ensure that the life-saving surgery that is required happens? It can happen, and the Taoiseach knows it. It happened with the discretionary medical cards, even though we had to press for change in that area for two years. The Taoiseach can implement change here too if he intervenes effectively and appropriately.

**The Taoiseach:** I am not sure whether the heat is getting to Deputy Martin but it is wrong for him to stand up here and state that I insulted patients who have a problem because they happen to be morbidly obese.

What are called “bariatric services” are provided in two public hospitals, St. Vincent’s here in Dublin and Galway University Hospital, and that forms part of the HSE’s overall response to this problem. In the case of St. Vincent’s Hospital, where Professor O’Shea operates, this service was originally provided by St. Columcille’s Hospital.

**Deputy Micheál Martin:** I know all that. That is in the note that was just handed to the Taoiseach.

**The Taoiseach:** In the context of the reconfiguration within the hospital group, the service was transferred to St. Vincent’s last year.

Deputy Martin stated the Minister prioritises patients. This is a matter for clinicians and medical expertise. Specific funding was made available to provide continuity of service. Typi-
cally, St. Columcille’s carried out 20 cases per year. We are advised by St. Vincent’s that it pro-
vided in excess of that this year to date. With regard to University College Hospital in Galway, I
understand it treats on average 50 cases per year-----

Deputy Micheál Martin: I told the Taoiseach that last week.

The Taoiseach: ----and it is not anticipating any reduction in service levels this year.

Here is an important point for Deputy Martin. While a definite clinical need exists for those
with chronic obesity, bariatric surgery is required for a minority of obese patients, 2% of the
population. The vast majority require clinical treatment that is both hospital based and com-

munity based, and the HSE will continue the further development of this service, in 2015 and
beyond, within the overall context of this service in the planning process.

Deputy Martin made the point that these are life-saving operations. On that basis, I would
assume that the clinicians, who know best here, would prioritise which of the patients need to
be dealt with most urgently. The Deputy asked me to meet the clinicians and he referred to the
discretionary medical cards issue. In many cases, the persons who are now receiving back their
discretionary medical cards have conditions and challenges that will last all their lives, and they
may live for a long time - we hope that such be the case.

Deputy Michael Healy-Rae: The Minister took those cards off them.

An Ceann Comhairle: We are over time.

The Taoiseach: In these cases, it is a matter for the clinician-----

Deputy Micheál Martin: At the same time, the clinicians are saying it.

The Taoiseach: -----to prioritise, on his or her expertise, who should be treated next.

Deputy Micheál Martin: They have. They cannot see anybody until 2015.

The Taoiseach: I am sure Deputy Martin does not expect the Minister to start taking fund-
ing away from other priority cases, such as cancer or leukaemia-----

Deputy Micheál Martin: I am not saying that.

The Taoiseach: -----that are deemed by clinicians to be urgent as well. I am sure the Dep-
uty is not asking for that.

Deputy Micheál Martin: No.

The Taoiseach: Seventy cases are being dealt with: 50 in Galway and 20 in St. Vincent’s
on a priority basis.

Deputy Micheál Martin: Some 200 are on the waiting list. Patients will die.

The Taoiseach: If the service is community-based and hospital-based, I am sure that the
specialist information and expertise from the clinicians is available to those patients who are
going to need these operations in due course.

Deputy Gerry Adams: The Ombudsman for Children, Ms Emily Logan, will shortly pub-
lish a report detailing her findings and recommendations on the circumstances in which two
children were wrongly taken from their families in Tallaght and Athlone last October. The children - a girl aged seven and a wee boy aged two - were taken from their parents who are members of the Roma community, after it was reported that they might not be the families’ own children. These claims were totally and completely unfounded. There appeared to be no other reason for the children being taken from their families other than that they were fair-haired and members of the Roma community. DNA tests subsequently proved that the children were indeed members of their families.

I am sure the Taoiseach will appreciate that this was a highly traumatic experience for the children and their families. It was also an abuse of process and a direct attack on the constitutional and human rights of the children and their families. In my view, this happened because of a prejudiced and racist opinion of the Roma community. As our society becomes more diverse we need detailed integration strategies for the Roma community in Ireland and for other communities.

The Athlone family still does not know where their child was taken that night. They are suing the State for breach of constitutional rights, false imprisonment, neglect, damages for mental distress and possibly defamation. Will the Taoiseach make it clear that he does not intend to waste taxpayers’ money defending this case? On behalf of the State, will he apologise to these two families?

The Taoiseach: I thank Deputy Adams for his question. The report commissioned by the Ombudsman for Children, Ms Emily Logan, was received by the Minister on 2 April. On the advice of the Attorney General, certain legal matters had to be attended to prior to the publication of the report. These have all now been resolved and the report was brought to the Government this morning. It was approved by the Government for publication. The Minister will do that at 4 p.m. today.

This is a commendable report by the Ombudsman for Children. It points out that there are a number of recommendations that need to be accepted, dealt with and fulfilled. The Minister will deal with this at a press conference at 4 p.m. Copies of the report have been laid before the House and the Minister will publish the report at a press conference with Ms Logan. In advance of the press conference, the Minister is meeting with the families concerned. I understand that the Acting Garda Commissioner is meeting separately with the families.

The State will provide the families with every support to overcome these events. The upset they endured and the stress that was caused over those few days last October and since then should never have occurred in this or any other jurisdiction. My Government colleagues and I are determined that such events will never happen again.

As the Deputy will be aware, the report recommends that an apology should be provided by the Minister for Justice and Equality. The Minister will do that. The report sets out a number of recommendations. The Government has accepted the findings of the report and its recommendations in full. On that basis, an implementation group will be established by the Minister to monitor the situation and see that the recommendations are acted upon.

The Department of Justice and Equality is currently leading a cross-departmental review of Ireland’s migrant integration strategy. The Government is committed to ensuring that the review results in a more effective approach to Roma integration in Ireland, recognising the distinct challenges that the Roma community faces, including language, translation, mentoring
and understanding. All of these things are important.

It is not acceptable that these events should have happened to these families or any other families in this jurisdiction. The Minister will publish the report and the Government has accepted all of its recommendations. An implementation group is being established to implement those recommendations. The Minister is currently meeting with the families, as is the Acting Garda Commissioner. There will be a full press conference with the Minister and the Ombudsman for Children at 4 p.m.

Deputy Gerry Adams: I thank the Taoiseach for his answer. I welcome the meeting between the Minister, the Acting Garda Commissioner and the two families. These incidents took place against a backdrop of scandalous media coverage of the Roma community. The two cases in this jurisdiction are clear examples of racial profiling by the Garda Síochána and the State. Under the Child Care Act, gardaí must have reasonable grounds for believing that there is an immediate and serious risk to the child before taking such action. Yet, as the Taoiseach has acknowledged, no such risk existed in these cases. If it did, why were the children with blonde hair and blue eyes taken away? Why were all the children not taken away if there was a risk to the children in these families?

The speed of intervention in these two cases was in marked contrast to other cases. Just a week before these incidents, the Ombudsman for Children revealed that the HSE failed to intervene over several years after a child made multiple allegations of rape. Another report revealed that 4,100 children assessed by the HSE as needing intervention had to wait for more than three months.

I welcome the Taoiseach’s answer. If we are to be serious about social integration, however, all the proper processes and procedures, such as training and education, need to be put in place for public servants, including An Garda Síochána. As a gesture to those people who have come to our shores and particularly those who have suffered this injustice, the Taoiseach should apologise - as the Minister will - to the families on behalf of the State.

The Taoiseach: Yes. I do not have any problem with that at all. I do apologise to those families, and particularly the children, who had to put up with these events. As I said, the report recommends that the Minister for Justice and Equality should make an apology to the families. The Minister will do so. These kinds of events should not happen to anybody in our jurisdiction. Nobody can afford to stand over that or can stand over it.

It is important to recognise that a good deal of progress has been made over the last period. For instance, all of those people who have come to our shores, have been here for a number of years and want to become Irish citizens are now formally given that opportunity at an official civil ceremony with a member of the Judiciary present. All the proper protocols are put in place so that people from other countries who come here can have Irish citizenship bestowed upon them. I appreciate that very much. In previous years, they had to attend the District or Circuit Court. Between cases of assault or theft being heard, they had to make a case to say they were there to become an Irish citizen. That stressful position has been taken away and people are now given proper accommodation and a ceremony to grant them Irish citizenship.

As regards the cases referred to by the Deputy, a good deal of work must be done by the Garda Síochána, society as a whole and our education system in mentoring and understanding the languages and different cultural backgrounds that these and other people come from. That
is all part of the process. While it is unfortunate that this has happened, the State is amenable to accepting the full report and all its recommendations, as well as issuing an apology. In meeting the parents and having a press conference with the Ombudsman for Children, Ms Logan, the Minister will do that. Ms Logan’s report was completed speedily, efficiently, competently and comprehensively.

**Deputy Gerry Adams:** Will the Taoiseach fight the legal case, if one happens?

**An Ceann Comhairle:** I call Deputy Catherine Murphy.

**The Taoiseach:** I understand one of the solicitors will consider suing the State and that is a matter for them.

**Deputy Catherine Murphy:** Today, representatives of the Commission for Energy Regulation were due to attend the Joint Committee on the Environment, Culture and the Gaeltacht to outline the water charges plan. I have just come from that meeting. The representatives were not able to enlighten the committee because Irish Water did not submit its plan to the commission in time. It was reported in Saturday’s *Irish Independent* that the promised free allowance for children of 38,000 litres per annum is being reviewed by Irish Water, which appears to think it is overly generous. Judging from what its representatives said at the committee meeting, the CER seems to agree with Irish Water. The *Irish Independent* article also reported that usage rates will be critical in determining how much families will pay when the bills arrive next January.

Prior to the local elections, the Taoiseach promised to provide price clarity to voters because he wanted them to be informed when they went to the polling stations. He stated that the average bill for a household would be €240 per year. However, the election was hardly a ringing endorsement for Fine Gael or the Labour Party, and the exit polls identified water charges as a key issue. I do not think that the need to invest in water services and to conserve water is in doubt but Irish Water is a juggernaut that keeps ploughing through the stop signs. The Government gave a commitment to eliminate quangos and that culture but we have an inflated super-quango in the form of Irish Water. The ESRI estimates that each household will pay €65 to cover staffing costs before a drop of water is produced. The overheads are gigantic and it is difficult to see where the investment will be found. The Minister for the Environment, Community and Local Government has indicated that investment will need to double from €300 million to €600 per annum. Households are already struggling to pay utility bills. This is a runaway train but a runaway train can be stopped if there is the political will to do so. Given the response in the local elections and the fact the public have clearly identified this as a key issue, will the Taoiseach listen to what the people have said and halt this runaway train?

**The Taoiseach:** I listened carefully to what the people have said. As Deputy Catherine Murphy is aware from living on the edge of the great conurbation of Dublin, the vast majority of the people are living in a situation where there is no room for any flexibility in terms of water supply. It is costing the taxpayer €1.2 billion to provide water services throughout the country. Some 40% of that water leaks away into the ground. This is not a runaway train. This is a commercial State body with specific terms of reference to borrow money in the markets off the Government balance sheet in order to provide the necessary investment for infrastructure for water, businesses and consumers for the next 50 to 100 years. We have not been able to compete in the way we should because of the lack of investment over many years.
The policy position from Government has been and is very clear, that is, the average household charge to the regulator will be €240 per year, or €60 per quarter. Every child is to be free in terms of water usage. The assessment carried out by Irish Water is one thing. The assessment carried out by the previous Government would give a higher usage rate of water per child. The important issue is that the direction given to the regulator by the Government is clear. The average meter charge is €240 per year and every child under the age of 18 years is to be free. The regulator will set out its assessment of the usage rate per child in the coming period. The direction from Government is very clear. Every child will be free and the average meter charge will be €240 per year.

In the Deputy’s constituency the pressure for high volume pristine water for businesses and consumers alike is very strong. There is no room for messing around with the supply of water. We had this in Ballymore Eustace last year and this city almost came to a standstill, with people having to use water at night only. Given our geographic location, average rainfall per year and reservoir capacity, we should be in a far better position. Over the next decade or 20 years, Irish Water will be in a position to provide investment for infrastructure for consumers, business, industry and all the different sectors of society to bring our standards to the level at which they should be but where they have not been for a long time.

Deputy Catherine Murphy: The Taoiseach keeps repeating the same mantra about the investment required. Mr. John Tierney outlined to us that in the region of €10 billion will be required over the next 20 years. We heard from the Minister, Deputy Hogan, that the level of investment is to increase after 2016 from €300 million to €600 million per annum. That frightens the daylights out of people because they already see what bills they are facing and they know they cannot manage at present. We are told that the investment will save billions of euro for the State. That is because the cost will be transferred to the citizens, who will be turned into customers in the process.

Deputy Pat Rabbitte: Would the Deputy like it to be privatised?

Deputy Catherine Murphy: To add insult to injury, Irish Water hired a public relations firm to brainwash people into acceptance. This reminds me of a book by Noam Chomsky and Edward S. Herman entitled *Manufacturing Consent: The Political Economy of the Mass Media*. The advice given to Irish Water was to start off by describing water as free and then say it costs money, and that by charging for water people will be persuaded to value water and pay their water bills. This is the strategy of manufacturing consent. However, there is a real problem in this regard. Where will the investment be found given that the Government has bled dry the vast majority of the population, who cannot even pay their utility bills and who will struggle to pay the bills issued to them from next January? The amounts that are proposed to be taken from them will barely cover the running costs of Irish Water. Where will the money be found for the additional investment?

The Taoiseach: As the Deputy is aware, Irish Water was established for the purpose of borrowing money to invest in providing proper pipe works and treatment plants and fixing leaks. Almost 20,000 people are on boil water notices every day. Some of these have had to buy or boil water for as long as a decade. We hope that in County Roscommon in 2015 this issue will be eliminated from a number of major schemes. The Environmental Protection Agency has advised that remedial action is required on 16% of supplies that are at risk, most of which are in Dublin city and Cork. One million people live at risk every day because of this situation. There are significant supply constraints in this city, as I pointed out in regard to the difficulties
in Ballymore Eustace last year, and 40% of the water leaks away. Some 36% of water treat-
ment plants failed to meet the EPA’s effluent standards in 2011 and the European Commission
has launched a pilot infringement case against Ireland in regard to 80 treatment plants. The
taxpayer does not have the resources to provide the investment for all of these matters to be
dealt with properly. That is why Irish Water, as a commercial State entity keeping this system
in public ownership, will be able to borrow money on the markets-----

**Deputy Thomas P. Broughan:** And then it will be privatised.

**The Taoiseach:** -----and provide jobs and opportunities for people to invest in the pipe
works and treatment plants that will put our country where it should be from the provision of
water point of view.

**Deputy Thomas P. Broughan:** Privatisation is the agenda.

**The Taoiseach:** We will not be lagging behind when industry, businesses and consumers
want high volumes of pristine water. They cannot have that under the current system.

**Deputy Catherine Murphy:** There is no money for investment.

**The Taoiseach:** This is going to improve, and we ask that the people make a contribution
based on usage. As I stated earlier, a clear direction has been issued to the regulator whereby
the average charge will be €60 per quarter and every child will be free.

**Deputy Róisín Shortall:** It is not enough.

**Deputy Pat Rabbitte:** There are enough crocodile tears over there to supply Intel.

**Deputy Thomas P. Broughan:** They might not be the only tears shed this week.

**Ceisteanna - Questions (Resumed)**

**Cabinet Committee Meetings**

1. **Deputy Gerry Adams** asked the Taoiseach the number of meetings of the Cabinet com-
mittee on economic infrastructure that have been held in the past three months. [8950/14]

2. **Deputy Joe Higgins** asked the Taoiseach the number of times the Cabinet committee on
economic infrastructure has met since the winter recess. [14916/14]

**The Taoiseach:** I propose to take Questions Nos. 1 and 2 together.

As Deputies are aware it is not the practice, for Cabinet confidentiality reasons, to speak
about specific issues discussed at Cabinet committees. The Cabinet committee on economic
infrastructure met on four occasions so far this year, with the last three meetings taking place
in March, April and June.

**Deputy Gerry Adams:** The Taoiseach has just dealt with this issue but I will raise a slightly
different angle. The supply of water is an essential element of economic infrastructure and
there have been many concerns raised recently about the lack of an out-of-hours emergency
service by Uisce Éireann.
An Ceann Comhairle: We are really straying as I understand this would not be discussed at a Cabinet economic infrastructure committee.

The Taoiseach: No.

Deputy Gerry Adams: Why was it not?

An Ceann Comhairle: I do not know and the Deputy is asking questions. I am only telling him what I have heard. The question does not concern water. We must stay within the rules to some degree, please.

Deputy Gerry Adams: Will you explain the rule?

An Ceann Comhairle: A simple question has been asked concerning the number of meetings of the Cabinet committee on economic infrastructure that have been held in the past three months. The Taoiseach has given the answer. The question did not ask about Irish Water.

Deputy Gerry Adams: In those months the issue has emerged.

An Ceann Comhairle: Do not take me for a fool as I am long enough around not to be treated like that.

Deputy Gerry Adams: I am not.

An Ceann Comhairle: Let us stick to the rules of the game to some extent at least.

Deputy Gerry Adams: I wonder about the merits of questions to the Taoiseach as they are currently organised. We deal with issues that are six or seven months old. The leader of Fianna Fáil and others, including myself, have queried how these questions are ordered and I want to raise an issue concerning an essential element of economic infrastructure only to be told it is not in order.

An Ceann Comhairle: Correct. It is not appropriate to put questions to the Taoiseach when another specific question regarding a number of meetings has been asked.

Deputy Gerry Adams: I thank the Ceann Comhairle for his openness in the conduct of this business. I will sit down, having once again been “section 31’d”.

An Ceann Comhairle: The Deputy and his colleagues in Northern Ireland have Question Time, as we do, with questions asked and an answer expected. A habit has grown whereby we deal with four or five questions in the entire hour because we stray into other areas. The result is we never get through the agenda. Do not try to put pressure on me.

Deputy Gerry Adams: We will get through it very quickly like this.

Deputy Pat Rabbitte: Perhaps there is a FÁS course for those opposite on how to write questions.

An Ceann Comhairle: I call Deputy Joe Higgins.

Deputy Gerry Adams: Is that so it could be done on the cheap?

An Ceann Comhairle: I have called Deputy Joe Higgins.
Deputy Sean Sherlock: It would be on the cheap anyway.

Deputy Joe Higgins: I am sure the interjection by the Minister, Deputy Rabbitte, is meant to be helpful but unfortunately it is more difficult than that. We are not allowed to frame a question asking what was discussed at the Cabinet committee on economic infrastructure.

An Ceann Comhairle: Correct.

Deputy Joe Higgins: That is the problem. The Minister, Deputy Rabbitte, would have to deal with constitutional change before we could ask a question along the lines he suggests. That leaves us with a problem. In fairness to the Ceann Comhairle, until now he has seen how limited that formula is and he has allowed latitude to discuss issues arising from the Cabinet committee on economic infrastructure, for example. Will the Taoiseach remind the Dáil of the role of the Cabinet committee on economic infrastructure? Will he tell us, with regard to the meetings covered in his answer, whether there has been movement on infrastructural investment for crucial areas of the economy that are pushing forward? The greatest infrastructural need now is housing and there must be urgency about social housing-----

An Ceann Comhairle: That is a separate question.

Deputy Joe Higgins: What role does the Cabinet committee have in that regard and have there been urgent meetings to deal with the issue?

An Ceann Comhairle: I am afraid that is a separate question.

The Taoiseach: I will try to help the Deputy. The work of the Cabinet committee on economic infrastructure includes implementation of a number of commitments in the programme for Government regarding NewERA and infrastructural investment. That is supported by senior officials, bringing together the key Departments involved. The question about housing is a matter for the committee on social policy, as it deals with social housing, homelessness, boarded-up units, etc. I can provide some information about that in a moment.

An Ceann Comhairle: No.

The Taoiseach: In that case-----

An Ceann Comhairle: I am sorry for interrupting but the question asked concerned the number of meetings held.

The Taoiseach: I have answered that.

An Ceann Comhairle: If somebody asked about the purpose of the economic infrastructure committee, it would be a different issue. This is a simple question concerning the number of meetings held. We are not getting through the agenda because of this.

The Taoiseach: I answered that question.

Deputy Micheál Martin: Given that there has been an underspend in the capital programme every year with regard to the allocations for capital investment in roads, schools and so on, employment could be created if the process was done properly. There are issues regarding youth unemployment, for example, and it has been indicated that it has not been responded to adequately by the Government.
An Ceann Comhairle: We are straying again.

Deputy Micheál Martin: Is the Taoiseach satisfied that there have been enough meetings of this committee on economic infrastructure, given the very poor performance of the Government in the spending for capital projects? The allocation was underspent this year, last year and the year before. Given the Taoiseach’s response so far, the committee is not meeting enough to deal with the issues arising with regard to capital projects that would give badly needed jobs to people in the construction sector and the wider economy.

The Taoiseach: The Deputy mentioned the capital spend but the Minister for Public Expenditure and Reform, Deputy Howlin, is carrying out a comprehensive review of expenditure for all Departments at this time in preparation for the budget later in October. With regard to the Youth Guarantee, the Minister for Social Protection has already met representatives of the OECD on a number of occasions, as well as other groups involved in the issue. Legislation is being prepared as part of general social protection legislation to deal specifically with the Youth Guarantee.

An Ceann Comhairle: Deputies will be able to have a wider debate with the next question.

Deputy Gerry Adams: If everybody agreed, we could set aside Standing Orders for a few moments and usefully discuss our Taoiseach’s questions-----

An Ceann Comhairle: We will not discuss that now. It is a matter for the Whips.

Deputy Gerry Adams: May I ask-----

An Ceann Comhairle: Somebody must put a stop to all of this.

Deputy Gerry Adams: All of what?

4 o’clock

An Ceann Comhairle: It is unfair to people who have other questions that are never reached because we stray off into other areas. My job, which is not very popular, is to say “No, the Deputy cannot”. It is easier for me to sit back and let Deputy Adams ramble on for an hour until it is finished.

Deputy Gerry Adams: I think the Ceann Comhairle would acknowledge that not only do I ask lots of questions and do not stray all over the place-----

An Ceann Comhairle: I am asking the Deputy to move on now to Question No. 3 which is a real question about discussions the Taoiseach has had with church leaders.

Deputy Gerry Adams: A real question?

An Ceann Comhairle: The Deputy has got his answer four times to Questions Nos. 1 and 2. He may not be happy with the answer but he can come back to it the next day.

Deputy Gerry Adams: I am not happy that I was not able to put the supplementary questions.

An Ceann Comhairle: The Deputy put supplementary questions three or four times.
Ministerial Meetings

3. Deputy Gerry Adams asked the Taoiseach the discussions he has had with church leaders. [8951/14]

4. Deputy Joe Higgins asked the Taoiseach if he will report on meetings he has had with church leaders. [14917/14]

The Taoiseach: I propose to take Questions Nos. 3 and 4 together.

Like public representatives generally, I meet church and other religious leaders, for the most part on an informal basis, in the course of attending official or public events. In addition, I meet representatives of religious and other philosophical bodies through a formal structured dialogue process, which provides a channel for consultation and communication between the State and such bodies on matters of mutual concern. These meetings take place at both ministerial and official level and meetings may be sought by either side on the basis of a proposed agenda, agreed in advance of the meeting. The arrangements for such meetings are made by my Department, which provides the administrative support for the process.

I wish to point out, however, that this process does not displace arrangements for the conduct of policy and administration by Departments and agencies in their functional responsibilities. Since taking office, I have attended a plenary meeting with all the partners in the structured dialogue process. Last year, I also met representatives of the Catholic Church and the Church of Ireland and an ecumenical delegation of European churches to discuss the priorities of the Irish Presidency of the Council of the European Union. I have previously outlined for the House in detail the matters discussed at these meetings.

It is my intention to continue to hold meetings with the dialogue partners not only from the Christian churches, but from other faiths and philosophical traditions.

Deputy Gerry Adams: How many times has the Taoiseach met with the church leaders recently?

The Taoiseach: Last year, I met with-----

Deputy Gerry Adams: This year.

The Taoiseach: I have not met with the churches formally this year. Last year, I met with the Catholic Church, the Church of Ireland and a delegation of European churches to deal with their priorities for the Presidency of the European Union.

Deputy Gerry Adams: I thank the Taoiseach. I know that he has a very full schedule and that the churches are in the front line, doing very good work for charities and working with citizens who are disadvantaged by austerity policies and so on. This year, we have seen the scandal of the mother and baby homes. New facts and the tragic stories of abuse and loss have emerged and continue to emerge. I read over the weekend that more 660 infants and children died in one mother and baby home in Dublin over a seven year period, from 1923 to 1930. The Catholic religious orders ran these homes with the agreement of the Government. I note and very much welcome Archbishop Martin’s positive remarks about a full inquiry. Protestant churches have also been involved in these institutions, particularly in the Bethany Home. Until recently the Government excluded the Bethany Home from any type of redress or investigation. I welcome
very much the fact that has been corrected.

I was trying to ascertain whether the Taoiseach had discussions with church leaders on any of these matters, or whether any member of the Government has had discussions with them about the terms of reference for the commission of investigation into the mother and baby homes. The closing date for submissions was yesterday. A complete investigation of county homes seems to have been ruled out. All of this should be a wake-up call and incentive for the Government to consider how children and mothers have been looked after, or in this case not looked after, since this State was established. Can the Taoiseach indicate whether there has been any discussion with any of the church leaders on any of these matters? Will the terms of reference for the commission of investigation be ready on time and will they include the broader attitude of the State and its institutions towards women and children since its establishment?

**The Taoiseach:** We have had some discussion of this matter before. It concerns a time in our country when women came through a very difficult period, when there was neither respect nor comfort for many. The topics I discussed with the Catholic Church were Northern Ireland; the safeguarding and welfare of children; education matters; protection of life during pregnancy; and I outlined our European Presidency priorities. In respect of Northern Ireland, Cardinal Brady and I expressed revulsion at the street violence taking place at the time and the potential damage to Northern Ireland’s reputation and economic prospects. We also discussed the positive engagement between the Government and the Northern Ireland Executive, particularly through the North-South Ministerial Council. It was agreed at that time that the relevant Ministers and officials would continue to work together.

With the Church of Ireland I discussed education matters; the protection of life during pregnancy; issues relating to rural Ireland; Bethany Home; Northern Ireland; the elderly and child and family support issues, and I outlined our priorities for the European Presidency which was forthcoming. In respect of the delegation of European churches, we agreed on the social consequences of the economic crisis in Europe and on the particular seriousness of the level of youth unemployment in Europe. I emphasised to the churches that this would be assessed as a priority in our Presidency with its focus on jobs, stability and growth. I was happy that the Youth Guarantee came out of that focus, with the prompting of the Minister for Social Protection. The churches raised their concerns about the new proposals for data protection and how this might affect them. I undertook at the time to bring that to the attention of the Minister for Justice and Equality. They also stressed the importance of taxation policy in developing countries and argued for an extension of reporting requirements by multinational companies. Finally, the delegation underlined the importance of peace funding for reconciliation in Northern Ireland and I am glad that during our discussions with our European colleagues we were able to get some further funding for the Border region.

The Deputy mentioned Bethany Home, which he and other Deputies raised here. At the time the consideration was in respect of Magdalen laundries. Since the revelations about the mother and baby home in Tuam and the extent of what happened there, the Government committed to the establishment of a commission of investigation to examine these homes and that includes the Bethany Home. The Minister for Children and Youth Affairs briefed the Government this morning on the interim report of the cross-departmental review committee which comprised senior officials from eight Departments and several State agencies and was asked to scope the issues relevant to a commission of investigation into mother and baby homes and to report to the Minister by the end of June. Clearly, the Minister has highlighted at all times the need to be mindful in any public discussion of the very sensitive nature of the issues involved.
Many families and individuals have had personal experiences of mother and baby homes and other issues that have arisen, including infant and child death and adoption. I reiterate the call for sensitivity that has been expressed by the Minister. There should be no sensationalism in respect of these matters.

I can confirm for Deputy Adams that the Minister has held meetings with politicians on all sides of the House, a number of individuals outside the House, a number of advocacy groups and church leaders. He has thanked everyone for their views, initial reactions and proposals in this regard. More than 100 submissions have been received from a range of individuals and groups. I do not doubt they will be of assistance to the cross-departmental committee when it is finalising the terms of reference for the commission. I hope the Minister, Deputy Charles Flanagan, will bring his proposed terms of reference for a commission back to the Government as soon as possible in order that we can get on with this. I will wait to see what the Minister proposes to the Government.

We have had a long and difficult history in many respects. The Minister has had discussions about several hundred other entities of one sort or another. It is probable that very few records, or no records at all, exist in many such cases. The Minister will bring his recommendations regarding the commission of investigation to the Government shortly. If one were to examine everything that has happened since the Famine, it is clear that one would find tragic histories in many homes, townlands, towns and cities throughout the country. Just this morning, someone reminded me of the tenements that used to be down the street from here. Two little girls lost their lives when an element of those tenements collapsed many years ago. I suppose the difficulties experienced by people in this city and other cities, and the hardships that were imposed on them, were endemic across many places. The Minister will come back quickly with his recommendations for this commission. I hope we will then be able to get on with the business of assessing and investigating what has emerged from all the discussions and proposals regarding the mother and baby homes, including the Bethany Home, in Tuam and throughout the country.

Deputy Gerry Adams: As one might expect, Sinn Féin has made a detailed submission regarding the terms of reference of the commission of investigation. As I said earlier, I think there needs to be an investigation into the treatment of women and babies since the foundation of the State. I accept that the State is unlikely to do this. Anything that happened when the British were here is another matter. We are talking here about matters that occurred under a native Government, which basically surrendered the rights of citizens to the dogma of a church. In my view, no church should have to depend on the State to uphold its teachings. It should be a matter of private conscience. I know the Taoiseach has tackled these issues in a very courageous and forthright way. The rights of citizens, particularly those who are vulnerable, should not be hostages to fortune over some dogma. I think we probably have an opportunity to open a new chapter in all of this. I appreciate that things obviously have to be judged in their own time. The Government, which has a busy agenda, could do a huge service by insisting on equality in all things. Of course people have the right to full religious and civil liberties. That goes without saying and has to be upheld at all times. For all we know, people are still being abused and ill-treated in institutions of the State. Not all of these difficulties are historical legacy issues. I ask the Taoiseach to consider providing for as wide a remit as possible in order that the broader question of the State’s attitude to women may be examined.

I am often reminded of an incident mentioned in a very good book written by Nell McCafferty. She had come here from Derry after being employed by The Irish Times. She went into a shop to buy a gramophone record or a wireless, to use the parlance of those days, on hire
purchase. The shopkeeper told her he could not give it to her on hire purchase without getting a man to sign for it. This was in 1974 or 1975. When she told him she did not have a man, he told her to hold on while he stopped a man in the street and asked him to come in and sign the form on behalf of Nell. After the man had done so, Nell asked him if he was working and he said he was not. Even though she had a very good job in *The Irish Times*, presumably with very good wages, she could not get a household item on hire purchase because she was a woman. While it might seem half-humorous, none the less it shows how her rights were contravened. That is the type of attitude that allowed what occurred in the mother and baby homes and Magdalen laundries and malpractices like symphysiotomy to continue. Perhaps there is an opportunity for a national conversation on these big matters and on the need for equality for all citizens, regardless of gender, disability or anything else. A formal commission might not be needed.

**The Taoiseach:** The other day, Deputy Mathews gave me the Stiglitz document, which suggests that inequality is not necessarily a given.

**Deputy Peter Mathews:** No, it was a text. I have the document here. I saved it for the Taoiseach in case he did not get to have it to hand.

**The Taoiseach:** I have to say I support the idea that if governments are sufficiently decisive, equality can be brought much more to the fore. I thank Deputy Adams for his party’s submission to the Minister. I am sure it has made a detailed analysis. I agree with what the Deputy had to say. The fact is that child abuse is not just a matter of history. Were we not reminded of that by the words of a justice in the court recently, in the context of an horrific case that occurred over a period of years in the last decade? It is because this is true that vigilance and information are so important.

The public consultation process that is starting now, along with the commission of investigation, will certainly be part of a national conversation about Ireland as a society, about its people and about what happened here. I do not want to pre-empt the detail of the final recommendations the Minister will bring before Government. In so far as he can - obviously, it is impossible to please every strand here - he will attempt to do his best and the Government will respond to that. I hope the conversation is broad, comprehensive, sensitive and understanding. I hope it takes account of the questions of equality and inequality. Equality was an issue for women in our country, in particular, because they did not have it over all those years. I hope the terms of reference given to the commission of investigation in this case will be comprehensive and sensitive to the thousands of people who have memories of being in mother and baby homes, who lost babies or children or who were involved in cases where adoption occurred. It is a sensitive discussion and one that needs to be treated seriously. I am sure the Minister will lead that discussion in an appropriate manner.

**Deputy Joe Higgins:** It is impossible to understand the horrors that took place in the Irish Free State and the Irish Republic, such as those which have only recently come to light with the mother and baby home scandals, without understanding the unique relationship that developed between the Irish State and the Catholic Church. In essence, a very weak capitalist State dominated by gombeens, small business owners, right-wing politicians and so on, desperately in search of security and legitimacy, leaned on the authority of the Catholic Church for that legitimacy and ceded considerable powers that should have been democratically controlled by a democratic state to a church institution. Does the Taoiseach agree that the theological writ of one church dictated horrific control mechanisms informed by a misogynistic and patriarchal outlook, of which women and girls were particularly the victims, involving an obsession with...
women’s sexuality which fostered shame, fear and secrecy? This view was preached from the pulpit to Dáil Éireann and reflected in the media.

Does the Taoiseach agree that the State we have today is still marked considerably by that history and, in particular, that the outsourcing of critical social services like health and education to a religious institution ensured those services were never developed in the comprehensive, all-embracing way they should have been by a democratic state if it was truly democratic and representative of the people, and that the effect of that is evident to this day? In his discussions currently and in recent times with church leaders, has the Taoiseach spoken about the need for the complete separation of church and State? Has he spoken about the implications of such a separation in respect of the control of education, for example, and the need to develop and implement democratic structures for running education that involve parents, students, teachers, instructors and the community in general but do not rely on authoritarian patronage that is decided simply by two or three churches which are influential in this society? What measures is he taking to ensure this complete democratic separation of church and State is brought about in all the services that are crucial to our people, particularly in education?

The Taoiseach: I have tried to articulate my view on this issue on a number of occasions in the past. It is true to say that our people and society were dominated by one church for many decades. Clearly, that brought with it its difficulties and legacies. I am glad there has been a very significant shift in recognising that these legacy issues of the past need to be apologised for, opened up and dealt with, and those who were involved must be brought before the hand of justice. I agree with the Deputy regarding the impact on young girls and women. Where I come from, where births occurred out of wedlock many women had to go to Liverpool or elsewhere in England because of a perception of scandal and shame being brought upon their families. I must say, however, that during my years in the De La Salle day secondary school in Castlebar, I do not know of anybody who was sexually abused there. While the regime was as hard as any other in terms of corporal punishment - the same practices applied across the board - the De La Salle brothers and the small number of lay teachers at the school did the very best they could in trying to uphold the standards of teaching. I am saying this from personal experience; others might have different experiences depending on where they were.

I have spoken about this issue with the archbishop of Dublin on a number of occasions. Archbishop Martin has made the point that the extent of ownership of schools by the church is too great and, for that reason, it would like to have part of its patronage extended to others while retaining the right to have its own ethos in Catholic schools, the same as for any other religion in its schools. This is an issue that is all the time part of the progress of our society. The relationship between church and State is clearer, stronger and more healthy now because of the actions taken by Government in, for instance, setting up the Department of Children and Youth Affairs, holding a referendum on children’s rights and making changes in the law. There has been a positive response from the Catholic Church and other churches to having that clarity as to what they stand for and, on the other hand, the responsibilities of the State towards society and our people.

Perhaps the Deputy’s view of history is slightly revisionist in some ways. Others might have different views. I agree with him, however, regarding the domination of the people and society by the church and the consequent legacies of that domination, which was unhealthy for many people. We are working to address these issues. The commission of investigation being set up by the Government into mother and baby homes is another step in dealing with a sad element of that particular legacy.
Deputy Micheál Martin: Is there still a structured dialogue in place whereby the Taoiseach of the day meets with representatives of all the churches collectively?

The Taoiseach: Yes.

Deputy Micheál Martin: I understand it has not been activated thus far this year.

The Taoiseach: Such engagements can take place where either side requests them.

Deputy Micheál Martin: The Taoiseach mentioned in his reply that his discussions with church leaders have included a consideration of issues to do with Northern Ireland and education. In the context of what happened at mother and baby homes and state-run institutions, it is interesting that Northern Ireland has been very slow and behind the curve in responding to these issues. I understand an inquiry is taking place into industrial-type schools in the North, but the Executive and others have been refusing for some time, as I understand, to deal with the mother and baby home issue. A range of NGOs and other organisations in Northern Ireland have been pushing these issues but, for some reason, the political world has not responded. In the context of the Taoiseach’s discussions with the churches, has there been reference to this difference of pace in how these issues are being dealt with North and South? In this State we have had a whole variety of inquiries into church-run institutions and examinations of diocesan stewardship in the context of incidences of child abuse. The Ryan Commission, for example, was established back in 1999. On the other hand, it has taken many years for Northern Ireland politicians of all persuasions to engage on these issues, which is reflected in the degree of resistance I understand there has been to an inquiry into mother and baby homes in the North. I would appreciate the Taoiseach’s thoughts on this issue and whether he has discussed it with the church leaders.

In regard to education matters, we all understand the importance of education to minority faiths. At primary school level, the position of small schools - those with two, three or four teachers - is a vital issue for the Church of Ireland and Presbyterian churches, particularly along the Border and in rural areas, as well as in some urban areas. These churches remain very concerned about the impact on their faith of policy decisions on pupil-teacher ratios for small schools. Did the Taoiseach discuss this issue with the church leaders? In addition, second level Church of Ireland schools are equally concerned about the impact of the changes in pupil-teacher ratios for fee-paying schools. Some have had to wind up or change their status. This is in the context of preserving their faith and the entitlement of parents to have their children educated in a particular faith. In particular in the Church of Ireland, the Protestant and the Presbyterian arena, there is a very strong linkage in their world between education and the preservation and continuation of their faith and they are very concerned about unintended consequences of policy and about the impact of these policies on their capacity in this regard. I would appreciate it if the Taoiseach could indicate whether those issues were discussed because I am sure we would agree that religious diversity is most important in the educational world.

Deputy Peter Mathews: Following on from Deputies Martin, Adams and Higgins, fundamentally, this is a question of basic human rights moving up to equality - the Taoiseach mentioned the importance of equality - to tolerance and to respect, no matter where we are in this world. By accident, we just happen to be in this country. It brings up the question that is at issue in this Parliament, which is, the equality and the tolerance of the ideas of parliamentarians and their rights and responsibilities in the context of a Whip and the question of the genesis and validity of authority. These are questions for the Taoiseach to reflect on.
Last Friday, there was an international rally in Paris, supported by 120,000 people, demonstrating resistance to the fundamentalist regime in Iran. Representatives from 69 countries were there, supporting-----

**An Ceann Comhairle:** Thank you.

**Deputy Peter Mathews:** This is contemporary with ISIS and so on.

**An Ceann Comhairle:** I know.

**Deputy Peter Mathews:** I beg your forbearance for a moment.

**An Ceann Comhairle:** There are a lot of other questions.

**Deputy Peter Mathews:** This is extremely important. Since the late 1970s, 120,000 people have been executed in Iran because of fundamentalist religious-----

**An Ceann Comhairle:** Sorry, we are talking about talks with church-----

**Deputy Peter Mathews:** -----behaviour of Khomeini and the mullahs. As a nation, we need to be aware of the contemporary times in which we live. There is a temptation to put huge energy and resources into looking back. While that is important and can be done, it should not be the prime occupation in contemporary times that deserve justice to be brought to our fellow human beings in the world’s family. I think we have been remiss in this respect. I learned so much. To be present at a rally of 120,000-----

**An Ceann Comhairle:** Sorry, Deputy, I have to ask you to-----

**Deputy Peter Mathews:** -----was extraordinary and I would like to talk to you about it later.

**An Ceann Comhairle:** That is grand.

**The Taoiseach:** You may be very happy to engage with Deputy Mathews on that matter.

Deputy Martin raised an important and a valid point about the political response in respect of the Executive in Northern Ireland. There will be a meeting of the North-South Ministerial Council on Friday in Dublin, hosted by the Government. I will make a point of raising that with the political personnel who are here. I am not sure of the extent of engagement from the Executive in Northern Ireland but that is a good point.

In regard to speaking to the Protestant and Church of Ireland communities, I spoke to archbishop Michael Jackson. He wrote to me about the inclusion of the Bethany Home in the remit of the inquiry into the mother and baby homes, and that is obviously included. We have had some discussion around that before. The other point-----

**Deputy Micheál Martin:** Small schools.

**The Taoiseach:** From an equality point of view, this is an issue which affects not just the Church of Ireland or other religions but quite a number locations around the country where populations have dropped. As a result of decisions made by the previous Government and our own Government-----

**Deputy Micheál Martin:** This is the Taoiseach’s decision.
The Taoiseach: -----there is an impact.

Deputy Micheál Martin: This is the Minister, Deputy Quinn’s decision.

The Taoiseach: Believe me, there is.

As part of the 2012 budget decisions, there is a phased increase in the number of pupils required to gain and retain a classroom teaching post in small primary schools with four teachers or less. An appeals process is available to small schools which have had their staff numbers reduced because of budgetary measures. Schools with four teachers or less losing a teacher and which fail to gain an additional teacher as a result of the 2012 budget measures are entitled to submit their appeal to the primary staffing appeals board. That appeals board takes into account all those considerations and operates independently of the Department of Education and Skills and its decision on the matter is final. That issue affects schools in isolated areas. As the Deputy knows, there is a number of them in my constituency.

I was not in Paris for the-----

Deputy Peter Mathews: Rally.

The Taoiseach: -----mass movement there but I was in Tibnin recently laying a wreath at the memorial to 47 members of the Defence Forces who lost their lives over a number of years in the service of the United Nations. The scale of the humanitarian issue in Syria, with millions of people displaced and 1 million gone into Lebanon and 1 million gone into Jordan, the issues arising in Iraq between Sunnis, Shias and other forces, what is happening in Afghanistan, Crimea and Ukraine-----

Deputy Peter Mathews: Exacerbated by the regime in Iran.

The Taoiseach: -----are all issues on this the day of the centenary of the Battle of the Somme. That speaks for itself. These are issues which all politicians should reflect on in respect of their responsibilities, their rights and, I hope, the requirement to make decisions where tolerance is understood and equality, as the Deputy rightly pointed out, can be brought to the fore.

Cabinet Committee Meetings

5. Deputy Gerry Adams asked the Taoiseach when the Cabinet committee on Irish and the Gaeltacht last met. [8953/14]

6. Deputy Gerry Adams asked the Taoiseach when the Cabinet committee on Irish and the Gaeltacht will next meet. [8954/14]

7. Deputy Gerry Adams asked the Taoiseach the number of meetings of the Irish and Gaeltacht Cabinet committee that have taken place since Christmas. [12763/14]

8. Deputy Joe Higgins asked the Taoiseach when the Cabinet committee on Irish and the Gaeltacht last met; and the date on which the next meeting is scheduled. [14918/14]

The Taoiseach: I propose to take Questions Nos. 5 to 8, inclusive, together.

The Cabinet committee on Irish and the Gaeltacht met on two occasions this year - on 20
February and on 31 March. No date has been confirmed for the next meeting.

**An Ceann Comhairle:** Deputy Adams, I ask you for your co-operation because we only have 13 minutes left and there are other questions which we might try to deal with.

**Deputy Gerry Adams:** I always co-operate with you. You know that.

**An Ceann Comhairle:** Thank you very much. I appreciate that.

**Deputy Gerry Adams:** I am very disappointed not only that this committee has only met twice but that there is no date fixed for another meeting not least because of the dreadful state of the Gaeltachtáí. Tá a fhios ag an Taoiseach gurb iad na Gaeltachtáí tobar na Gaeilge. Tá an pobal seo agus na ceantair seo an-saibhirt ó thaobh na Gaeilge ach tá a lán damáiste déanta agus damáiste déanta don Údarás agus do Fhoras na Gaeilge. Ní thuigim an fáth atá leis sin. Is fiorghaeilgeoir iad an Taoiseach agus an tAire, atá ina chónaí i nGaith Dobhair. Tá a lán Gaeilge ag an Rialtas ach tá scéiní dhéanamh ar na Gaeltachtáí. Ní thuigim an fáth atá leis seo. The Gaeltacht areas continue to decline and like most parts of rural Ireland, are experiencing emigration. They are the well of the Irish language. Irish has been spoken in these areas for the past 2,000 years. An Coimisinéir Teanga resigned in protest and I wish the new coimisinéir well.

Perhaps the Taoiseach could explain what the committee actually does given the state of the Gaeltacht areas at this time. I was very pleased to attend two “dearg le fearg” days of protest on this issue, one in Dublin and one in Belfast, and what struck me was that the majority of young people demonstrated a great love for the language. There was a sea of colour of young people, beo agus briomhá agus a lán amhráin á gcanadh acu. This enthusiasm is the future of the Irish language and should be actively supported, rather than destroyed, by the Government.

**An Ceann Comhairle:** Does Deputy Higgins wish to add anything?

**Deputy Joe Higgins:** Sea, cinnte.

**The Taoiseach:** Tá ceist ag an Teachta Uí Uigínn freisin. Bhí ocht gcuíinníú dha feochoistí an Rialtais agam inné, ón aocht a chló ar maidin go dtí leith cheart sóisialta tráthnóna. Lá fada a bhí ann. Ag an gcéad chruinníú eile de na fochoistí sin, beidh ceann a bhain an leabharla na Gaeilge agus an obair atá ar siúl ansin.

Séar dó a cheisteann an bhfochoiste ná díospóireacht leabharla na Gaeilge agus níthe a éirionn as sin a bhain an leabharla na deacrachtaí atá ag muintir na Gaeltachtáí agus atá ar fáil. Tá a fhios ag an Taoiseach gur tugadh an Coimisinéir Teanga agus gur tugadh agus ghlac an Rialtais leis an gcoimisinéir a tugadh freisin ar an bpost sin. Anois, tá an Coimisinéir Teanga aonadh le feiceáil. Rinneadh aonadh freisin agus ní thuigim an fáth atá leis sin déanta.

Ba mhaith liom é seo a chur in iúl don Teachta Adams. Bhíonn muid ag caint anseo anois agus ní thuigim an fáth atá in ann fiú Ghaeilge a labhairt de bharr go bhfuil siad ag freastal ar Ghaelscoileanna. Tá díosscréid díreach i nGhaeilge a bhíonn agus a tugadh freisin ar na scoileanna. Tá díosscréid díreach i nGaeilge a bhíonn agus a tugadh freisin ar na scoileanna. Tá díosscréid díreach i nGaeilge a bhíonn agus a tugadh freisin ar na scoileanna.
I 2004, tugadh aitheantas oifigiúil don Ghaeilge ag Aontas na hEorpa. Bhí an tUacharánacht ar Aontas na hEorpa againn anuraidh, agus bhí cruinnithe de 61 comhairle againn i rith na hUachtaránachta sin, ach ní raibh Gaeilge le cloisteáil ach ag ceithre cinn de na cruinnithe sin. Freisin, tá diolúine an Uachtaránacht ar Aontas na hEorpa againn anuraidh, agus cruinnithe de 61 comhairle againn i rith na hUachtaránachta sin, ach ní raibh Gaeilge le cloisteáil ach ag ceithre cinn de na cruinnithe sin. Freisin, tá díolúine againn i leith ár dteanga dúchais san Eorpa le fada an lá. Tá daoine ag rá gur cóir go mbeadh neart jabanna le fáil dá gcuirfidh deireadh leis an diolúine sin agus dá mbeadh an Ghaeilge mar ghnáth teanga labhartha na hEorpa i nstitiúidí na hEorpa. I 2012, bhí comórtas oscaileann ann d’aistríthóirí Ghaeilge agus bhí 38 post le líonadh. Chuir 107 iarrthóir isteach ar na poist sin, ach ní raibh ach 17 duine fáththa sa chomórtas in ndiaidh an hiarrtais a phlé. Táimid ag iarradh go mbeadh an Ghaeilge mar ghnáth teanga in institiúidí na hEorpa le linn na blianta. Tá daoine ag rá gur cóir go mbeadh an Ghaeilge mar ghnáth teanga in institiúidí na hEorpa le linn na blianta.

Gabhaim buíochas le tuismitheoirí, le múinteoirí bunscoile agus meánscoile, a dhéanann tréan iarracht an Ghaeilge a chur chun cinn agus leis na daltaí a bhionn ag freastal arna a chloisteáil Gaeilge agus an Ghaeilge agus leis na daltaí a bhíonn ag freastal ar na Gaelscoileanna agus an Ghaeilge a thábhachtach mar ghnáth teanga. Tá an t-am an-ghairid, ach an cheist atá agam don Taoiseach ná, an bhfuil aon tuiscint ag an Rialtas ar cé chomh práinneach agus ar chomh tuismitheoirí mar ghnáth teanga agus saor don Ghaeltacht agus don Ghaeilge i láthair na huaire maidir le linn na bhfáthanna agus le linn na dhuineanna sa Ghaeltacht. Ag an gcéad chruinniú eile den bhfochoiste, ardóidh mé na hábhair atá luaite ag an Teachta anseo.

Deputy Joe Higgins: Teastaíonn uaim é seo a rá. We have two languages in this country, English and Irish. Both are our languages, languages of the Irish people. A majority speaks English and a minority speaks and understands English and Irish. This is replicated in Dáil Éireann. It is not acceptable that there are just about half a dozen headphens in the Dáil at the moment through which people who do not understand Irish can follow a debate in Irish. As somebody who served in the European Parliament, I can say that it was quite normal for people from dozens of different countries to understand each other’s language, because everybody wore their headphones. I appeal to the Ceann Comhairle, or whoever is responsible, to ensure a sufficient number of headphones is made available here. We have a person translating any Irish spoken in the House so that Deputies who do not understand Irish can follow the debate. Theastaigh uaim an méid sin a rá.
Dáil Éireann

bheith deimhin de gur féidir leo freagra a fháil as Gaeilge, nó duine éigin a fháil a labharfaidh Gaeilge leo? In ionad san, deirtear leo glaich ar ais nó “call back in a few days”. Nach bhfuil an ceart ag daoine a dteastaíonn uathu gnó a dhéanamh trí Ghaeilge go mbeadh duine éigin i ngach Roinn Stáit le labhairt leo ar an bpoiné?  

The Taoiseach: I agree completely with Deputy Higgins. It should not be deemed wrong, inferior or awkward for a person to wear headphones in this House to understand the translation of a discussion that is taking place as Gaeilge. I support the Deputy because such behaviour is a matter of normal course at European Union meetings where numerous languages are spoken.

Tá an fhadhbh seo seo thar a bheith práinneach, ach tá sér thar a bheith deacair freisin. I Ros Dumhach, mar shampla, le 14 bliain anuas tá deacrachtaí ann ó thaobh gás na Coiribe a thabhairt isteach sa tír. Cé go raibh suas le 2,000 fir ag obair ansin le 15 bliain anuas, bhí deacrachtaí ann dóibh siúd a bhí ag iarraidh oibre a fháil agus ag iarraidh cur fúthu san áit sin. Cá go raibh an gás ag teacht isteach agus go dtiocfaidh sé isteach sa Ghaeltacht, tá deacrachtaí ann. Tá deacrachtaí freisin mairidh le cúrsaí féirmeoireachta éisc i gCuan na Gaillimhe, aít a mbeadh neard gabhanna ar fáil do mhuintir Chonamara, dá mbeadh na coinníollacha cearta ann.

Tá rud maith déanta ag an Rialtas, leis an €500 milliún a cuireadh ar fáil do sheirbhísí leathanbhanda a sholáthar ar fud na tíre, seirbhísí do na Gaeltachtaí san áireamh. Sílim go dtiocfaidh tairbhe as sin agus go mbeidh jabanna ar fáil le comhlachtaithe beag a fuáidh na Gaeltachtaí, chomh maith le gach oileán a mbeadh an gás ag teacht isteach agus as an gá sna Conamara. Cé go raibh deacrachtaí ann ó thaobh gás na Coiribe, tá rud maith déanta ag an Rialtas, leis an €500 milliún a cuireadh ar fáil as sin.

Tá rud maith déanta ag an Aire Stáit chomh maith, ó thaobh brú a chur ar oifigigh stáit go mbeadh duine in ann an Gaeilge a labhairt i ngach Roinn, agus níos mó ná duine amhain más féidir. Chuaigh mise isteach in oifig LEO san iarthar le déanaí, agus bhí triúr ansin a bhi in ann Gaeilge a labhairt agus déileáil le gnáth daoine le Gaeilge a bheadh ag teacht isteach. Sin an oibrithe atá ar siúl. Nó dóigh liom go mbeidh mise in ann gach uile deacracht a réiteach le linn réim an Rialtais seo, ach déanfadh mé mo dhicheall.

Written Answers follow Adjournment.

Order of Business

The Taoiseach: It is proposed to take No. 8, motion re referral to joint committee of proposed approval by Dáil Éireann of the Protection of Young Persons (Employment) (Exclusion of Workers in the Fishing and Shipping Sectors) Regulations 2014; No. 9, motion re referral to joint committee of proposed approval by Dáil Éireann for a regulation of the European Parliament and of the Council on the establishment of Eurodac (recast) and for the effective application of the Dublin Regulation; No. 22, Radiological Protection (Miscellaneous Provisions) Bill 2014 - Order for Report, Report and Final Stages; and No. 23, Merchant Shipping (Registration of Ships) Bill 2013 [Seanad] - Second Stage (resumed).

It is proposed, notwithstanding anything in Standing Orders, that Nos. 8 and 9 shall be decided without debate. Private Members’ business shall be No. 152, motion re mental health. Tomorrow’s business after oral questions shall be No. 24, Competition and Consumer Protection Bill 2014 - Order for Report, Report and Final Stages.
An Ceann Comhairle: Is the proposal for dealing with Nos. 8 and 9 without debate agreed to? Agreed.

Deputy Micheál Martin: The Government was to introduce lifetime community rating by way of statutory instrument on 1 July but this does not appear to have happened. Does the Government still intend to to introduce this and when can it be expected?

The Taoiseach: I do not have a Bill on that but I will bring the Deputy up to date.

Deputy Micheál Martin: It is a statutory instrument.

The Taoiseach: I will advise the Deputy.

Deputy Micheál Martin: Item No. 81 in the programme for Government is the technological universities Bill. It is to provide for the establishment of technological universities and the amendment of the Dublin Institute of Technology Act, the Institutes of Technology Act and the Higher Education Authority Act. I understand this proposal is well under way in Dublin in terms of the institutes of technology in Tallaght and Blanchardstown. The same applies in Cork and Tralee but is unclear what is happening in Waterford and Carlow. There are pressing issues in the south east relating to investment, employment and health and there is a sense the Government has neglected the region. The Taoiseach said he would write to me on this issue. When will the Bill be published?

Item No. 93 in the legislative programme is the sale of loan books to unregulated third parties Bill. The Government promised this legislation to address the issue of the sale of loan books by regulated financial institutions to unregulated financial institutions. There has been controversy on this for some time as the sale of loan books to unregulated third parties is growing apace. Thousands of mortgage holders are very anxious about their fate and feel vulnerable because they are not protected by the code of conduct. I want to know when this Bill will be published because it is a pressing issue of great concern to many mortgage holders.

In terms of the Department of Jobs, Enterprise and Innovation, following a review of the 2012 Act the credit guarantee (amendment) Bill aims to bring about a legislative change necessary to enhance the success of the performance of the scheme. This has been promised by the Government. The Taoiseach will be aware that the Government and the State have failed to get traction in extending credit to small and medium enterprises, SMEs. This is the biggest issue facing many SMEs and the legislation was promised by the Government as an acknowledgment that the 2012 Act was insufficient and that legislative change was required. Will the Taoiseach say when this legislation can be expected?

Item No. 106 in the programme for Government is the industrial relations (amendment) Bill which aims to provide a new legislative framework to address issues arising from the Supreme Court ruling that struck down registered employment agreements, REAs.

5 o’clock

When can we expect publication of this particular Bill?

When does the Taoiseach expect the personal injuries assessment board (amendment) Bill to be introduced? The Government has promised to introduce a number of amendments to improve the operation and implementation of the Act.
The Taoiseach: The Deputy has asked six questions. I will advise him in respect of the statutory instrument. The heads were cleared with regard to the technological universities Bill a number of weeks ago by the Government. Some progress has been made in respect of Waterford and Carlow. The Deputy is well aware of some of the issues which arose. I do not accept the area is being neglected. It is the focus of much attention from the Government and IDA Ireland. I hope the institutions concerned will continue to discuss how best they can meet the strict criteria set down here. The Deputy rightly pointed out Dublin Grangegorman, Cork, Kerry and, to a lesser extent, the west and north west are making some progress.

With regard to the issue in respect of unsecured loans and the sale of mortgages, the latest entry is by PTSB. The previous two which bought mortgage loans like this were both willing to voluntarily comply with the Central Bank code of conduct. We hope this will apply in this case also. The Bill was not due to be published until next year but the Minister for Finance hopes to have it enacted before the end of this year. A deal of work has been done with the Office of the Attorney General and the Central Bank.

The heads of the credit guarantee (amendment) Bill were cleared on 17 June. It will make a number of small amendments to make the scheme more feasible and attractive. I point out the extent of non-mainline bank finances available now, through the involvement of the Silicon Valley Bank from California, the Chinese Investment Corporation, the KfW state bank from Germany and a number of other commercial entities which have acquired banking licences for the provision of credit and access to credit for individual customers.

The industrial relations (amendment) Bill will be later in the year. I do not have a date for the personal injuries assessment board (amendment) Bill but I will advise Deputy Martin of the progress made there.

Deputy Gerry Adams: The Government has committed to holding a referendum on same-sex marriage and the Taoiseach has stated he strongly supports such a referendum. When will the Government set a firm date for this?

This morning, the Cabinet agreed a redress scheme for victims of the barbaric practice of symphysiotomy. Will the Walsh and Murphy reports be published? The Minister has had them for more than a year. Thus far the Government has refused to lift the Statute of Limitations and allow victims who wish to go to the courts to do so. Will the detail of the redress scheme and its framework and procedures be published? Is the Government prepared to lift the Statute of Limitations?

Tá dhá cheist eile agam. Dhá mí ó shin, mar fheagra ar cheist a chuir mé chuig an Taoiseach ar chás Bhaile Úi Mhurchú, dúirt sé go raibh sé tiomanta do bhunú rún uile-pháirtí ar an gcás seo agus gheall sé go raibh sé chun an rún seo a dhréachtú agus a chúr inár láthair. Thug sé an freagra céanna sin dom gach uair a chuir mé an cheist seo air. Dúirt sé go raibh sé ar intinn aige rún a fhóilsiú an tseachtain seo caite, agus an tseachtain roimhe sin. An féidir leis níos mó eolais a thabhairt dom anois faoi seo? An mbeidh sé ag dul ar aghaidh leis an rún seo?

Maidir leis an tionól bunreachtúil agus an dóigh gur theip ar an Rialtas freagairt ghasta a thabhairt in am maidir leis an tuairisc a tháinig ón tionól, the resolution of the Dáil which established the Constitutional Convention set a timeframe of four months for the Government to respond to its recommendations. The official response to the convention’s fourth report, on electoral reform, was due last December. The deadline for the Government’s response to the fifth
report, on the right of citizens resident outside the State to vote, was in March. The deadline for the Government’s response to the sixth report, on blasphemy, was in May. In April, when I asked the Taoiseach about this he told me he acknowledged the Government was not measuring up in terms of allowing time for discussion on the convention’s reports. This remains the case and nothing has changed. These reports are building up. I attended many meetings of the Constitutional Convention and it was a very good exercise in citizen participation. The citizen delegates were delighted to be involved. When can we expect the Dáil to have an opportunity to discuss the work and recommendations of the Constitutional Convention?

The Taoiseach: I regret we are well outside the limit we had set ourselves to have these matters discussed. The problem is that a number of Departments have still not come back with requirements to allow us to bring it to the Dáil and discuss it. I will see to it that the senior officials dealing with the remaining elements respond quickly.

In respect of Ballymurphy, I prepared the motion for all party acceptance and then I received a number of pieces of correspondence from others in Northern Ireland about other issues which arose there which they wanted included. We are working on this to see if we can have a comprehensive motion, which will be discussed with Deputies Martin and Adams shortly. I hope we can do so before the House breaks up for the summer.

Symphysiotomy is another example of a legacy issue whereby this barbaric treatment was imposed on women. Even the Supreme Court stated this on-the-way-out treatment after a section when a child was born was completely unnecessary. Many of these women suffered stress and distress and it caused incontinence, back pain and chronic fatigue and so much psychological damage. Two reports were done: Professor Oonagh Walsh’s report on symphysiotomy in Ireland from 1944 to 1984 and Judge Murphy’s independent review of issues relating to symphysiotomy. The Minister wanted to get this right. The two reports came before the Government today and they have been approved for publication. Today, the Government approved an ex gratia scheme at a cost of approximately €34 million which will bring closure for women who underwent surgical symphysiotomy. This will be administered by the State Claims Agency. Many of these women are now elderly and have been waiting for decades for closure. It is another element of what we have had to deal with, from Magdalens to mother and baby homes to all of these issues which have been lying around for years and not dealt with. It was absolutely barbaric treatment and I am glad that today it came before the Government, which approved publication of the reports. I understand the Minister has been speaking on this at a public conference. We welcome Professor Walsh’s report and the report of Judge Murphy and this morning approved a sum of approximately €34 million to deal with ex gratia payments for these women who went through this horrible experience.

Deputy Gerry Adams: I asked about the referendum.

The Taoiseach: I apologise. It will be in the spring of next year. We have not named a date yet. A number of other legal issues need to be dealt with, including elements of adoption which are necessary. We would like to have them cleared before we put the marriage equality referendum. It will be in the spring of next year and the Government will decide in due course on an actual date.

Deputy Gerry Adams: I also asked whether the Taoiseach is prepared to lift the Statute of Limitations with regard to symphysiotomy.
The Taoiseach: It is unnecessary. The Attorney General give a legal opinion on this. We have approved both reports-----

Deputy Gerry Adams: So the answer is “No”.

The Taoiseach: -----and put in €34 million. All of the women who went through this will be able to be dealt with by the ex gratia payment scheme to be administered by the State Claims Agency.

Deputy Gerry Adams: A woman might want to go to court.

The Taoiseach: It will not be necessary as far as I understand it.

Deputy Gerry Adams: It might not be a course of action the Taoiseach or I might want to take, but somebody else might.

The Taoiseach: Obviously, people will take the legal advice they get in their own way. We want the scheme which has been approved to bring some closure to these women who went through this.

Deputy Micheál Martin: The Taoiseach can remove the Statute of Limitations.

Deputy Catherine Murphy: It is almost a year since the Joint Committee on the Environment, Culture and the Gaeltacht held hearings during the pre-legislative stage of the climate change legislation. We are still waiting for the legislation. When will it be published? When is it likely to be enacted? Will the sectoral plans be published at the same time as the legislation and, if not, when will they be published?

The Taoiseach: It has gone through the pre-legislative phase and it is now being drafted - the report has come back on it. The targets and objectives set here both for 2020 and for 2030 will be very challenging. We need to be able to work backwards from the 2030 situation in order that whoever is in government from 2020 onwards will not be faced with very significant fines because, in my view, of the way that this was treated before so that targets were set which were very difficult, if not unachievable, for the country to measure up to.

Deputy Catherine Murphy: When will it be published?

The Taoiseach: We have started drafting. I will advise the Deputy on the progress being made on it. It went through the pre-legislative stage already.

Deputy Peter Mathews: When will the climate action and low-carbon development Bill come before the House?

An Ceann Comhairle: The Taoiseach has just answered that.

The Taoiseach: That is what I was just talking to Deputy Catherine Murphy about.

Deputy Peter Mathews: Right. Okay.

The Taoiseach: That is equality now, is it not? Deputy Catherine Murphy was first in and she got the answer.

Deputy Peter Mathews: Point taken.
The regulation of gambling Bill is due in the next session, in 2015 - the Taoiseach has answered that. In the meantime there is an acute need to eliminate radio and television advertising of online gambling and so on. It is a very acute problem.

**An Ceann Comhairle:** What Bill is that?

**Deputy Peter Mathews:** Could the Government introduce a short snappy piece of legislation to deal with that?

**The Taoiseach:** The Government approved three amendments to the gambling Bill this morning for the Minister for Finance, where the Revenue Commissioners are involved in terms of licences to deal with online and remote operations for gambling-----

**Deputy Peter Mathews:** The advertising is the problem.

**The Taoiseach:** -----pending the introduction of the gambling regulator.

**Deputy Mattie McGrath:** I want to ask the Taoiseach about medical cards and the Health (General Practitioner Service) Bill 2014 Bill. Will that be scrapped when the Taoiseach replaces the Minister for Health next week?

**An Ceann Comhairle:** Hold on a minute.

**Deputy Mattie McGrath:** There is still confusion about medical cards and awful trauma.

**An Ceann Comhairle:** What confusion is there about the legislation?

**Deputy Mattie McGrath:** This is the Health (General Practitioner Service) Bill 2014.

**The Taoiseach:** That Bill was finished here last week and it has gone to the Seanad.

**An Ceann Comhairle:** It has gone to the Seanad.

**Deputy Mattie McGrath:** Ceann amháin eile, the Children First Bill - tá an Taoiseach ag gáire. The Supreme Court made a very serious judgment.

**The Taoiseach:** It is awaiting Committee Stage in the Dáil.

**Deputy Mattie McGrath:** However, we never had any debate or discussion on the findings of the Supreme Court.

**An Ceann Comhairle:** We will have it when-----

**Deputy Mattie McGrath:** There is a new Minister and I thought he might look at it.

**The Taoiseach:** Perhaps the Deputy was absent for the Second Stage debate.

**Deputy Mattie McGrath:** I was not absent, but we ignored the Supreme Court decision in the misappropriation of funds.

**The Taoiseach:** The Deputy can get his office to check; there was a debate here.

**Deputy Mattie McGrath:** Not on that, not at all.

**Deputy Michael Healy-Rae:** Where one public representative receives a massive public
relations boost from one newspaper whereby week after week two or three pages of positive reporting for one candidate and negative reporting for the other-----

**An Ceann Comhairle:** Hold on a minute. The Deputy should take that up with the press council.

**Deputy Michael Healy-Rae:** ------will this be dealt with in the public sector standards Bill? If the Taoiseach cannot answer this, it is a pity that the Tánaiste in waiting, as christened by the *Sunday Independent* “wonder woman”, is not the Taoiseach’s candidate------

**An Ceann Comhairle:** What Bill is the Deputy talking about?

**Deputy Michael Healy-Rae:** The Bill is the public sector standards Bill.

**An Ceann Comhairle:** The public sector standards Bill.

**Deputy Michael Healy-Rae:** Some of the candidates------

**An Ceann Comhairle:** That is all right. We will find out for the Deputy.

**Deputy Michael Healy-Rae:** ------in the recent contest to be the leader of the Labour Party were dealt with very harshly by one newspaper and there were reams of paper for wonder woman.

**The Taoiseach:** I know the Deputy is interested in this. If I recall correctly, the Deputy, himself, received massive publicity for answering telephone calls or making bills of them. He got more publicity out of that than people did for years of hard labour here.

**Deputy Michael Healy-Rae:** The Taoiseach did not answer the question.

**An Ceann Comhairle:** I call Deputy Kitt.

**Deputy Mattie McGrath:** Now the Deputy is holding the Minister in the Chamber.

**Deputy Michael Healy-Rae:** She is back.

**The Taoiseach:** Later this year.

**Deputy Michael Healy-Rae:** The new Tánaiste will answer that question.

**Deputy Michael P. Kitt:** Regarding the sale of historical documents, I ask about the national cultural institutions Bill which I believe it to reform the National Gallery, IMMA and the Crawford Art Gallery. The Taoiseach might be aware that yesterday’s *Irish Independent* made reference to the sale of a farewell letter from Kevin Barry to his mother and other items that were for sale. Will anything in this legislation help to get the State to acquire some of these documents?

**An Ceann Comhairle:** When is the Bill due?

**The Taoiseach:** The cultural institutions Bill will be later in the year. Obviously, the idea here would be that if these things go for sale hopefully they will be bought by Irish people. The Bill, which is due later in the year, may be reflective of some of that.
Protection of Young Persons (Employment) (Exclusion of Workers in the Fishing and Shipping Sectors) Regulations 2014: Referral to Joint Committee

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

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

Protection of Young Persons (Employment) (Exclusion of Workers in the Fishing and Shipping Sectors) Regulations 2014,

a copy of which has been laid in draft form before Dáil Éireann on 9 June 2014, be referred to the Joint Committee on Jobs, Enterprise and Innovation, in accordance with Standing Order 82A(4)(j), which, not later than 10 July 2014, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.”

Question put and agreed to.

Regulation of the European Parliament and Council on the Establishment of Eurodac and for the Effective Application of the Dublin Regulation: Referral to Joint Committee

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

That the proposal that Dáil Éireann approves the 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 accept the following measure:

Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26th June, 2013 on the establishment of ‘Eurodac’ for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States’ law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No. 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast),

a copy of which was laid before Dáil Éireann on 16 April 2014, be referred to the Joint Committee on Justice, Defence and Equality, in accordance with Standing Order 82A(4)(j), which, not later than 3 July 2014, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.”

Question put and agreed to.

Topical Issue Debate
Deputy Marcella Corcoran Kennedy: I welcome the opportunity to raise this important matter. As we all know, early childhood services in the past were largely informal arrangements between neighbours, families and in some urban areas the option of sending the preschooler to private playschools.

In recent years Government has recognised the need for diverse child-minding arrangements for families, for example, preschool requirements, full-time day care or after-school care. The establishment of the county child care committees was a welcome step in attempting to support parents to obtain quality child care provision in their own area and I acknowledge the excellent work that Offaly County Childcare Committee does.

The early childhood and education care scheme, known as the free preschool year, was widely welcomed on its introduction in 2010. It ensured that all children would have an opportunity to attend preschool free for one year before attending primary school and obtain the recognised benefits of early learning, development and socialisation.

It has brought challenges though in terms of duplication and displacement with too many providers being allowed into the scheme in some areas. Sustainability seems not to have been a priority in the administration of the scheme. Proof of a need for the service should be a priority as some providers are now in the position that they do not have enough children to maintain the service and some are not even earning a wage for themselves as a result. I sincerely hope that the Child and Family Agency will address this issue as a matter of urgency as those already providing the service need to be supported before allowing new providers into the system.

Ensuring that staff are properly trained is essential and the providers, both private and community based, recognise this. Yet it is necessary for providers and staff who require up-to-date first aid or manual-handling training to bear the extra cost of travelling to Dublin to do so. This is the case for those in Offaly. Surely it must be possible to provide this type of training locally to prevent needless travel expenditure for the providers and staff.

Another difficulty being experienced by private providers with vast experience, many of whom have been in existence for 15 or 20 years, is how inspections are conducted. Anecdotally, it appears that there is no consistency. Well run service providers who take their role as child care providers seriously are only too happy to have inspections conducted but being deemed non-compliant because of a stray cobweb or a leaky tap seems to be over the top.

One could not argue against high standards and strict regulations for providers to ensure that our preschool children get the best possible start in life, but what value do we place on their work? Many of those women providing the services are well trained and educated but not paid enough to reflect their experience and responsibilities. I know of child care workers with a degree in early childhood development or child care management who are getting great job satisfaction but are badly paid, many on minimum wage. How long will they remain in such positions? How long before they start to look across the water to do conversion courses to become primary school teachers where they will get work placement and possibly permanent work and at least be properly paid for the work they do? We are investing in training and educating these women but other countries are benefiting. I say women because it is primarily women who are in these roles. We need to recognise that preschool teaching is as valuable as any other teaching position.
One of the biggest challenges for families is the need for after school services. I was recently contacted by a distraught parent whose after-school provider closed with one day’s notice to the parents. Finding a replacement provider is proving difficult and the prices being quoted will return her to the position I was in during the 1980s, that is, being obliged to give up work as child care costs were too high for the household budget to sustain.

A community child care facility in County Offaly also contacted me recently to advise how tight is its cash flow. While I will not mention its name, it has a motivated board that is compliant in every way, fund-raises regularly and is proactive about seeking funding from other sources. However, the board is faced with putting up charges, which it does not wish to do as it is aware the parents cannot afford it. Having obtained funding to improve the building from a particular source, the board now faces the difficulty of being obliged to come up with 25% of the funding for the project or to lose it all. It is a catch-22 for it. Will the Minister consider putting in place interest-free or low-interest loan facilities for such community child care boards to help them expand and improve the services they provide?

**Minister for Children and Youth Affairs (Deputy Charles Flanagan):** I thank my constituency colleague, Deputy Corcoran Kennedy, for raising this important matter. Members will be aware that my Department provides approximately €260 million annually to support the parents of preschool and after-school children with the cost of child care. This funding is provided through approximately 4,300 child care service providers, both community and commercial, throughout the country, enabling them to provide child care supports either free of charge or at reduced rates to qualifying parents. This funding is made available under a number of child care support programmes, all of which are implemented by my Department. These include the early childhood care and education, ECCE, programme, the community child care subvention programme, the child care education and training support programme, and the new after-school child care programme.

The early childhood care and education programme is a universal and free programme to which all children have access and which provides a free preschool year to eligible children in the year before they start primary school. The programme is provided by both community and commercial services and the funding allocated to each service is based on the number of qualifying children and the level of service provided. The standard annual capitation payment in respect of each qualifying child is almost €2,400, with a higher payment made to services where staff hold a higher level of qualification. The programme, which has been in place since 2010, represents an annual investment of €175 million in preschool services. This investment provides a guaranteed source of income to both private and commercial providers and is an important support for many child care services at this time. Approximately 68,000 children avail of the free preschool year annually.

The community child care subvention programme is provided by community not-for-profit child care services. The programme provides targeted funding primarily to support lower income and disadvantaged families. There are more than 900 community not-for-profit child care services throughout the country involved in this programme. The funding provided is used by the participating services to reduce the weekly fees charged to qualifying families and this ensures that many parents, who otherwise would not be in a position to avail of child care services, have access to quality preschool and after-school supports.

Funding is also provided by my Department to support the childhood education and training support programme, which targets funding to support parents seeking to return to the workforce.
and who are participating in SOLAS or education and training boards education and training programmes. In view of the improving economic situation and the increased opportunities for employment, this is an important employment activation measure that will continue to be supported by this Government. To support further parents seeking employment opportunities, additional measures have been introduced to provide for parents on community employment schemes who need child care support. This programme was introduced earlier this year and there already are almost 400 parents availing of this support.

An important concern for parents who have returned to the workforce is the availability of suitable and affordable after-school care. Last year, my Department and the Department of Social Protection jointly introduced the after-school child care scheme targeted at low-income parents returning to the workforce. The objective is to ensure that affordable and quality child care is available to disadvantaged families when work opportunities are offered. The community employment and after-school support programmes are provided by both community and commercial child care services and the funding provided is used by the services to reduce the weekly fees charged to qualifying parents. To ensure that child care services are fit for purpose and in a position to deliver quality services, a number of capital funding grant programmes have been introduced in recent years.

I am aware of the current difficulties facing the early years sector. I acknowledge what Deputy Corcoran Kennedy has said and am pleased to inform her that despite the adverse economic conditions that have prevailed in recent years, my Department has been able to maintain the level of funding available to the child care sector. This funding supports more than 100,000 children and their parents every year, together with ensuring that many child care services are in a position to continue operating, thereby providing work opportunities for more than 20,000 people throughout the country. I hope to be in a position to invest further in early years services as the financial and economic circumstances of the State permit.

Deputy Marcella Corcoran Kennedy: I thank the Minister for his response. While I acknowledge he would wish to have his budget doubled in size, as would I, Members must recognise there is an emerging crisis in some aspects of child care across the many different services which parents and their children need and a review of the situation should be carried out as a matter of urgency. I also understand that a pilot after-school child care scheme similar to ECCE was established last year. Would it be possible to conduct an evaluation on it as soon as possible? Has a decision been made on whether to roll it out across the country at the earliest convenience?

Deputy Charles Flanagan: I will communicate with the Deputy in so far as the review she mentioned is taking place. In 2012 and 2013, my predecessor secured capital funding totalling €9 million to support the ongoing improvement of established child care services participating in the child care support programmes as implemented by my Department. A further €2.5 million already has been secured in 2014 for maintenance and upgrade of community or not-for-profit child care services. I believe this is the issue to which the Deputy referred when she mentioned the crisis. I acknowledge there are difficulties, including in the constituency of the Acting Chairman, Deputy Seán Kenny, which he brings to my attention continuously. The aforementioned sum of €2.5 million for maintenance and upgrade of community or not-for-profit child care services will ensure that previously-funded community facilities remain fit for purpose and in a position to continue to deliver the type of quality services our children deserve. Additional capital funding of €5 million has been made available to my Department in the current year under the phase 4 infrastructure stimulus, which is being introduced by the Minister.
for Public Expenditure and Reform. I currently am considering how this funding can be utilised in the best interests of the sector.

I thank the Deputy for bringing this important matter to my attention. I assure her that her submission and observations in the Chamber will be taken into account fully in the context of any review being undertaken by me or my Department.

Post Office Network

Deputy Michael P. Kitt: I thank the Minister for coming to the Chamber for this debate. As the Minister probably is aware, there is concern about the threat to the post office network nationwide. There is a particular threat in County Galway, where three centres have been the subject of public meetings recently, namely, Barnaderg, Caherlistrane and Cappataggle. I attended two of those meetings, which were well attended, at which the reason An Post moved so quickly to talk about the possibility of closure was raised. In two of the cases, the postmaster had died, as in Barnaderg, Sean Fahy had passed away, while in Cappataggle, the postmistress, Christina Dooley, had died. The consultation notice posted in the village stated clearly that one option would be to close the post office. It also mentioned service provision needs and other criteria that would be considered. However, what I found interesting was that at the public meetings, reference was made to 28 services that are available in the post office. Reference also was made to services that could be available at local post offices and that was the reason I tabled this question. Particular reference was made to matters such as motor tax and driving licences, both for new applications and renewals. This certainly is the subject of much debate in Galway at present, where people are unable to find the driving licence centre. Reference also was made to business customer services, buying dollars and sterling, as well as hospital charges, property tax and other Government payment services.

Post offices were one of the issues considered by the Joint Committee on Transport and Communications when it examined the issues of accessibility and rural isolation. Rural communities will suffer socially and economically if post office closures continue. Disadvantaged urban areas will also be affected. Rural isolation describes the reduced services and opportunities available in areas with a low population density. Cappataggle is located halfway between Ballinasloe and Loughrea and the loss of its post office will require local people to travel much more. It is interesting that rural transport is often discussed in the context of mobility and accessibility to services. The post office is of particular importance in rural communities, notably among older people, as a number of commentators and organisations, including Age Action, have noted.

I note media reports indicating that An Post has threatened to terminate the contracts of postmasters for providing services outside their remit. Newsagents regard it as unfair to be described as postmasters running other businesses on their premises. The Irish Independent has seen a copy of a letter from An Post in which it promotes a new service, PostPack. I understand the letter detailing ways in which customers can avoid visiting a post office was received by 3,000 shop owners who operate the post point outlets. Instead of encouraging people to avoid using their local post offices, the company should offer people every incentive to continue to do business in post offices. New business could be done in rural post offices, which also provide an important social outlet.

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):
I thank Deputy Kitt for raising this important issue. I assure him that the Government is committed to a strong and viable An Post and supports the maintenance of the maximum number of economically viable post offices providing high quality services on a nationwide basis.

The commercial operation of An Post’s post office network is a matter for the board and management of the company. In much of rural Ireland, commercial business is moving away from smaller towns towards larger urban centres. This is marginalising the rural economy, drawing employment away from the countryside and reducing economic services, including banking and retail services, outside regional centres. In urban areas, increased broadband penetration, reduced mail volumes and the availability of alternative payment services is reducing post office business. The post office network needs to place itself to rise to these challenges over the medium term.

In the face of these changes, earlier this year I committed to taking the issue of the provision of additional public sector business to the Cabinet committee on social policy. The committee had its initial consideration of the paper I put to it at its meeting on 28 April and agreed to my proposal for a whole-of-Government review of the scope for locating additional public services in post offices. The review is being undertaken with the aim of a final report, based on the responses made by Departments being made to the Cabinet committee in September. While it is not possible at this stage to pre-empt the outcome of the report, all potential avenues for new public sector business opportunities will be fully explored by my Department. Where new business is identified, the caveat of compliance with public procurement requirements will need to be respected.

It is acknowledged that the migration from cash to electronic payments by the Department of Social Protection is one that will have a significant impact on the post office network. However, having invested in the computerisation of all post offices, the network is well positioned to handle the change and become the front office provider of choice for government and financial services and is ideally configured for over-the-counter transactions. Any such developments would need to be subject to competition and public procurement requirements, as appropriate.

Progress towards diversification within the financial services sector is under way, with the enhanced arrangement with AIB and the agreement with Aviva for the transfer of their branch offices personal insurance business to One Direct.

On the issue raised by the Deputy regarding a review of direct debit services at post offices, a number of aspects need to be taken into account. First, it is a matter for An Post and the contracting party for a service to decide what payment channels are made available to customers. These can range from cash transactions to electronic transactions. Second, the availability of choice is something which customers seek as it gives them greater options for conducting their monetary transactional business. Expansion rather than limitation of choice is a common feature of customer service today.

I understand the concern of the Deputy about the future of the post office network. An Post faces many challenges not only financial in nature, but also from the development of communications technologies. Any decisions it may take must be considered in the context of maintaining a sustainable post office network. As shareholder, I have a strong concern regarding the ongoing commercial position of the company and regularly liaise with it in this regard. I acknowledge the pivotal role post offices play in local communities in both financial and social terms.
An Post has many strengths and the largest retail presence in the country. Ireland has one of the most extensive post office networks per head of population in the 28 member states of the European Union. I have impressed on the company the need to further exploit its unique position in this regard and have been supportive of its attempts to diversify its income streams and win a wider range of commercial contracts offering higher margins.

I envisage a strong future for the post office network by using its existing strengths to remain a significant player in the provision of government, financial and other services. Securing the future viability of the post office network in the longer term will entail the network continuing to modernise to provide the services that its customers require. It has been long-standing policy that An Post remains in a position to compete in a liberalised market and continue to provide wide-ranging services to urban and rural communities.

**Deputy Michael P. Kitt:** I thank the Minister for his response. It is good to have an opportunity to discuss this issue in the Chamber as Deputies may not table parliamentary questions on individual post offices. I have listened to the views of people attending public meetings in the west, a region the Minister knows well. People are tired of An Post’s argument that it is not its policy to close down post offices and want instead to hear that it is the company’s policy to keep post offices open.

The Minister addressed the issue of direct debits and alternative means of making payments. This issue needs to be reviewed and I hope the Minister will do so. I wrote to him recently indicating that a constituent of mine who tried to pay an ESB at her local post office, as her late mother had done for many years, was treated as a new customer and asked to pay a deposit of €300 if she wished to pay directly at the post office. Those who pay by direct debit, however, do not incur an additional charge. This type of approach suggests An Post would be pleased if people avoided visiting post offices in person. I brought this matter to the attention of the Commission for Communications Regulation on 5 June and have not yet received a reply, although I understand the commission is considering the issue. There is, however, no reason to change existing arrangements, for example, it should be possible to transfer an ESB bill from a mother to her daughter. I ask the Minister to examine this issue.

New uses and types of business must be considered for post offices. I am confident that, if given the opportunity, post offices will develop new business and will be a viable alternative, particularly for those in rural areas.

**Deputy Pat Rabbitte:** I am entirely in agreement with Deputy Kitt about the affection with which the post office network is regarded, especially by small communities in provincial areas.

The problem for An Post is that it is a commercial State company, the core business of which has been diminishing at a fairly serious rate because traditional letter-writing has been replaced by electronic substitution and it and the postal network has had to develop and market new services. That is what it has been doing and, hopefully, we can accelerate that. It did win the social welfare contract. It is important to say that amidst all of the discussions and public meetings to which Deputy Kitt referred.

I take issue with one remark of Deputy Kitt when he stated that, as far as he can see, An Post would like to avoid customers going to the post office. That is not fair. Deputy Kitt is correct about An Post believing that more of its services will have to go online. The fact of the matter is that it is not merely an efficiency measure for An Post. A lot of customers want to be able to
transact their business online. Customers who do not want that option or those who do not have basic digital literacy are entitled to do their business over the counter in the traditional way.

As I stated in the House previously, between 2006 and 2010 some 197 post offices closed, but since 2010 only 17 have closed. I visited the most unusual post office on Thursday last on Arranmore Island which, I am happy to say, is thriving, and I would not throw in the towel on Cappataggle, known for its production of hurlers, in south Galway. Caherlistrane, I must admit, I did not know about.

**Acting Chairman (Deputy Seán Kenny):** The Minister must conclude.

**Deputy Pat Rabbitte:** I was merely going for a wander down memory lane.

**Deputy Leo Varadkar:** The Minister knows the post offices.

**Deputy Kevin Humphreys:** The Minister should not go too far down that lane.

**Deputy Michael P. Kitt:** The Minister might as well mention Barnaderg now; I did not.

**Deputy Pat Rabbitte:** I understand the concern of the residents of Barnaderg and elsewhere, but I point out again that it is only in the exceptional case that An Post has gone ahead and closed post offices in the past three years.

**Road Improvement Schemes**

**Deputy Sandra McLellan:** The Minister, Deputy Varadkar, was in Cobh recently at the Irish Open and he visited Fota Wildlife Park where he opened a tropical house and animal care centre. In his speech, the Minister highlighted the fantastic facilities, the fantastic coastline and that Cobh attracts large cruise liners, and he applauded the considerable investment into Cork Harbour, all of which is true. I supported every word the Minister stated. However, there is one missing link.

The R624 and Slatty Bridge into Cobh are in serious need of upgrading. This is an issue that has been ongoing for years but the situation has been deteriorating. Reduced funding being made available by the Government under the strategic regional and local roads programme has meant no funding has been released.

This upgrading is an essential piece of infrastructure. Not only is it a life line for residents, but it is also essential for business and for an area heavily reliant on tourism. The upgrading, at an estimated cost of €60 million, would provide a jobs boost to our local economy and provide an essential piece of infrastructure for future investment. Proper roads and transport facilities are important factors that attract investment.

Earlier this year, not for the first time, there was flooding in the Cobh area. Cobh itself was cut off, also not for the first time. The main road was impassable and the ferry was unable to dock. Emergency services were not able to access the residents of Cobh. That poses a serious threat to health and safety for the people of Cobh but it also sends out the wrong message to any potential investor. If one invests in Cobh, there is no guarantee that one can move one’s goods or products in or out of Cobh. One’s success is weather dependent. One’s best ally is not the Government, but the weather man. The Government applauds itself as pro-business and pro-
enterprise, but does that not count if one lives or works in Cobh?

Will the Minister prioritise funding so that this essential infrastructure can be built?

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I thank Deputy McLellan for the opportunity to address this issue. The improvement and maintenance of regional and local roads in its area is a statutory function of each road authority, in this case Cork County Council, in accordance with the provisions of section 13 of the Roads Act 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants.

The 2014 regional and local road grant allocations were announced in January this year. A total of €331.9 million is being provided to local authorities in 2014 for regional and local roads grants. The initial selection and prioritisation of projects to be funded from these moneys is a matter for each local authority.

The cutbacks in State grants for regional and local roads has meant that it has been necessary to concentrate resources on the maintenance and rehabilitation of road pavements, rather than major new road schemes and major realignment schemes.

I am familiar with the R624 Cobh Road project and I understand there is a lot of concern locally about the need to upgrade access to Cobh island, as Deputy McLellan explained. An application was received from Cork County Council in September 2010 for 100% funding of the R624 Cobh Road project, which involves the construction of a new road and bridge at an estimated cost of €57.5 million under the strategic regional and local roads programme.

The funding available for projects under this category for the entire country in 2014 is €11.3 million, down from €87.5 million in 2008. Unfortunately, this means that it is not possible to progress projects such as this at present anywhere in the State.

The Government’s comprehensive review of expenditure 2015-2017 and capital review 2015-2019 have commenced. The current and capital reviews will consider new ways of achieving Government objectives in the tight fiscal framework in which we operate, including the extent to which funding will be available for the maintenance and development of the road network. I cannot say at this point what the outcome of the comprehensive review and of the capital review will be, but the Deputy can be assured that I will be making a strong case for an increase in the roads budget so that important projects such as this can be put back on the agenda. I would also encourage Cork County Council in any future application to make a contribution to the cost of such a project from its own revenues.

**Deputy Sandra McLellan:** I thank the Minister for his reply. I am glad he stated that in the future he will make a strong case for the improvement of the Cobh Road.

The State has a clear role to play in job creation, investment and enterprise. Part of that role is to identify where there are weaknesses and strengths, and it is up to the Minister to strengthen any weakness and to assist in the flow of investment and jobs in to a suitable area that requires it. That area, I argue, is Cobh.

The Minister himself was there and he spoke highly of it. I believe the Minister when he says he will make a strong case for it.

Cobh is a beautiful town which relies heavily on tourism. It is ideally situated in Cork Har-
bour - the second largest natural harbour in the world - and attracts large cruise ships. Cobh is at the doorstep of Cork, the second largest city on the island. It is also close to markets and is a gateway to the nation.

I know that €60 million may sound like a lot in the overall scheme of things, but this issue has been continuing for decades. We need to get that one missing link which is the upgrade of the Cobh road. I hope the Minister will see it as an investment rather than as expenditure. I also hope that in future he will make any case he can to prioritise the upgrading of the road.

**Deputy Leo Varadkar:** In fairness, neither of us is here to score political points. We both appreciate what Cobh and the surrounding areas have to offer in terms of tourism and future investment possibilities. We agree that we would like to see the bridge and road being improved in the coming years. It is frankly a matter of money. The roads budget has been cut back severely, largely in order to protect front-line public services and reduce the amount of new taxes that have to be imposed. Therefore, it has been cut back for good reasons. However, I will be seeking an increase in the budget in the next round of multi-annual funding so that projects like this one can continue again.

The money we have left is largely for care and maintenance. The only new projects going ahead are either relatively inexpensive or funded off balance-sheet through public private partnerships. This is not the kind of project, however, that can be done as a PPP.

I note from Sinn Féin’s pre-budget submission that it has not provided any increase in funding for transport or roads either. I imagine therefore that Sinn Féin would be supportive of the Government’s overall thinking, which is that unfortunately, transport projects such as this will have wait in order to avoid imposing further cuts on front-line public services, or further taxes or charges.

**Local Authority Funding**

**Deputy Kevin Humphreys:** As the Minister of State is aware, next year local authorities will receive 80% of the local property tax raised in their area, most of which will be raised in Dublin. It is estimated that Dublin City Council will receive about €60 million from a yield of €80 million from property tax in the city area alone. That is ten times more than will be paid in Louth, where approximately €8 million will be paid in property tax. Dublin will get €2.6 million from the Local Government Fund, while Louth will get €8 million. This can hardly be considered as fair.

Of the €80 million to be raised, some €60 million of the Dublin City Council home owners’ tax will subsidise local authorities that do not raise enough in their own areas. I have no problem with a centralised fund and an equalisation mechanism, as long as all counties are treated similarly, equally and fairly. To date, however, the four Dublin local authorities have not been treated thus. There has been great discrimination against the four Dublin local authority areas.

There has been much media speculation that grants paid to councils, and especially the four city authorities, will be slashed. Given the fact that we will pay so much property tax, an amount of money will be kept within those authorities. The Government will then slash local grants, taking with one hand and giving nothing back. Approximately €52 million is paid from the Department of the Environment, Community and Local Government to Dublin City Coun-
cil alone, not to mention the three other Dublin local authorities. That pays for house building programmes, adaptation grants and homelessness subsidies. In the middle of a housing crisis we cannot reduce any money to the homeless sector or for house building within the Dublin area.

If the Minister of State is still in that position next week or if he is elevated to a more senior position-----

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Fergus O’Dowd):** The Deputy might be over here.

**Deputy Kevin Humphreys:** -----I expect him to ensure that Dublin gets its fair share, which is has not up to now.

**Acting Chairman (Deputy Seán Kenny):** The Deputy’s time is up.

**Deputy Kevin Humphreys:** We are in the midst of a housing crisis and it would be lunacy to continue this discrimination. Dublin is at the heart of it. I expect a high standard from the Minister of State, who should defend Dublin and ensure the city gets its fair share.

**Deputy Brendan Ryan:** I am concerned by reports that central funding to local authorities in the Dublin area could be reduced. This is particularly worrying as we are currently in the teeth of a housing crisis in which individuals and families are being thrust into homelessness daily. Currently, local authorities in Dublin, including my own area of Fingal, need increased funding to tackle this crisis. The crisis is significantly a Dublin problem although some rural areas are also affected.

Insufficient funding is available for essential urgent housing adaptation based on assessed medical needs. Any reduction in central funding would equate to Dubliners being punished for paying property tax. My own area of Fingal contributed €18.4 million in local property tax last year and had the second highest compliance rate of any local authority in the country last year, with 94.6% of households paying the charge. This high compliance rate is partly due to the recognition by people that their local services are under financial strain and require further funding. It should not result in reduced central funding.

Fingal and the other Dublin councils already receive much lower *per capita* funding from central government than other councils around the country. Fingal council, and especially its newly constituted operations department, is working hard to do more with less. It is trying to get more open spaces maintained with fewer personnel, as well as constructing paths and fixing potholes to improve roads and pedestrian safety.

The money taken in by the local property tax is not a bonanza, as is being reported in some parts of the media. It is money that should go to people on housing adaptation lists, to get stalled community centre projects off the ground, and to invest in tackling the housing and homelessness crisis. This money will not cure all the challenges facing local government - far from it. It will only moderately relieve the strain placed on local authorities.

**Acting Chairman (Deputy Seán Kenny):** The Deputy will have to conclude now.

**Deputy Brendan Ryan:** It is vital that central government does not give with one hand while taking away with the other.
**Deputy Robert Dowds:** I have to beat the same drum as my colleagues, and particularly Deputy Ryan, because like him I represent a developing county. That means we have much greater need of financial input into local authorities. I represent a county that has consistently received the least *per capita* share from the Local Government Fund. I think €500,000 was the figure for last year. Dubliners are paying much more local property tax than people in rural areas. I appreciate, however, that the figures for County Kildare and the Minister of State’s area of County Louth would be a bit higher than other rural areas.

The fact that we in Dublin are paying so much more in property tax should not lead to a discriminatory situation whereby we lose out on grants. As my colleagues have said, we urgently need money, particularly for housing and to combat homelessness. In my own county, 50 people are waiting for emergency accommodation. Most of them are living in hotels, so we cannot afford to lose out on central government grants. I therefore urge the Minister of State to look after our needs in that regard and not punish us because our people are paying more in property tax than others. There are other ways to address disparities in collecting local property tax, which could be considered if that path is to be examined.

*6 o’clock*

**Deputy Aodhán Ó Ríordáin:** During the bubble period, when the State was overly reliant on stamp duty and VAT as a source of income, people in Dublin and the commuter belt contributed disproportionately to the coffers of the State. It would be extremely unfair if they emerge from that situation to a new one in which they are doubly punished because of property prices in Dublin and the local property charge.

Council services benefit the most vulnerable and poorest in our society, whether through housing, sheltered accommodation, libraries, parks or playgrounds. All of the essential services that councils provide benefit the poorest and most vulnerable, who have the greatest need for public services. The suggestion that central government grants to Dublin City Council or any of the other Dublin councils could be affected because of receipts from the local property tax is patently unfair. Given the historical context of what happened during the bubble period, the bankrupt nature of the funding mechanism and the fact that Dubliners were unfairly treated during that period, to disadvantage those living in the Dublin region by cutting central government funds is doubly unfair. Dublin has a higher proportion of marginalised and disadvantaged communities who depend on council services for their very survival. I ask the Minister of State, Deputy O’Dowd, to ensure they are not cut off from central government.

**Deputy Fergus O’Dowd:** I thank the Deputies for raising this important matter which I am taking on behalf of my colleague, the Minister for the Environment, Community and Local Government.

In recent months there has been extensive discussion of the issue of local property tax, LPT, and how local retention of that tax might impact on local authorities in the future. It is a complex issue that will need much consideration as the Estimates process for 2015 progresses. The Departments of Public Expenditure and Reform, Finance, Transport, Tourism and Sport and the Environment, Community and Local Government have been examining the implications of local retention and variation of local property tax in recent months. They have considered a wide range of issues, including the implications of 80% local retention of LPT, the new power that local authorities have, with effect from today, to vary the basic rate of LPT by up to 15% and how those policies might potentially impact on the overall Exchequer financial position and the
For local authorities, 2014 and 2015 will be particularly challenging years given that they are undergoing the most fundamental structural changes since the foundation of the State, as well as a significant restructuring in respect of water services and completely changed funding and service delivery models. These changes to the local government funding model will need to be carefully managed. The Departments concerned are actively considering the issues arising from these changes and, following consideration by the Government, local authorities will be advised of the outcome.

In terms of local retention of local property tax, the Government has indicated its intention to move to 80% retention of the tax from 2015. A decision to allow local authorities to retain 80% of LPT locally and the power to vary LPT rates will facilitate further implementation of the local government reform programme, a core element of which involves greater devolution to the local government sector through supporting enhanced local decision-making on spending priorities.

The Minister fully recognises that it is necessary for Government to provide funding certainty for local authorities as early as possible if they are to be able to meet their budgetary obligations and consider the question of whether to vary LPT for 2015 by the end of September 2014. There is a need to recognise that the LPT base outside of the cities and main commuter zones is narrower and there will be a requirement to equalise the income position of those local authorities to ensure an acceptable standard of service delivery is maintained throughout the country. The issue of LPT allocations, both from local retention rates and from any subsequent income provided to local authorities to equalise distribution across the State are matters for the Department of the Environment, Community and Local Government. The Minister considers that is essential to resolve them at the earliest opportunity and he will continue to work with Government colleagues to ensure that information in respect of these decisions is available to local authorities to facilitate their budgetary timeframe.

The provision of other central government grants to local authorities will be considered, as normal, as part of the Estimates process. The Minister and Ministers of State at the Department of the Environment, Community and Local Government will engage with the Minister for Public Expenditure and Reform in this regard, particularly in respect of funding for housing matters, which is currently a significant source of funding for local authorities from central government. The matter of overall housing grant allocations for 2015 is, of course, inextricably linked with the new social housing strategy which is currently being developed by the Minister of State with responsibility for housing and planning, Deputy Jan O’Sullivan, and which is expected to be finalised by the end of September. The level of central government grant funding to be provided to local authorities from other Departments is a matter for those Departments and for the Minister for Public Expenditure and Reform.

Deputy Kevin Humphreys: The Minister of State indicated this is a complex issue but I will put it in simple terms. Do not try to rip off Dublin.

Deputy Fergus O’Dowd: I have no intention of doing so.

Deputy Kevin Humphreys: This is not a debate; I am replying to the Minister of State. Do not try to rip off Dublin. Since 2013, home values in the Dublin area have nearly doubled. This is another problem that needs to be addressed. The shortage of housing in the Dublin area
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has driven prices up. Dublin residents and householders cannot be punished for this. Local councillors need to be given the power to vary the local property tax by 15% or else the rates should be frozen at 2013 valuations until the market settles. I ask for those issues to be considered and addressed. I will be watching carefully because the Minister of State will probably be promoted, and I will be saying the same thing to my own party colleagues. I will not stand for Dublin being ripped off. Let us be clear on that.

**Deputy Fergus O’Dowd:** I will not either.

**Deputy Brendan Ryan:** We need to increase our supports for local government to help it meet the challenges our citizens face every day, from run of the mill problems to the extraordinary challenge of not having a stable roof over one’s head. We need to invest rather than reduce. We have a crisis of housing and our local authorities are on the front line. Any diminution in funding through central grants will weaken our chances of beating that crisis, and Dublin councils must not be treated less favourably than other councils.

**Deputy Robert Dowds:** We will be in a very rebellious state if we do not make progress on this issue.

**Deputy Richard Boyd Barrett:** Roll on that rebellion.

**Deputy Robert Dowds:** It is unacceptable for Dublin to be discriminated against. I agree with Deputy Kevin Humphreys in regard to future property taxes in Dublin in the context of changing house prices. This raises the question of how property tax is calculated. There are ways of making a fairer calculation across the country. Being from the county that has always gotten the least from the Local Government Fund, I will be watching developments closely to ensure we are not deprived of funding, particularly in regard to the housing crisis.

**Deputy Aodhán Ó Ríordáin:** Last year, Dublin City Council scraped its budget through and last minute proposals from city management in regard to cutting homelessness services and adaptation grants for the disabled and potential increases of 14% in local authority rents were avoided because of an intervention from the Government. Without ongoing and sustainable intervention by the Government, the services that protect the most vulnerable in Dublin will not survive. This is a matter of equality and social solidarity. It is important to underpin the essential services of housing, community infrastructure, library services, etc., with sustainable funding. This should come from the local property tax, which I support, and also from the central government to ensure such services can continue in future without a threat hanging over them from year to year.

**Deputy Fergus O’Dowd:** I assure Deputy Kevin Humphreys in particular that this Government is not ripping off the people of Dublin and it has no intention of doing so.

**Deputy Kevin Humphreys:** I will hold the Minister of State to that.

**Deputy Richard Boyd Barrett:** The Minister of State is contradicting everybody.

**Acting Chairman (Deputy Seán Kenny):** There should be no interruption.

**Deputy Fergus O’Dowd:** The facts are simple. I have clearly stated, and I repeat, that regardless of where people live, 80% of the funding will be spent where it is raised. That is the Deputies’ Government and mine, their Ministers and mine, which are committed to this goal. We are also committed to the financial certainty that we all want, whether it is in Dublin,
Drogheda, Cork, Kerry, Limerick or Tipperary. We must run a country and we must ensure that can be done fairly, with all our communities getting the funding to which they are entitled and a fair proportion of what is paid.

The housing issue is significant in Dublin and the Minister of State with responsibility for housing, Deputy Jan O’Sullivan, who is a member of Labour, has very strongly put forward all the proposals which should be supported by all of us to improve housing, particularly in Dublin. Funding must be used to put back into living use the houses which are boarded up around the city and country in order to meet those needs. One of the biggest issues for Dublin is its water supply and we must spend €500 million over the next three or four years to ensure Dublin has the water supply it deserves and to which it is entitled.

**Deputy Kevin Humphreys:** That is the concern of Irish Water.

**Deputy Fergus O’Dowd:** We are not ripping off anybody but ensuring that there is fair and equitable distribution of funding. Everybody will get 80% of what they pay in and the balance will go to some counties or areas which do not have the funding to maintain basic services. The Minister, Deputy Hogan, is firmly of the view that certainty is important in this significant time, and he will continue to work with Government colleagues to ensure the necessary budgetary information is available. Grant allocations from central government are a matter for the Estimates and the Minister for the Environment, Community and Local Government, along with other Ministers, will continue to engage with the Minister for Public Expenditure and Reform, Deputy Howlin, in this regard.

All of us agree that 80% of the funding should be spent where it is raised and there should be fairness and equity across the country. I hope the needs of Dublin will be met from the funding, as it should be.


**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Tom Hayes):** I move: “That Report Stage be taken now.”

Question put and agreed to.


**Deputy Catherine Murphy:** I move amendment No. 1:

In page 9, after line 41, to insert the following:

“Establishment and functions of the Office of Radiological Protection

15. (1) The Agency shall establish within its organisational structure an office to be called the Office of Radiological Protection.

(2) Management and direction of the Office of Radiological Protection, within the organisational structure of the Agency, shall be the responsibility of the person who becomes a director of the Agency under section 14(1).

(3) The Agency shall ensure that all functions transferred to the Agency under section 6(1) shall be administered from and carried out by the Office of Radiological Protection.”.
On Committee Stage I outlined a similar amendment. It is fair to argue that this Bill is facilitating a merger, with theRadiological Protection Institute of Ireland, RPII, being assimilated into the Environmental Protection Agency, EPA, rather than there being two distinct organisations with separate profiles. I made the argument on Committee Stage, and I will continue to make it, that at the very least there should be a guaranteed separate function and office within the EPA. As I stated on Committee Stage, Professor William Reville indicated to the committee some time ago that the function of the EPA is to protect the environment from people, whereas the RPII has a function to protect people from nuclear material and radon gases. These are almost converse functions.

The EPA does good work within the science sphere and it will have an enhanced function from climate legislation, as it will have oversight of how to keep targets to be set in the sectoral plans. The difficulty is the EPA does not have the resources to really enforce some of the areas they have licensed, and there are a couple of bad examples in my constituency which I referred to on Committee Stage. I am concerned that it is quite stretched anyway and this is another so-called elimination of quangos. How organisations are put together and cultures are mixed is a challenge in its own right. This is not a merger and, if it was, it would be the sum of two equal parts, which is not what it will be. The amendment provides for the separation within the EPA and I am interested to hear the Minister of State’s comments on the matter.

Deputy Richard Boyd Barrett: The Government on Committee Stage did not really seem to take on board the points Deputy Catherine Murphy and I made on Second Stage. There are two reasons to be concerned and oppose the legislation. We may have a chance to discuss one of these before debate on the Bill finishes today. The Government is rolling in two elements, one of which is an international treaty and the other is the merger of the RPII and the EPA. They should not be in the same Bill and I have a fundamental problem with such a process. I would probably support one of those elements but I do not really support the other.

Radiological protection and ensuring we are adequately protected against radiation, whether natural or generated by the nuclear industry, is a very important business. It is not something that most people worry about much of the time, and I hope we never have to worry about it in a serious way. At any time there could be an accident and radon is an ongoing problem. The issue of potential nuclear accidents is serious, and we all might be running around asking who has the plan if anything serious was to happen. One remembers the major embarrassment for the last Government when it was discovered that the big plan consisted of giving out iodine tablets, staying indoors and hiding under a table. It was not very heartening stuff when we are dealing with something as dangerous as radiation, one of the more dangerous phenomena known to man. We must have a dedicated body for dealing with this issue and not one simply subsumed under the EPA, with no guarantee that its specificity on an issue of crucial importance will be maintained or respected in a new body.

This amendment is really the minimum we could ask of the Government in order to allay such concerns. If the Minister of State is not willing to grant this, he should at least agree to a separate agency which will be responsible for this area and maintain all the current functions of the Radiological Protection Institute of Ireland, RPII. If the Minister of State wanted to ensure the RPII is merged with, rather than liquidated and subsumed by the Environmental Protection Agency, EPA, he would accept this amendment and would have acknowledged its legitimacy on Committee Stage.

He has failed to do that, which causes me concern, to say the least, about this Bill. I do not
think we should be doing this. I do not see its value or the savings. When the Minister of State at the Department of the Environment, Community and Local Government, Deputy O’Dowd, introduced the Bill on Second Stage, he was very vague about the savings this would achieve. There are no real savings but considerable costs have been incurred in preparing this merger. I heard a figure of €800,000 and the Minister of State has not identified anything close to that sum in savings to be achieved. This is decorative but potentially dangerous because a body we need to watch something important such as radiation and its potentially damaging effects could be endangered. I am interested to hear what the Minister of State has to say to allay our concerns. If he was taking those concerns seriously, concerns that the RPII has strongly indicated, he would accept this amendment. If he does not, I will be forced to vote against this Bill.

**Deputy Brian Stanley:** I support amendment No. 1 in the name of Deputy Murphy. It is very important. We have all been lobbied about this and it is a very good amendment. While the EPA has an important role, the RPII also has an important and distinct role. I do not want to rehash what previous speakers have said but it makes sense to try to ensure that entity is protected, that its role is enhanced and that we ensure its distinct function is preserved and maintained not just for its own sake, but for the sake of the people and the environment to ensure that we are protected from radiation. I will also support amendment No. 10 on revoking nuclear facility licences.

I know that normally Ministers do not take on board much of what comes from the Opposition but could there be an all-party approach to radiological protection? It will affect all parties, their supporters and constituents. Deputy Murphy has put a lot of work into her amendments and I commend her on that. They are very worthwhile. Amendments Nos. 1 and 10 are the minimum that should be accepted. They are vitally important.

**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Tom Hayes):** It was determined at the commencement of the merger process that the most efficient and cost-effective way to enable the merger was to establish a fifth office within the EPA structure, the office of radiological protection. Section 19(3) of the Environmental Protection Agency Act 1992 sets out that “The Agency shall consist of a Director General and four other directors”. It will be the function of the director general of the new merged organisation to arrange the distribution of the business of the agency among its directors but this must be done having regard to the statutory functions and requirements of the body. Accordingly, it would not be appropriate or desirable for legislation to prescribe the divisional organisations of the EPA or to confer one of the offices with a more pre-eminent or differential status.

Nonetheless, the EPA board, including directors of the new office of radiological protection, will have to continue to ensure that sufficient resources and effort are being directed at meeting all the merged body’s functions. I have full confidence they will manage their expertise and resources accordingly. This approach reinforces the findings of an independent review of the EPA, published in May 2011, which concluded *inter alia* that the flexibility and change management shown by the EPA is a major strength and should not be limited by overly-prescriptive statutory provisions governing the agency’s structure.

There will be savings of €260,000 per annum from 2016. There will no diminution of the commitment to radiological protection as a result of the merger so I do not propose to accept this amendment.

**Deputy Catherine Murphy:** We are losing the independence of an organisation that has
built up confidence. The EPA will have some unsavoury things to enforce when it comes to sectoral plans, climate change and making sure we stay within the parameters as set out in the Bill. I very much hope, and have a vested interest in hoping, that the words the Minister of State used about the most efficient and cost-effective way of doing something will not jump up and bite us all in the future. It is more important that the organisation operates independently, is focused on its functions, and is distinct. I regret that the Minister of State will not accept this amendment. This is not a merger. If the RPII is to be subsumed by the EPA, the least the Government could do is provide some assurance that there will be an exclusive focus on its remit, rather than make that part of the range of the EPA’s functions.

**Deputy Richard Boyd Barrett:** When I hear words like “efficiency” and “cost effectiveness”, I immediately get the jitters because they are often code for cuts. The notion of cost effectiveness is narrowly defined. It is cost-effective to the value of €260,000 in 2016, according to the Minister of State. This is a new figure that has jumped out since we asked about the savings on previous Stages. I would love to hear where this €260,000 will come from because it was not mentioned in the Minister of State’s Second Stage speech. Even if the annual saving is €260,000, what will it cost us if there is a serious accident and we are not prepared for it? What will it cost if in the meantime because of the pressures on the EPA staff and resources and so on, the “flexibility” of its structure means that pressure is put on it not to give the proper resources or focus to replacing the RPII’s independent single-minded focus on this very specific area of radiation threat, through a nuclear accident or radon? One cannot mess with these very serious matters. One cannot hope for the best or play fast and loose in this regard because the consequences of serious accidents are potentially deadly for large numbers of people. That is the thinking behind this amendment. The basis of our concern about this whole Bill is that we are talking about a very important area. We are not talking about any old area of the environment - we are talking about an absolutely lethal substance. That is why we are asking for these minimal guarantees. If the Minister of State cannot give them, and instead merely offers us some words, it will not be very convincing and the Government will be making a mistake.

**Deputy Tom Hayes:** The EPA is an independent organisation. It is not possible to put this single division on a statutory basis. The Deputy suggested that the figure of €260,000 has jumped out of the air. That figure was arrived at in the Department. The fact is that this will come to €1 million over four years. The Deputy talks here about giving more money to the poor, the vulnerable and everybody else who is trying to find money. This is about saving money, where possible, in the best possible way. That has to happen. The hallmark of this Government is that it tries not to waste money. If it is a case of amalgamating groups and putting them together in a cost-saving way, so be it. That is the way to do it. That is the way one stands over it. As I have said, one cannot be throwing away money that is needed in other areas and for other new ventures, such as job creation.

**Deputy Richard Boyd Barrett:** Such as giving consultants in Irish Water lots of money.

**Deputy Tom Hayes:** That is one issue. We tried to tidy that one up. This is another issue.

**Deputy Catherine Murphy:** As I have said previously, we have been really bad at building institutions in this country. We inherited many of our institutions. If we are merging the cultures of two organisations, it is quite important to give them distinctive roles so that they can maintain some level of independence. I am pressing this amendment because it is the key amendment from my point of view in relation to this Bill.
Amendment put:

The Dáil divided: Tá, 26; Níl, 58.

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Deputy Catherine Murphy: I move amendment No. 2:

In page 12, to delete lines 25 and 26 and substitute the following:

“‘radiological protection’ means the prevention, limitation, risk-reduction, elimination, abatement or reduction of the harmful effects of ionising radiation;”.

This amendment seeks to add “risk-reduction” to the definition of “radiological protection” that is inserted by the Bill into the Environmental Protection Agency Act 1992. The wording is intended to bring clarity to the mission of the EPA in respect of the protection of the population from nuclear radiation. It is essentially intended as a safety valve in the form of a defined function for the agency of identifying risk factors. I accept that this function may be implicit in the range of functions already provided for in the Bill.

Deputy Tom Hayes: Comprehensive legal advice has been taken in regard to this definition to ensure that it encompasses the full range of radiological protection functions provided for in Irish and European law. The definition has been carefully drafted to this effect and I am reluctant to incorporate any additional elements that may not have been rigorously tested in this way to ensure they are appropriate and do not lead to unintended legal consequences. Therefore, I do not propose to accept the amendment.

Amendment, by leave, withdrawn.

Deputy Catherine Murphy: I move amendment No. 3:
In page 16, to delete lines 6 to 17.

I will withdraw amendment No. 3 because, essentially, it comes back to the same point.

Amendment, by leave, withdrawn.

**Deputy Catherine Murphy:** I move amendment No. 4:

In page 16, between lines 35 and 36, to insert the following:

“(a) the climate;”.

This amendment ensures that by adding the word “climate”, the definition of damage to the environment includes damage to climate. Again, this was covered on Committee Stage when I was given an assurance that the definition would cover all aspects. I would be satisfied if the Minister of State put that on the record.

**Deputy Tom Hayes:** I can confirm it covers all aspects of environmental damage.

**Deputy Catherine Murphy:** Including climate?

**Deputy Tom Hayes:** Not including climate. Climate cannot be affected.

Amendment, by leave, withdrawn.

**Deputy Catherine Murphy:** I move amendment No. 5:

In page 19, lines 26 to 40, to delete all words from and including “(a) The Minister” down to and including line 40 and in page 20, to delete lines 1 to 4.

This amendment removes the ministerial veto on the awarding of a nuclear material licence. I do not believe there are checks and balances in the wording proposed in the legislation and the EPA should be empowered to make this informed decision and not the Minister alone.

**Deputy Tom Hayes:** This new subsection of the Radiological Protection Act 1991, section 30(4E), does not provide the Minister with powers to veto licences. This section is intended to incorporate the terms of Article 2A.4.(a) of the Convention on the Physical Protection of Nuclear Materials and Nuclear Facilities into Irish law. This article allows states to exempt certain nuclear materials from the protection of the Convention on the Physical Protection of Nuclear Materials and Nuclear Facilities if they believe the danger from such material is of such low risk due to its radioactivity and-or quantity that is not deemed hazardous to people, property or the environment. An example might be very rare crystal glass manufacturing using uranium rather than lead.

Section 30(4E) allows the Minister to make regulations, if so desired, to specify such materials as not requiring the full protection of the convention, after consultation with the RPII-EPA. On Committee Stage, the Deputy expressed a concern that all necessary elements of the amendments to the Convention on the Physical Protection of Nuclear Materials and Nuclear Facilities be fully incorporated into Irish law. This is exactly the purpose of the proposed new section 30(4E) of the 1991 Act as this article needs to be incorporated into Irish law.

The Office of the Attorney General provided comprehensive advice and direction as to what elements of the Convention on the Physical Protection of Nuclear Materials and Nuclear Facili-
ties needed to be incorporated directly into Irish legislation and what elements did not.

The effect of the amendment, if accepted, would be that Ireland failed to have incorporated the principles and policies of Article 2A.4.(a) of the Convention on the Physical Protection of Nuclear Materials and Nuclear Facilities and would not, according to our legal advice, be able to deposit an instrument of ratification with the International Atomic Energy Agency. Furthermore, in deleting paragraphs (a) and (b) of subsection 30(4E), the remaining two paragraphs would become meaningless as they are deprived of all context. Accordingly, I cannot accept this amendment.

Amendment, by leave, withdrawn.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Amendments Nos. 6 to 9, inclusive, arise out of committee proceedings and may be discussed together.

**Deputy Catherine Murphy:** I move amendment No. 6:

In page 20, line 18, to delete “from time to time” and substitute “at least once in every two years”.

I hope the Minister of State will accept this amendment because, on Committee Stage, it appeared that it may be accepted. The amendment requires a contingency plan to be prepared every two years as opposed to the current wording which states “from time to time”. A degree of certainty is required. I would have thought that would be fairly straightforward and that the Minister would have accepted that there be some certainty by changing the legislation to include it. It is a fairly small amendment but it gives some certainty.

Amendment No. 7 removes the requirement of the RPII or the EPA to consult the Minister prior to the preparation of a contingency plan. It is open to a Minister - not necessarily this one - to be quite directional in terms of the preparation of a contingency plan. It strikes me that a contingency plan should be prepared and only after that should there be an option to consult the Minister.

Amendment No. 9 requires the EPA to consult prescribed bodies on heritage and the natural environment. I think it was said on Committee Stage that it was open to do that but it is not a requirement. There is a major difference between saying it is open to one to consult and a requirement for one to consult. The Minister of State will appreciate that it strengthens the hand of the NGOs, in particular prescribed bodies on heritage and the natural environment.

**Deputy Tom Hayes:** In the course of drafting this Bill, the Department, in consultation with the Office of the Parliamentary Counsel, examined the matter of timing of these plans in some detail and concluded that it would not be appropriate or, indeed, advisable to insert any time period for the creation of such contingency plans. The purpose of these plans is to put contingencies in place to protect the security of nuclear materials and-or facilities from those with malicious intent as threats are identified.

The plans should reflect threats, or potential threats identified by the Garda, the Defence Forces or the RPII, on a case-by-case basis. As such, the plans should be developed in a fluid and evolutionary manner, depending on the considered threat assessment. To set a time period in the legislation could lead to a view that such contingency plans only need to be made every two years when there may be a need to revise them more frequently or less frequently, depend-
ing on the threats identified at any given time.

7 o’clock

There is very little nuclear material in Ireland to which the amended CPPNM applies. It is proper that the Minister should be consulted on any matter that relates to such a serious policy consideration, especially one that is as serious as nuclear security policy. It is not unusual for legislation to require State agencies to consult relevant Ministers on important matters of policy within the Minister’s remit. For example, the Environmental Protection Agency Act 1992 requires that the EPA would have regard to the views of the Minister when producing any code of practice. This subsection does not interfere in any way with the independence of the RPII or the EPA. The final decision on the formation of contingency plans will be theirs. The subsection merely provides a Minister with the right to have his or her view, if any, considered.

I also note an inconsistency in the Deputy’s amendments in that she wishes that the RPII and the EPA should only have to consult with the Minister on contingency plans, if they so desire, and yet wishes to include a whole range of new stakeholders, including Ministers and heritage and environmental bodies with whom the RPII and the EPA must consult on nuclear security quality assurance schemes. On that point, the Deputy also proposes that the RPII may consult prescribed bodies with expertise in heritage and conservation in relation to contingency plans. As such bodies have no direct interest or expertise in security matters, I do not see the need for that. Furthermore, that could undermine security measures in the first place. Taking the above into account, I do not propose to accept the amendments.

**Deputy Catherine Murphy:** I accept some of the points made. The way to deal with the issue could be more often but not more than every two years. The Minister of State has more confidence in the arms of the State than I do. One can see, for example, how overstretched the Garda is and I do not expect it to be one of the headline issues for it to consider nuclear threats.

In amendment No. 11, I flesh out the various Departments and Ministers that should be consulted. The issue should not be the exclusive preserve of the Minister for the Environment, Community and Local Government but he is the lead Minister in the context of amendment No. 7. On the one hand we are told that it is a statutorily independent body and, on the other, that appears not to be the case because the consultation must happen in advance of the contingency plan. Could the Minister of State address that particular point on amendment No. 7?

**Deputy Tom Hayes:** The point has been covered. I addressed it in my response.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Amendment No. 7 not moved.

**Deputy Catherine Murphy:** I move amendment No. 8:

In page 20, line 26, after “with” to insert “the Minister,”.

Amendment put and declared lost.

**Deputy Catherine Murphy:** I move amendment No. 9:

In page 20, between lines 29 and 30, to insert the following:
“(5) The Institute may, prior to the preparation, amendment or revocations of a contingency plan, consult with prescribed bodies for the purposes of consultation on heritage and environmental matters.”.

Amendment put and declared lost.

**Deputy Catherine Murphy:** I move amendment No. 10:

In page 20, between lines 35 and 36, to insert the following:

“(7) The Institute may revoke a nuclear facility licence and a nuclear material licence for failure by a licence holder to provide such assistance or cooperation under subsection (5).”.

I raised the issue on Committee Stage and I would like the Minister of State to respond to it on the record. The intention is to enable the EPA to remove a licence from someone who does not co-operate with the development of a contingency plan. Once the reply is on the record, I will be satisfied and will withdraw the amendment.

**Deputy Tom Hayes:** It is neither necessary nor possible to accept the amendment. The RPII already has extensive powers to include any conditions it so desires or thinks are necessary in a nuclear material or facilities licence under the new subsection 30(4C) being inserted by this Bill, or using the powers it has under the Radiological Protection Act 1991 (Ionising Radiation) Order 2000 (SI 125 of 2000). Failure to comply with a condition or any requirement of a licence issued under the Radiological Protection Act 1991 is an offence under section 40(1B) of that Act and the offender could face up to ten years in prison and/or fines of up to €225,000 on indictment.

It should be noted also that the new subsection 34A(6) that this section will insert into the Radiological Protection Act 1991 makes assistance and co-operation with the RPII and the EPA in the implementation of a contingency plan a condition of the relevant licence to hold a nuclear material or operate a nuclear facility. In any case, it is not legally possible to require that failure to co-operate or assist with a contingency plan outlined in 34A could be dealt with under the provisions of 34B as the provisions of 34B relate solely to quality assurance schemes relating to the security provisions. I do not, therefore, propose to accept this amendment.

Amendment, by leave, withdrawn.

**Deputy Catherine Murphy:** I move amendment No. 11:

In page 20, to delete lines 37 to 39 and substitute the following:

“34B. (1) The Institute shall, following consultation with:

(a) the Minister;

(b) the Minister for Defence;

(c) the Minister for Justice and Equality;

(d) the Minister for Health;

(e) any other such Minister of the Government as deemed appropriate by the Institute;
(f) all prescribed bodies for the purposes of consultation on heritage and environmental matters;

(g) members of the public; and

(h) any other person as deemed appropriate by the Institute, formulate specifications (in this section referred to as ‘standard specifications’) for measures to prevent—”.

Essentially, the intention is to introduce much tighter wording. Currently, the wording only requires consultation with the Minister for the Environment, Community and Local Government. The amendment outlines the other Ministers who should be consulted and specifies other prescribed organisations.

**Deputy Tom Hayes:** I would like to clarify for the Deputy what exactly are the purposes of the quality assurance schemes proposed to be introduced by section 40 of the Bill. These quality assurance schemes relate to the individual and bespoke security measures to be put in place by a person or body licensed to hold nuclear materials, transport nuclear materials or operate a nuclear facility. It is a basic principle that security measures are not publicised and are kept secret. In fact, the amendment to the CPPNM has as a fundamental principle that member states “establish requirements for protecting the confidentiality of information, the disclosure of which could compromise the physical protection of nuclear material and nuclear facilities”.

Clearly, to consult the public or bodies that have no direct interest or expertise in security matters such as environment and heritage bodies or even the Minister for Health about quality assurance schemes for such security arrangements runs counter to this principle of confidentiality. In fact, it could seriously undermine that security in the first place. If I wish to keep terrorists out, I am not going to tell them the details of my security programme such as alarm systems, guards, gates or IT security.

Also, the effect of the Deputy’s amendment would be to replace the entirety of subsection (1) with her proposed text. I do not think this is what she intended as the language of her amendment suggests she wishes to keep paragraphs (a) and (b) of the subsection. The amendment, as proposed, deletes these paragraphs and, as a result, the language of the amendment does not make sense.

I do not propose to accept this amendment.

Amendment, by leave, withdrawn.

**Deputy Catherine Murphy:** I move amendment No. 12:

In page 23, between lines 7 and 8, to insert the following:

“National Radon Control Strategy

34C. (1) The Institute shall oversee and prepare an annual report on the implementation of the National Radon Control Strategy.

(2) Any report prepared under subsection (1) shall be laid before both Houses of the Oireachtas and before the Joint Oireachtas Committee on the Environment, Culture and the Gaeltacht within two weeks of its completion by the Institute.”.”
This amendment requires the institute to report annually on the national radon control strategy to the Houses of the Oireachtas and the Joint Committee on the Environment, Culture and the Gaeltacht. This strategy was launched by the Government because radon gas is linked to around 250 cases of lung cancer every year. These cases are preventable if we keep up the profile of this issue and if people get their houses tested. A deliberate initiative in the legislation requiring this would be positive and informative if even one case of lung cancer is prevented. I saw a person die of lung cancer and it is a grim ailment so we must do all we can. This amendment offers a very positive and important aspect to the legislation.

**Deputy Tom Hayes:** The creation and implementation of the national radon control strategy, NRCS, is an administrative and managerial issue for the merged organisations and is not appropriate for primary legislation. I remind the Deputy that a comprehensive NRCS is currently in place. Its purpose is to reduce risk to the population generally and to individuals living in areas with high radon concentration. The strategy contains recommendations on a broad range of measures aimed at reducing radon risk to people in Ireland and these are set out in six thematic areas. As I stated in my opening speech, the NRCS sets out some 48 recommendations with the ultimate aim of reducing the number of radon related lung cancer cases, which amounts to 250 cases per year. Successful implementation of the strategy will require action from a range of Government Departments, public bodies and other stakeholders. The co-ordination group, chaired by the Department of the Environment, Community and Local Government, has been established to monitor the implementation of the strategy and report annually on progress. At the end of a four year period covered by the NRCS action plan the group is to make recommendations to the Government on necessary future actions.

I do not propose to accept this amendment.

**Deputy Catherine Murphy:** The NRCS may be an administrative issue at the moment but the point of this amendment is to elevate it to a higher level as the Oireachtas and the Joint Committee on the Environment, Culture and the Gaeltacht would be involved. The public function of the NRCS goes beyond an administrative issue.

Amendment put and declared lost.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Amendments Nos. 13 and 14 are related and will be discussed together.

**Deputy Catherine Murphy:** I move amendment No. 13:

In page 25, between lines 9 and 10, to insert the following:

"Amendment of section 27 of the Act of 1991

44. Section 27 of the Act of 1991 is amended by the insertion of the following new subsection after subsection (2):

“(3) In executing functions under the Protection Convention nothing the Institute or the Minister shall do shall affect other rights, obligations and responsibilities of States Parties under international law, in particular the purposes and principles of the Charter of the United Nations and international humanitarian law.”.

These amendments allow Ireland to ratify fully the 2005 changes to the convention on nuclear materials and ensure the institute may not violate any international agreements, in par-
ticular the Charter of the United Nations, in carrying out its functions. I do not know why this part was omitted from the legislation as it was already a function of the Radiological Protection Institute of Ireland, RPII.

**Deputy Tom Hayes:** We are bound by international treaties that Ireland has ratified, including the Charter of the United Nations. I do not propose to accept this amendment.

Amendment, by leave, withdrawn.

**Deputy Catherine Murphy:** I move amendment No. 14:

In page 25, between lines 9 and 10, to insert the following:

“**Amendment of section 52 of the Act 1992**

44. Section 52(2) of the Act 1992 is amended by the insertion of the following new paragraph after paragraph (e):

“(f) In executing functions under the Protection Convention nothing the Agency or the Minister shall do shall affect other rights, obligations and responsibilities of States Parties under international law, in particular the purposes and principles of the Charter of the United Nations and international humanitarian law.”.”.

Amendment, by leave, withdrawn.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Amendments Nos. 15 and 19 form a composite proposal and will be discussed together.

**Deputy Catherine Murphy:** I move amendment No. 15:

In page 25, to delete lines 12 to 18 and substitute the following:

“**44. Section 2 of the Act of 1991 is amended by the insertion of the following new definition:**


These amendments will enable the newly formed Environmental Protection Agency, EPA, to become the competent authority for Ireland’s obligations under the Espoo Convention. The convention requires countries to undertake environmental assessments of major projects that could impact across international boundaries, including sea boundaries. The issue of Sellafield highlights the relevance of sea boundaries. Ireland signed this convention in 1991 and ratified it in 2002 but never designated a competent authority to oversee its provisions. This is the ideal time to do so and this is why I seek these amendments to the legislation.

**Deputy Tom Hayes:** The first proposed amendment to section 44 of the Bill is confusing and not fully understood. The Deputy proposes the deletion of a provision to align the Radiological Protection Act 1991 with the more comprehensive standard international scientific definition of ionising radiation that has been used in all other relevant EU and Irish legislation since 2000. This provision has been recommended by the Parliamentary Counsel and is whole-heartedly supported by the scientific experts in the RPII.
On the proposal to insert a new section 48, the insertion of a reference to the Espoo Convention is not appropriate to this Bill as it refers to a separate United Nations convention. The object of the Espoo Convention is to ensure that the full conventional implications of major developments are assessed in a spirit of co-operation between relevant states. In effect, the requirements of the Convention are very similar to the trans-boundary requirements of the environmental impact assessment, EIA, directive. In this regard, the convention is not restricted to nuclear facilities but applies to all trans-boundary projects likely to have a significant effect on the environment. The legislation currently in place on foot of the requirements of the EIA directive enables Ireland to implement fully the convention in the context of its application within the European Union. A statutory basis for a wider application of the EIA directive requirements was provided for in the Planning and Development Act 2000 and this allows Ireland to ratify the Espoo Convention in full.

I do not propose to accept these amendments.

Deputy Catherine Murphy: Is it proposed to designate another authority as the competent authority on this convention? The Minister of State has said the amendment is not appropriate for this legislation but is the convention relevant to another piece of legislation?

Deputy Tom Hayes: The planning section of the Department of the Environment, Community and Local Government has responsibility for regulation in light of the Espoo Convention.

Amendment, by leave, withdrawn.

Acting Chairman (Deputy Marcella Corcoran Kennedy): Amendments Nos. 16 and 17 form a composite proposal and will be discussed together.

Deputy Catherine Murphy: I move amendment No. 16:

In page 26, line 4, to delete “not”.

It is important to have oversight. At present one requires a licence from the EPA, but this will no longer be a requirement and there will be no responsibility. I would prefer to have oversight; even if it were designated to the Minister it is important to have it. This is the main point I wish to make.

Deputy Tom Hayes: The effect of the Deputy’s proposed amendments would be to require the RPII to need licences to have radioactive substances or irradiating apparatus and that these licences would be issued by the Minister. One of the central reasons for the existence of the RPII, and for its predecessor, the Nuclear Energy Board, and the office of radiological protection within the EPA in future, is that the State needs an expert body competent to license all matters relating to radioactive substances and devices. In any event, section 30 of the Radiological Protection Act 1991 does not empower the Minister to issue a licence. Even if it did, neither the Minister nor any other Minister, has the competence to undertake such a detailed specialist licensing role. Neither does any State agency other than the RPII and EPA. Furthermore, licences have to be issued in respect of any relevant substance or device held. The effect of the Deputy’s decision would be that, in an emergency situation, the RPII would be prevented from immediately seizing illegally held and/or hazardous materials or devices as it would have to seek a licence from the Minister before being able to do so. This amendment would render the work of the EPA on radiological matters almost unworkable and therefore I do not propose to accept it.
Amendment, by leave, withdrawn.

Amendments Nos. 17 to 19, inclusive, not moved.

Bill received for final consideration.

**Radiological Protection (Miscellaneous Provisions) Bill 2014: Fifth Stage**

Question proposed: “That the Bill do now pass.”

**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Tom Hayes):** As the Deputies are aware, the primary purpose of the Bill is to provide for the merging of the Radiological Protection Institute of Ireland and the Environmental Protection Agency. The Bill introduces the necessary statutory provision to enable Ireland ratify the 2005 amendment to the Convention on the Physical Protection of Nuclear Material, CPPNM. The CPPNM amendment expands the scope of the convention to include measures to protect the environment from any possible deliberate harmful release of nuclear materials or radiation through sabotage of a nuclear facility.

I stress to the House that the merger of the RPII and the EPA will not in any way result in a diminution of our commitment to radiological protection of the Irish public. The merging of the two organisations will enhance our capacity to continue to deliver regulatory and advisory functions to the highest standard as well as to foster greater synergies and linkages between radiological and environmental policies and actions. The two organisations already work closely together in a number of areas, including drinking water monitoring, waste management, water quality and the emergency response protocol. I remind the House that the EU basic safety standards directive, which was agreed during the Irish Presidency of the EU, has as one of its core principles the protection of the environment against the harmful effects of ionising radiation. There is a general move internationally to advance the crossover between environmental and radiological protection, and the amendment of the CPPNM, which includes measures to protect the environment, is a clear case where this occurs. These examples illustrate the growing synergies and interdependence between the functions of the RPII and the EPA, and this process can only be enhanced by the merger of the two organisations.

I will briefly address a number of specific issues raised by the Deputies as the Bill progressed. Ongoing engagement with the UK on all nuclear related matters, on which the Department has worked hard in recent years, will continue. I assure the House the merger of the RPII with the EPA will in no way lessen or reduce the high level of security applied to the Sellafield issue. I am told a visit by representatives of the Department, the EPA and the RPII to the site at Sellafield is being arranged for later this year.

Another issue raised in several contributions was that of radon. The national radon control strategy, NRCS, prepared by an interagency group and published in February, sets out 48 recommendations with the ultimate aim of reducing the number of radon-related lung cancer cases which have amounted to 250 this year. Successful implementation of the strategy will require action from a range of Departments, public bodies and other stakeholders. A co-ordination group chaired by the Department of the Environment, Community and Local Government is being established to monitor implementation of the strategy and report annually on progress. At the end of the four-year period covered by the NRCS action plan it will make recommendations to the Government on what further actions are considered necessary at the time. With regard to radon control, I assure Deputies the comprehensive action plan being implemented will in no
way be adversely impacted by the merger of the RPII and the EPA.

Concern was expressed about the name of the merged body. The name of the merged body will be the Environmental Protection Agency and the office of the radiological protection agency will be one of five divisions within it. The issue of naming and branding the merged organisation was very carefully considered in the course of the merger project. A number of options were examined prior to the final decision being made. The merger working group established to implement the Government’s decision to merge the two bodies and made up of officials of the Department of Environment, Community and Local Government, the RPII and the EPA considered the possibility of a name change for the EPA. The role of the Environmental Protection Agency in radiological protection was also examined. Of the 35 members of the European EPA network, 14 have at least some involvement in radiological protection. Most of these are named an environmental protection agency, environmental agency or some derivative. None has the words “radiation” or “radiological” in its title. The issue with regard to the name was referred to the Minister, Deputy Hogan, who, after further deliberation, decided to keep the EPA name. This decision was communicated to the RPII board on 24 June 2013 and the reasons behind the decision were explained in detail in further correspondence.

The ultimate aim of the Government’s agency rationalisation programme is to reduce the number of State bodies and integrate their roles and responsibilities into existing bodies with consequential effective savings. Irrespective of the level of savings, the general policy is to follow through on mergers and rationalisation unless there are strong evidence-based reasons for not doing so.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** As it is now 7:30 p.m. I ask the Minister of State to move the adjournment of the debate as we need to move on to Private Members’ business.

**Deputy Tom Hayes:** I move the adjournment; I can move the Bill because we are-----

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** That is my point. I wanted to give the Minister of State an opportunity to come in again.

**Deputy Tom Hayes:** It is only a minute. I want to move the Bill.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** If the Minister of State wants to conclude his comments, we will invite Deputy Catherine Murphy to speak again.

**Deputy Tom Hayes:** We can move it. I do.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Would the Deputy like to come back in - Deputy Catherine Murphy or Deputy Boyd Barrett, which of you first?

**Deputy Richard Boyd Barrett:** What happens if it is now time to move the adjournment?

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Private Members’ business is scheduled for 7.30 p.m., so we will be moving on to that. The Deputy will have an opportunity now to make a final comment and then the question will be put to the House.

**Deputy Richard Boyd Barrett:** We are then running into Private Members’ time.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** That was my point in asking
to adjourn the debate.

**Deputy Richard Boyd Barrett:** So we just adjourn the debate.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Yes, if the Deputy feels he will not have adequate time.

**Deputy Richard Boyd Barrett:** I will not have adequate time because it is now Private Members’ time.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Yes. We have to adjourn. The Member is entitled to speak subsequent to the Minister of State’s final contribution. We are out of time.

**Deputy Richard Boyd Barrett:** It would be fine if I had three or four minutes but then I would be running into Private Members’ time.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** We must move to Private Members’ Business; it has gone past 7.30. I have asked the Minister of State to move the adjournment of the debate so he is agreeing to that. We will move on to Private Members’ Business.

**Deputy Richard Boyd Barrett:** I have no desire to drag out this, but I would have needed more than 30 seconds.

**Acting Chairman (Deputy Marcella Corcoran Kennedy):** Unfortunately we are against the clock. We move now to Private Members’ Business.

Debate adjourned.

**Mental Health Services: Motion [Private Members]**

**Deputy Caoimhghín Ó Caoláin:** I move:

“That Dáil Éireann: notes that:

— mental health is an issue of vital concern to the nation in general and should be of special concern to policy-makers and legislators in particular;

— mental health services must be designed and delivered to aid the recovery of the individual;

— a person-centred approach is vital to the achievement of the best results; and

— the 2013 Annual Report of the Mental Health Commission, published on 25th June, 2014, has highlighted many of the key issues and requirements for action by Government; affirms:

— its continuing commitment to the implementation in full of *A Vision for Change*;

— its commendation of the work of the Mental Health Commission;
— its support for the work of the National Office for Suicide Prevention;

— its appreciation of those non-Governmental organisations, national, regional and local who actively promote positive mental health and seek to reduce the incidence of suicide and self-harm;

— its commitment to eliminate the stigma in relation to mental illness; and

— that the mental health of each citizen and of the nation as a whole is a positive resource that contributes to our general social, cultural and economic well-being; and calls on the Government to:

— ensure a consistent high standard of care and support for all requiring access to mental health services;

— provide for independent monitoring of the roll-out and progress towards full implementation of *A Vision for Change*;

— commit to an annual allocation of €35 million for the development of community mental health teams and to make good any shortfall in any given year in the subsequent year’s allocation;

— properly resource mental health services across the board, including the provision of appropriate and adequate staffing and with a key focus always on recovery;

— promote awareness of the unacceptability of certain practices and continue to discourage their use e.g. the application of electroconvulsive therapy on detained persons against their will;

— end the practice of admitting children to adult psychiatric units;

— progress relevant legislative undertakings including completing the ongoing review of the Mental Health Act 2001 and to bring the Assisted Decision-Making (Capacity) Bill 2013 through Committee and remaining stages;

— require the Health Research Board to again carry out a national survey of psychological well-being and distress, last carried out in 2005-2006, and to continue to conduct such a survey at regular two or three yearly intervals;

— ensure a cross-Departmental response to the risk of suicide and self-harm, including from the Departments of Health, Education and Skills, Children and Youth Affairs and Environment, Community and Local Government;

— provide the necessary resources to establish and sustain a 24/7 crisis support service for people experiencing severe mental or emotional distress, to operate in conjunction with the local Community Mental Health Teams;

— arrange for greater co-ordination of all existing suicide prevention initiatives across all sectors and groups working in the area;

— ensure the prioritisation of address of the mental health needs of marginalised communities;
— guarantee that the new National Strategic Framework for Suicide Prevention will place mental health awareness among children and young people at the top of its programme; and

— provide an appropriate accessible alternative to general Accident and Emergency department presentation to victims of self-harm.”

Molaim an rún ar son Theachtaí Dála Shinn Féin, rún tábhachtach atá dírithe ar shláinte intinne agus tá sé mar aidhm aige an Rialtas, an tOireachtas agus an pobal i gcoitinne a spreagadh chun go mbeidh sláinte intinne mar fhíor-thosaíocht againn.

We in Sinn Féin have chosen to return to the theme of mental health and suicide prevention for our final Private Members’ time debate in advance of the Dáil summer recess. We think it is vital to focus again on these fundamental aspects of public health in Ireland. These issues are of vital concern to the nation in general and should be of special concern to us as policy-makers and legislators.

The motion is timely in that it comes immediately in the wake of the latest annual report of the Mental Health Commission. Some of the findings of the report are alarming. The report of the Mental Health Commission shows that only 44% of psychiatric hospitals and mental health facilities are compliant with staffing level regulations. The report also makes clear that since 2007, staffing in mental health services has been reduced by the implementation of recruitment embargoes and employment moratoriums.

The authors of the report pull no punches when they state that such policies are endangering the delivery of confident and responsive community-based services as envisaged in A Vision for Change, the Government’s mental health strategy. It is also of huge concern that the commission reports that children are still being admitted to adult units. There were 91 such admissions in 2013, which represented 22.3% of all child admissions that year. These are some of the highlights of the report to which I will return in a moment.

In most cases motions such as this, tabled in Opposition Private Members’ time, come in the form of indictments of Government failures, and in most, cases, deservedly so. There is more than ample material to take such an approach. However, in this case we have taken a different approach, recognising where progress has been made and encouraging, prompting and pushing for improvement and progress at all times. This is the outlook of the Oireachtas all-party mental health group and one we are continuing in this debate.

It was all the more disappointing therefore to find this afternoon that the Government had decided to table an amendment to this motion. It is my earnest wish that we not only continue but that we build on the spirit of interparty co-operation and working together on these issues, and I will therefore proceed with the all-party approach that I have intended from the outset. I appeal to all Deputies to support our motion as tabled. I also appeal to the Minister of State, Deputy White, on behalf of his colleague, the Minister of State with responsibility for mental health, Deputy Kathleen Lynch, to whom I send good wishes this evening as she is hospitalised and will not be able to participate or attend over these days. We will identify both the positives and the negatives, and endeavour to be constructive.

Fundamental change in the care of mental illness has been undertaken. Guided by A Vision for Change, it is a very significant, but, regrettably to date, a long-term project. It requires maximum support to ensure that it proceeds apace and that it is not allowed to stall as has hap-
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pened too often in recent years. That is very much the purpose of this motion and this debate. It is to give a further push to a stalled process and to refocus on the needs and rights of those who use our mental health services.

The Mental Health Commission report acknowledges that there have been “significant improvements in many areas of patient care” since the passage of the Mental Health Act 2001 and the subsequent establishment of the commission. It is positive that, as the commission states, there is considerable commitment to the policy of A Vision for Change. However, the reality is also that the policy is being implemented unevenly and inconsistently across the country, and the commission identifies the requirement for innovative actions to be supported and reinforced by strong corporate governance at national level. This requirement hopefully will be fully addressed following the welcome appointment in 2013 of the director of mental health services and the creation of the national mental health service management team.

As our motion states there needs to be independent monitoring of the roll-out and progress towards full implementation of A Vision for Change. Regarding the focus on recovery there are two sides to the coin. The commission finds that the concept of recovery, where services are designed to assist in a person’s recovery rather than to manage his or her illness, is now well understood. It welcomes the continuing development of the systematic initiative “Advancing Recovery in Ireland” by the HSE.

It is also the case, however, that implementation is uneven. The report points to “a serious deficiency in the development and provision of recovery-oriented mental health services”. It identifies the absence of psychology, social work, occupational and other multidisciplinary team members. It calls for a change in attitudes and behaviours and for training in recovery competencies.

As our motion states, mental health services must be designed and delivered to aid the recovery of the individual and a person-centred approach is vital to the achievement of the best results. It is people who deliver mental health services. Visions, plans, systems are nothing without dedicated trained personnel to implement them. Adequate staffing is the biggest deficit in our mental health services.

To recognise the positives first, it is positive that 652 staff have been appointed in community mental health teams in the past two years. As the NGO, Mental Health Reform, states, this has the potential to transform the type of mental health care people receive to a more holistic approach, since the new appointments are resulting in more input from a range of disciplines including psychology, social work and occupational therapy. However, as the Mental Health Commission reports, the input of the latter professionals is still too limited. The commission’s findings on staff levels and the adverse effects of the recruitment embargo is the most worrying aspect of its report. I have already noted its finding that only 44% of psychiatric hospitals and mental health facilities are compliant with staffing level regulations. It goes further and states:

Since 2007, staffing in mental health services has been reduced by the implementation of recruitment embargoes and employment moratoriums... The medium and long term effect of such policies is to endanger the delivery of confident and responsive community-based services as envisaged in A Vision for Change.

At the end of December 2013 the overall staffing level for community mental health teams was still about 25% less than recommended in A Vision for Change.
Unquestionably, this points to the need for continued and enhanced investment. I cannot emphasise enough the importance of that part of the motion which addresses staffing. Sinn Féin calls on the Government to commit to an annual allocation of €35 million for the development of community mental health teams, to make good in the subsequent year’s allocation any shortfall in any given year and to resource mental health services properly across the board, including the provision of appropriate and adequate staffing and with a key focus always on recovery. This is the outcome all Members seek and they must have a shared determination in this Oireachtas to achieve it.

I will now address some other key elements of the motion. The Government must promote awareness of the unacceptability of certain practices and must continue to discourage their use. The prime example is the application of electroconvulsive therapy, ECT, on detained persons against their will. The Mental Health Commission report expresses continuing concern at this practice. In 2011, a code of practice under the Mental Health Act 2001 came into effect and stated “no child under 18 years is to be admitted to an adult unit in an approved centre from 1st December 2011”. Although this was only to be breached in exceptional circumstances, in 2013 there were 91 such admissions. While this was a decrease on 2012, it is still not acceptable and the practice needs to end. Relevant legislative undertakings should be progressed, including completing the ongoing review of the Mental Health Act 2001 and to bring the Assisted Decision-Making (Capacity) Bill 2013 through Committee and Remaining Stages. The last survey of psychological well-being and distress was carried out in 2005 and 2006 and Sinn Féin believes it is time for the Health Research Board to carry out another such survey and to proceed to do the same at regular two or three yearly intervals.

All Members are conscious of the continuing toll of suicide and self-harm, especially but by no means exclusively among young people. The work of the National Office for Suicide Prevention is to be highly commended. Members need to ensure a cross-departmental response to the risk of suicide and self-harm, including from the Departments of Health, Education and Skills, Children and Youth Affairs and the Environment, Community and Local Government. It is crucial that a 24-7 crisis support service for people experiencing severe mental or emotional distress is put in place and is properly resourced and sustained. It frankly is an insult to expect that such emergency support can be provided on an office hours or even part-time basis.

The following quotes from public meetings organised by Mental Health Reform speak for themselves. They are the views and the expressed opinion of service users in this respect. The first is, “We need a system to bypass A&E ... Admissions in A&E are not working - it comes up time and time again - waiting around”. Another user stated “Last time I was in A&E I was there for hours and started getting paranoid that people were talking about me”. A third stated: They need to change the environment [of accident and emergency] to make it more friendly for people in distress. All it does is compound their difficulties.

The final quote is, “When you are sick with a mental health difficulty, you can’t wait until 8 or 9 in the morning for a doctor to show up or for a certain place to open”. An alternative to general accident and emergency presentation for those who self-harm and a 24-7 crisis support service in conjunction with local community mental health teams are what is required, in line with A Vision for Change. There also must be greater co-ordination of all existing suicide prevention initiatives across all sectors and groups working in the area.

Marginalised communities often have more acute and more particular mental health needs.
Indeed, the treatment of some sectors of society by this State is undoubtedly damaging the mental health of many individuals. I need only cite the disgraceful conditions - the Minister of State has heard this issue referred to in this Chamber many times - in which people are detained in so-called direct provision centres. This, I believe, is creating a legacy of mental and physical illness, especially for the children held in these centres, in some instances for many years. The Government must guarantee that the new national strategic framework for suicide prevention will place mental health awareness among children and young people at the top of its programme.

I pay tribute to the work of Mental Health Reform, which has been of invaluable support to the Oireachtas cross-party mental health group. I thank in particular Dr. Shari McDaid and Ms Lara Kelly. I also acknowledge the work of Amnesty International, which previously provided secretarial support to the cross-party group. I also pay tribute to my colleague Members of the aforementioned all-party group. Each party participates in common pursuit of good outcomes and improved services right across this area. Sinn Féin’s motion also commends the work of the Mental Health Commission, the National Office for Suicide Prevention and those non-governmental organisations, national, regional and local, that actively promote positive mental health and seek to reduce the incidence of suicide and self-harm. The funding supports of those organisations need to be restored at the very least. The reduction in core funding year on year since 2009 has placed serious pressure on their work, while demand on their services certainly is increasing. At this point, I will take the opportunity to acknowledge the presence in the Gallery of a small number of people from those organisations. I believe Members will be joined by an even larger body in the course of the debate tomorrow evening.

Much has been done in recent years to educate our society about mental health. Tribute should be paid above all to those who have experienced mental illness and who have used that experience to help right the wrongs in a society which for decades stigmatised, criminalised and institutionalised those with mental illness. Hopefully, those attitudes and practices have receded into the past. However, much more remains to be done. We must see the mental health of each citizen and of the nation as a whole as a positive resource that contributes to our general social, cultural and economic well-being.

I will conclude by quoting from the World Health Organization, which in 2007 stated:

Mental health is an indivisible part of public health and significantly affects countries and their human, social and economic capital. Mental health is not merely the absence of mental disorders or symptoms but also a resource supporting overall well-being and productivity. Positive mental health is a state of well-being in which the individual realizes his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully and can contribute to his or her community.

In my last few words, I wish to express my hope that in the course of the Minister of State’s contribution this evening, he will signal that Members will conclude this debate tomorrow night with one voice, \textit{una voce}, on this most important issue and that Members can collectively and unanimously endorse the motion as tabled.

\textbf{Acting Chairman (Deputy Marcella Corcoran Kennedy):} I understand the Deputy is sharing time with some of his colleagues. Is that agreed? Agreed.

\textbf{Deputy Pádraig Mac Lochlainn:} I commend this motion as for too many years, the whole
area of mental health has been the Cinderella of the health service. Over the years while growing up and in common with many people, when visiting different towns I wondered what was this big house or what was the history of that big building. One often was told that it was the psychiatric hospital, which was where people were put out of the way. We lost our humanity somewhere along the way. In ancient civilisations such as, for example, in Roman times, if one visited a friend who was suffering from mental health issues, they had a phrase that the person was in Saturn. It was understood that such people were taking time out. They might be going for a walk or writing poetry. They were taking time out. Their family and friends supported them and they would be back again when they were ready. This was fully understood and the same applied in our ancient Celtic civilisation. Throughout all of history and in all the various civilisations, records exist of support being available when mental health issues arose. In the industrial era people became units of profits and labour and we lost our humanity. If people did not show up for work, they were not paid and could not pay their bills. They were expected to toughen up and get on with it. We are supposed to have come a long way, learned lessons and adopted a community-centred approach. This motion is important because the supports required at community level - the key personnel who must be appointed to perform vital functions - are not in place.

Like my colleague, Deputy Ó Caoláin, I commend the individuals, community groups and non-governmental organisations in civic society that have filled the gap. They have, for example, developed strategies on suicide prevention, introduced supports and provided the infrastructure the Government and its predecessors have failed to establish. We have heard much rhetoric and many commitments and promises have been made, but none has been delivered. It was remarkable that, until recently, there were delays in filling almost every key post dealing with mental health supports in County Donegal. Not all of these delays can be blamed on the moratorium on public sector recruitment. Those providing front-line psychiatric services are extremely critical of the delivery of services, especially the slow pace involved.

A national campaign is required on suicide awareness, similar to the successful campaigns on road safety. We need to see people telling their stories. In addition, supports must be provided on the ground.

Every Member of the Oireachtas will have known someone who has taken his or her life. In some cases, they will have been people we loved and we did not see the signs. As with deaths from road traffic collisions, not every case of suicide can be prevented, regardless of what one does. Nevertheless, the number of deaths by suicide could be significantly reduced if supports were provided in communities. We must meet people halfway. I refer to the fantastic individuals across the State who spend an unbelievable amount of time working on this issue. They will deliver volunteer hours if they are provided with the supports they need. Every Deputy could tell stories about dynamic projects in their constituencies. In County Donegal, for example, we have youth mental health projects that have been developed and are led by young people.

The motion before us is a call to action that is necessary because we have had too many unfulfilled promises. We hope the Government can deliver resources in communities to show that Ireland has genuinely moved forward from the dark days of the big house on the hill where we locked away those we were ashamed of and failed to show decency or compassion. If we are to demonstrate that we have learned from the past and moved on, we must invest resources to match the fine words and plans that have been laid out.

Deputy Michael Colreavy: I am disappointed that the Government proposes to introduce
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an amendment to the motion. The vision and steps set out in the text we have introduced should have enjoyed the support of every Deputy in the House.

In 2011, RTE performed a valuable public service when it broadcast a two-part documentary, “Behind the Walls”, which investigated the history of Ireland’s psychiatric services. Made by the eminent investigative journalist, the late Mary Raftery, the programme examined how people who suffered from mental health problems have been treated by the State. It made for grim viewing as it showed a culture of institutionalisation. The patients who came under the care of the State suffered greatly. They were branded as lunatics and locked away. At one stage, Ireland had the highest number of people locked up in mental institutions per head of population of any country. As legislators, it is our duty to ensure the mental health of citizens is given the consideration it deserves. We owe this debt to today’s citizens and those whom the State let down since its formation.

It is essential that our mental health facilities are adequately staffed to sufficient levels. A report published last week by the Mental Health Commission shows that only 44% of psychiatric hospitals and mental health facilities are compliant with staffing level regulations. Staffing levels for community health teams are 25% below those recommended in A Vision for Change. If one does not adequately staff services, patients suffer the consequences, as does the State. We need more than reports; we need political commitment, proper funding and action.

Suicide is an issue that must be tackled in a careful, considered manner. Sligo-Leitrim, the area I have the privilege to represent, has all too often witnessed the awful, hopeless legacy left in the wake of suicide, especially of young people. The issue must be addressed by means of a national, cross-departmental, co-ordinated approach. A key priority for suicide prevention is the development of an adequate 24-hour crisis support service for people experiencing severe mental or emotional distress.

I am delighted that 24-hour, community-based mental health services are being developed in north County Leitrim. While magnificent progress is being made in the area, I will monitor developments to ensure the necessary and desirable mental health service developments are not allowed to wither and die owing to a lack of adequate resources.

Crisis housing with adequate support services must be made available to those suffering a mental health crisis because hospitalisation and community-based services sometimes need to be complemented by housing for people with particular problems. Existing suicide prevention initiatives must be co-ordinated in order that members of the public know where to turn for advice.

Suicide services must be able to provide for minority groups such as black and minority ethnic communities, the Traveller community and homeless people. These communities often contain vulnerable people and are at greater risk of suicide and self-harm. Young people and children must be catered for also. We are often accused of not listening to the voices of the young and this is an area in which we must not fail them.

Community voluntary organisations in mental health services make an invaluable contribution to suicide prevention and support. The potential of these organisations is not being fully realised because statutory bodies will instinctively ring-fence whatever diminishing resources are available for statutory services. I have in mind the example of the Bill W Club in Sligo which provided 24-hour care for 365 days of the year for vulnerable people with various mental health
issues and addictions. The club recently lost its modest Health Service Executive grant of approximately €55,000 on the somewhat spurious ground that its policies and procedures were not up to scratch. Instead of supporting these untrained, volunteer workers, the HSE withdrew the small grant available to their organisation. To whom will the vulnerable people who were helped so much by the Bill W Club now turn at midnight on a lonely bank holiday?

Deputy Jonathan O’Brien: I commend Deputy Ó Caoláin on tabling the motion. I hope that over the course of tonight and tomorrow night, we will reach cross-party consensus on prioritising the area of mental health and suicide prevention.

For many years, there was great stigma attached to mental health and while the position has improved in recent years, the stigma is only beginning to lift. This development can be attributed to the work being done on the ground by individuals, organisations, volunteers and, to give credit where it is due, policy decisions made by the Government.

8 o’clock

Some of the initiatives, in terms of the Sea Change initiative, the healthy living campaign and the Green Ribbon campaign, all have certainly been positive contributing factors to lifting the stigma of mental health.

I have met individuals, in my constituency office and in passing at sports clubs and at social events, who are now more openly talking about their own battle with mental health and that is a positive development. The more people who talk about their experiences, particularly those who have come through very difficult times, such as in battling with depression, the better because depression is a huge issue in our communities.

When people talk about mental health and suicide, it is only fair to say that not everybody who has suicidal thoughts suffers with his or her mental health. There are various risk factors for those who contemplate suicide and that is why the part of the motion calling for a cross-departmental approach to tackling mental health is critical. We must tackle unemployment, social disadvantage and educational disadvantage because these all are risk factors for those who contemplate suicide.

We also must look at the associated protective factors, in terms of putting in place the resources, whether through funding, counselling or access 24 hours a day seven days a week to individuals who can help those who are in desperate need of help. These are the protective factors which need the funding and the resources because we must give people the tools to be able to cope with their individual issues. No doubt in times of economic downturn the number of those who are in desperation and who suffer from depression goes on the rise and unless we put in place those types of resources, we are doing them a disservice.

The other area I will touch on briefly is what Deputy Ó Caoláin calls for in his motion in terms of measuring the mental well-being of a nation, and it should be on a par with the physical well-being. No doubt if one is in a good mental and physical state, one is actively contributing to society and more open to getting out there and helping others. I know many who have suffered with their mental health who are now actively helping and encouraging those who are in dire need of help, either due to depression or suffering from a mental health disorder. They are actively encouraging those individuals to seek help. They are pointing them in the right direction.
I compliment the number of community and voluntary groups which are doing outstanding work. In many cases, some would argue there are services which duplicate in some areas and one of the tasks which face us is ensuring that all of those groups providing help and resources are targeting the correct areas and are getting the needed supports, whether from Government, from local government or from us in terms of legislation.

Deputy Peadar Tóibín: Maintaining and creating good mental health is one of the biggest challenges facing individuals, communities and Government in the State. Often, it feels as though the level of suicide, self-directed injury and depression are at epidemic levels and we as Deputies are powerless in the face of it.

Some 330,000 persons in the South of Ireland suffer from depression. There is not a home in this country untouched by depression at some level, whether through family and friends, and it leads to 10,000 hospitalisations in the State. Some 10% of adolescents experience some level of depression.

According to the Mental Health Commission, since 2007 staffing in mental health services has been reduced by the implementation of recruitment embargoes and employment moratoriums. The medium and long-term effect of such policies is to endanger the delivery of confident and responsive community-based services as envisaged in A Vision for Change.

On a number of occasions, I have stood in this Chamber and discussed the emerging two-tier society in which we live. We live in a fractured Ireland. Our country is split in many ways: politically, North-South; economically, east-west; and, increasingly, in the uneven rural-ruban distribution of key health services, including mental health. In Roscommon and Galway, an expert panel found that services were being run to outdated 30-year-old guidelines. It concluded that services in the west were still operating to 1884 guidelines.

A damning report out recently in Meath stated that services for young people in the county receive 90% less funding than the national average. According to voluntary organisations that work in the county, Meath children and their parents wait longer for services than their counterparts in other counties and in some cases, have no access to services at all. The report, Working For Children, commissioned by the Meath Children’s Services Committee, found that the national average funding for child services was €22.31 per child, but in Meath the corresponding figure was €2.89 per child or just under 13% of the national average.

Recently, nine doctors wrote to the Minister of State with responsibility for mental health to express their serious concerns about local services in light of nine fatalities in the Carlow-Kilkenny and south Tipperary area. There are also significant problems in the State with the treatment of certain demographic cohorts. The level of Irish youth suicide is the fourth highest in the European Union and large numbers of children are continually being placed in adult psychiatric units, with children as young as ten being placed in wards with adults aged 30 and upwards because of the lack of out-of-hours emergency services.

This week, approximately ten persons will commit suicide. Eight of these will be men. Male suicides are much more prolific in rural areas, with those working in the area of construction making up 41% of male suicides and those working in agricultural services accounting for 13%. This level of outcome skewed on a gender basis is outrageous and needs to be tackled.

There is a broad range of complex contributing factors that may increase a person’s risk of developing mental health problems. Many of these are not in the ability of any government
to resolve. However, the Government, with good policy decisions and funds, can ameliorate indirectly other areas of risk, such as exposure to toxins, drugs or alcohol during pregnancy, financial problems, cultural issues, use of illegal drugs and neglect of children. Directly, the Government can make a radical difference through the proper funding and staffing of diagnosis and treatment services.

There are few good news items in this, but statistics tell us that of those with mental health issues who find treatment and diagnosis, 80% will benefit from this treatment. There is a significant lack of after-care facilities in many of the areas worst hit despite the importance of after-care services in dealing with this issue as those who have tried to commit suicide often attempt to do so again. It is only such after-care services that can help with that.

I appeal to the Government to support the motion and do all within its power to resolve this issue.

Deputy Gerry Adams: Last week, I raised the revelations on RTE that senior doctors cited nine suicides in mental health service users in the Carlow-Kilkenny and south Tipperary area between August 2011 and January 2013. This tragic development has highlighted the problem with the mental health services. I also raised the lack of out-of-hours services which contributed to 90 admissions of children to adult inpatient units last year.

The CEO of the Children’s Rights Alliance says that this issue is a clear breach of children’s rights. It must be tackled as a matter of extreme urgency.

The report of the Inspectorate of Mental Health Services has stated that hundreds of psychiatric patients who moved out of mental hospitals in recent decades are living in unsuitable conditions with limited access to health or care professionals. Since 2007, staffing in mental health services has been reduced by the implementation of recruitment embargoes and employment moratoriums. These policies are endangering the delivery of efficient community-based services as envisaged in A Vision for Change, the Government’s mental health strategy.

Given the various issues that have arisen in recent weeks, it is clear that there is a crisis in mental health provision. I see that myself in my constituency clinics in Louth and I am sure that every Member of the Oireachtas has had the same experience.

I commend Teachta Ó Caoláin for bringing forward this motion, which seeks to refocus the Oireachtas, public opinion and the Department of Health on mental health and suicide prevention. It stresses the need to implement A Vision for Change by ensuring sufficient resources and a firm political commitment across all parties and by the Government.

We need to be able to measure in a regular and planned way the mental well-being of our society. A key priority for suicide prevention must be the development of adequate 24/7 crisis support services for people experiencing severe mental or emotional distress. That is not currently the case.

An Teachta Ellis has raised the issue of vulnerable young people presenting with serious mental health issues, but who are being turned away from hospitals due to a lack of beds and staff to provide care across the capital. Lives are being put at risk because there are not enough beds and not enough nurses and doctors in place to care for these citizens. They are citizens who, due to their mental health problems, are a danger to themselves and to others, yet they are being turned away. Doctors and nurses are working hard to care for these clients but cannot
deal with the volume of people who need their care.

The Government’s framework for suicide prevention should prioritise young people, given the clear evidence that early intervention is cost effective. We need to target marginalised groups such as minority ethnic communities, including Travellers among whom the incidence of suicide is much higher, and the homeless. This is not rocket science. It is quite obvious that people who are in difficulties in their lives or who are subject to disadvantage or discrimination will or possibly can experience mental health problems.

These difficulties affect thousands of people across the State. I meet more and more people who have difficulties that require attention. A mentally healthy citizen is a positive resource. We are a small island community and suicide does not recognise the Border, so there needs to be a joined up all-Ireland approach to the hugely important issue of mental health. The good mental health of one person contributes to and supports the overall well-being of society.

I do not see the sense of the Government’s amendment. We are not in disagreement here and we support A Vision for Change. I would like to think, as Teachta Tóibín said earlier, that the Government will support the Sinn Féin motion. Having done that, we will then need action and implementation. I commend the motion to all Deputies.

An Leas-Cheann Comhairle: I call the Minister for Health to move amendment No. 1.

Minister for Health (Deputy James Reilly): No, I will not be moving any amendment. Earlier today, I discussed this motion with Deputy Ó Caoláin and the Government has agreed to accept it. It is very closely aligned with our own policy and we see no reason to divide the House.

Deputy Caoimhghín Ó Caoláin: I thank the Minister and welcome that decision.

Deputy James Reilly: I thank the Deputy for raising this matter on Private Members’ business. It is an issue of serious concern to all of us.

I wish to share time with Deputy Anthony Lawlor and Deputy Mary Mitchell O’Connor.

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

Deputy James Reilly: I am pleased to have an opportunity to debate in the House the important issues of mental health policy and services. Mental health and well-being, just as with physical health, are relevant to each and every person in our society. Members will be well acquainted with the complex and sensitive issues that arise where this subject is under discussion.

There has been, and remains, strong cross-party support for A Vision for Change, which was published in 2006. The motion reflects that. This Government has brought a strong and determined focus to the reform and development of our mental health services and we are committed to sustaining this into the future. I would like in particular to acknowledge the determination and commitment which my colleague, the Minister of State, Deputy Kathleen Lynch, has brought to her role as Minister with responsibility in this area since 2011. I want to assure Deputies that she would have been here for this debate had it been physically possible for her. However, she is indisposed following a procedure in hospital.

There is much in the Private Members’ motion before the House which is closely aligned with the direction of travel as regards the delivery and reform of our mental health services.
will outline for the House what the current key objectives are and why a sustained commitment will be required for a number of years yet.

In 2006, A Vision for Change was widely welcomed as a progressive, evidence-based and realistic policy document that proposed a new model of service delivery which would be patient-centred, flexible and community-led. Much progress has been made in closing many of the old psychiatric hospitals and providing modern acute inpatient as well as community-based facilities and services.

We have therefore been moving away from the old institutional system of mental health service delivery towards comprehensive care in a variety of settings, including the home, community and in hospital. This common objective requires a change in attitudes generally towards mental health, especially in eliminating the unwarranted stigma that has caused so much pain in the past, as well as prioritising limited resources.

Although implementation of A Vision for Change has been affected by a number of factors, including the changed economic context, constraints in public spending and the moratorium on recruitment, the Government remains firmly committed to reform of our mental health services. This is in line with our clear programme for Government commitment to implement this widely agreed policy, reducing the stigma of mental illness, ensuring early and appropriate intervention and improving access to modern mental health services in the community.

It is in all our interests that we address this issue. Nobody in this House knows just how strong their mental health is until it is tested to breaking point and then it is too late.

A great deal of progress has been made with the accelerated closure of old psychiatric hospitals and the development of bespoke new facilities to support the community-based, recovery-focussed model of care recommended in A Vision for Change. A total of 19 old psychiatric hospitals across the four HSE regions have either closed completely or have closed to new admissions. Closure plans are in place for the remaining old hospitals. However, no closure will take place until the clinical needs of the remaining patients have been addressed in more appropriate community-based settings, in a planned way, and in consultation with them and their families.

Progress also includes the development of child and adolescent or CAMHS services, shorter episodes of inpatient care, the adoption of a recovery approach in delivering services, and the involvement of service users in all aspects of mental health policy, planning and delivery.

Similar to its reports in previous years, the Report of the Inspector of Mental Health Services for 2013 provides a balanced and valuable insight of what has been achieved in mental health and what improvements remain to be effected. None of us would argue with the purpose and objective of these reports, which reflect a realistic picture overall on an annual basis and highlight in an objective way where further work is needed.

While acknowledging that the pace of change towards a modern, patient-centred and recovery-orientated mental health service is slower than desirable, the inspector’s 2013 report also highlighted continued progress towards ending the use of outdated and unsuitable buildings for inpatient services and the continued development of CAMHS care.

Last year, following the enactment of the HSE (Governance) Act 2013, I appointed a new directorate to replace the previous HSE board structure. In conjunction with this, the HSE or-
ganised the major elements of the services into divisions, each under a national director. Each national director has responsibility for a defined budget, staffing and other resources and for delivering on specific service targets as specified in the national service plan. The establishment under these arrangements of the HSE mental health services division led by the national director for mental health delivers on a key recommendation of A Vision for Change. This new division carries operational and financial authority, coupled with clearer accountability, for all mental services. We will no longer see money that is put aside for one area being transferred into another area. The budgets will stay within the directorates. The new structure within the HSE has already made a real difference to improving the pace of and clarifying future pathways for developing mental health services.

The HSE national service plan for 2014 commits to a number of key deliverables, including progressing key multi-annual priorities from previous years, implementing access protocols for 16 and 17 year olds to CAMHS and reconfiguring general adult community mental health teams to serve populations of 50,000 each, as recommended in A Vision for Change. As part of the service plan, the HSE has committed to developing an implementation plan for the last three years of A Vision for Change, along with a standard model of care. The national service plan is supported by a detailed HSE mental health division operational plan which sets out how mental health services across all HSE areas will be delivered, following consultation with clinical and administrative staff in each area.

The mental health service is a secondary care service provided in the community and particular emphasis has been placed on the concept of recovery. Access to specialist mental health services is by referral from a GP or primary care practitioner, following assessment of each person’s needs. The motion proposes that victims of self-harm should be enabled to present to an appropriate accessible alternative service rather than a standard emergency department. My advice is that such arrangements would not always be clinically appropriate. I note that the Deputy opposite understands this. If by “appropriate” we mean there is no physical or medical risk, we are on the same page. There are specific areas where one would be concerned as a clinician that the diagnosis is not clear on whether the patient has a psychiatric condition or, perhaps, a constitutional condition brought about by a metabolic disorder or, in the case of self-harm, a deep laceration involving tendon and arterial damage that requires extensive resuturing or self-administration of poison requiring stomach wash-out and monitoring, or even renal dialysis. I understand the thrust of the proposal is that, where appropriate, the referral should be to an acute psychiatric centre. Many GPs are skilled in this area and they know their patients. If such a GP is happy that a patient should be referred to an acute psychiatric unit, the patient should not have to endure an emergency department. Sometimes, however, the GP will want the patient to be seen in the emergency department for the reasons I have outlined.

Those with mental illness should have access to the same range of services as the wider community. We must also avoid any stigmatising of individuals who self-harm. Persons who self-harm must therefore first be assessed from a medical perspective to establish whether they have underlying medical conditions which must be taken into account prior to any mental health assessment. The community mental health team is the first line of acute secondary mental health care provision and its presence allows individuals to be supported in their recovery in their own communities. The teams are the primary mechanism for the delivery of community-based mental health care across the full range of mental health services, from child and adolescent, through general adult to psychiatry of old age. These teams provide a range of interventions in a variety of locations, including the service user’s home.
The Government has demonstrated its commitment to mental health from the outset. The programme for Government makes a number of commitments on mental health, including ring-fencing annual funding from within the health budget to develop community mental health teams and services. We are also committed to ensuring patients can access mental health services such as psychologists and counsellors in the primary care setting. Early, appropriate and effective intervention is our key message. Since 2011 the Government has delivered on its commitment in these extremely challenging times, where the options for additional expenditure are generally very constrained. A sum of €35 million was made available in 2012, with an equivalent additional amount again in 2013 for new service initiatives. This was augmented by a further €20 million in 2014. This means that, despite serious resource pressures overall, development funding of €90 million has been made available to enhance mental health and suicide prevention. It is the Government’s intention that funding for mental health services will continue to be maximised in future years, taking account of evolving resource and health service priorities overall. This will also cover the important area of delivering new infrastructural facilities for the national forensic mental health service. In the context of destigmatising mental health issues, all new primary care centres will be associated with mental health facilities in order that people using these facilities can go in the same door as everyone else.

Our priority capital project in mental health services is replacing the Central Mental Hospital in Dundrum with an appropriate modern facility allied to corresponding development of regional intensive care rehabilitation units. The first phase of the project involves provision of a new 120-bed adult forensic hospital at St. Ita’s in Portrane, together with a ten-bed forensic child and adolescent unit and a ten-bed forensic mental health intellectual disability unit on the same site. The project is provided in the agreed HSE capital programme and is proceeding through detailed design and planning stages.

Community mental health teams need to have expertise from all the core disciplines of psychiatry, psychology, social workers, occupational and other therapists, as well as mental health nursing. This must be primarily a people-based multidisciplinary provision. To achieve this end, 1,100 new posts have been funded since 2012, primarily to strengthen community mental health teams for both adults and children and to enhance specialist community services for older people with a mental illness, those with an intellectual disability and mental illness and forensic mental health services in line with A Vision for Change. Some 740 of the 1,100 posts have been filled to date. The recruitment process for the development posts approved in 2012 and 2013 is continuing. Of the 414 posts allocated in 2012, the recruitment process was complete for 395 posts, or 94%, as of the end of May 2014. Of the 477 posts allocated in 2013, the recruitment process was complete for 326 posts or 62%, as at the end of May, with the remaining posts at various stages of the HSE recruitment or approvals process. There are a number of posts for which there are difficulties in identifying suitable candidates due to factors including availability of qualified candidates and geographic location. This is not unique to the mental health services. Options to enable more local recruitment are also being considered where this will assist in filling specific posts. I have received assurances from the HSE that the recruitment process for all new posts is being given priority. A further 250 to 280 development posts have been earmarked for this year. This will add capacity among the required range of health care professionals to deliver the community-based care which is at the heart of A Vision for Change.

Acute inpatient admissions for children and adolescents are prescribed in A Vision for Change as relating to age-appropriate acute inpatient units, which are approved centres registered with the Mental Health Commission. The provision of inpatient beds is integral to the
range of services required to meet the needs of young people appropriately. Interventions are provided through community mental health teams in the first instance and, if required, access to relevant inpatient services is provided. The need for inpatient treatment has decreased greatly for both adults and children with modern techniques of counselling and medication. Nationally, bed capacity for children and adolescents has increased from 12 beds in 2007 to 56 at present. In 2008, only 25% of admissions of children to HSE acute inpatient units were considered age appropriate. By 2013 this figure had increased to almost 80% of admissions. While this is still not acceptable or in line with Mental Health Commission regulations which require that all children under 18 should be admitted to age-appropriate acute inpatient facilities except in exceptional circumstances, clearly significant progress is being made on this issue.

The ring-fenced funding allocations provided by the Government since 2012 have allowed for 230 appointments in the area of mental health services for children. Approximately 80% of these are in place, with the remainder being recruited. This is proof of our commitment to improve these vital services. The admission of children and adolescents to age-appropriate CAMHS inpatient facilities reflects best practice and supports better outcomes for the individuals concerned. This is a key priority for the HSE in its service plan for 2014. We have developed a specific quality key performance indicator to ensure the focus remains on meeting that objective.

After A Vision for Change was launched, an independent monitoring group was appointed to oversee implementation of the policy. This group reached the end of its term in 2012 and A Vision for Change contained a commitment that it would be reviewed after seven years. The current priority, however, is to review the Mental Health Act 2001, after which consideration will be given to reviewing A Vision for Change and determining appropriate monitoring arrangements for any updated or successor policy. In the mean time, the HSE continues to implement the strategy and reports on a monthly basis in line with the performance reporting arrangements in place for the national service plan.

ReachOut, the national strategy for action on suicide prevention for 2005 to 2014, will come to the end of its ten-year term this year. Consequently, at the request of the Minister of State, Deputy Kathleen Lynch, earlier this year my Department and the HSE began work on a new strategic framework for suicide prevention for the period 2015-2018, building on the comprehensive work delivered under the current ReachOut strategy. The aim of the new framework will be to support population health approaches and interventions that will assist in reducing the loss of life through suicide while aiming for improved co-ordination and integration of services and responses in this area. The objective is to have the framework completed by the end of 2014. The work in hand includes consideration of a wide range of national and international evidence and existing good practice, addressing areas such as research, policy, practice improvement, engagement and communications and media. The process also incorporates a review of the implementation of ReachOut, a public consultation process and a review of the evidence base for suicide prevention initiatives. The strategy will be focused on a whole-of-Government approach.

General practitioner and primary care teams are often the first point of contact for a distressed person seeking assistance. The suicide crisis assessment nurse, SCAN, model, which allows for crisis interventions at primary care, is being rolled out this year, with eight new services to commence shortly. This service provides active liaison between primary care and mental health services. Built on a clear evidence base, the SCAN model brings confidence to health practitioners in choosing a care and support pathway for an individual. The locations for
this initial phase are north and south Dublin, Waterford, Cork city, Galway, Sligo, Donegal and Laois and Offaly, in addition to an existing service in Wexford.

I acknowledge there is more to be done in developing a focused recovery and person-centred orientation for some patients. The problems and suffering associated with severe mental health problems are complex but there is a growing recognition that with a recovery approach, it is possible to live well despite any limitations caused by disability or illness. Deputies will be aware that on the legislative front this Government has made significant progress with the publication of the Assisted Decision-Making (Capacity) Bill 2013 and the establishment of an expert group to review the Mental Health Act 2001 which is expected to complete its final report in the autumn.

There is much more in the document before me, which was clearly designed to be read in a much longer slot. With regard to electro-convulsive therapy, ECT, we must always remember this treatment has a role which must be protected, and clinicians must be allowed to make a determination when somebody is not *compos mentis*. If somebody is psychotic, he or she is not in a position to make a value judgment, although the family may have a view, which should always be taken into consideration.

Prevention is better than cure and the launch last week of Healthy Ireland is as much focused on mental health as it is on physical health and well-being. It is important to state clearly that well-being reflects the concept of positive mental health, in which a person can realise his or her own abilities, cope with the normal stresses of life, work productively and fruitfully and be able to make a contribution to his or her community. Healthy Ireland highlights the need to combine our existing mental health promotion programmes with interventions that address broader determinants and social problems as part of a multiagency approach, particularly in areas with high levels of socio-economic deprivation and where fragmentation occurs.

We recognise the need to prioritise the mental health needs of vulnerable groups. As politicians, we hear tragic stories all too often which are directly associated with the economic crash in recent years, and as people have noted, nobody in this House is unaffected by this, with friends and family having suffered. The economic problems have put tremendous pressure on people. I know HSE mental health staff are keenly aware of the need to ensure that where treatment and care is required in these circumstances, it is provided as quickly as possible and in the least restrictive manner possible, consistent with the wishes of the individual. The expansion of our community mental health teams is an important step forward in this regard.

I saw Deputy Adams at the gay pride parade, which I attended last Sunday, and in the course of the events I came across some other information relating to mental health. It indicated that attempted suicide is seven times more common in teenagers who are gay or lesbian. Groups such as this must be supported, with strategies put in place to help them deal with these issues.

I thank the Opposition for raising this very important issue. I accept there is still work to be done but I assure the House of the Government’s continuing commitment to implementing A Vision for Change and reforming our mental health services to ensure people can access modern patient-centred and recovery-oriented care.

**Deputy Anthony Lawlor:** I am grateful to the Opposition for bringing forward tonight’s motion, and it is almost an annual debate. It does no harm for us as politicians to highlight the mental health problems that people have, and it is an individual issue for people. Each one of us
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has at some stage had mental health problems, whether we were aware of it or not. I welcome the opportunity to speak in this debate and I have contributed to similar debates each year. My first Dáil speech was on the topic of suicide, so I am grateful for the opportunity to speak to the issue again.

A Vision for Change was published in 2006 so we should see how we have progressed since. There have been six reports on the strategy, with the first highlighting that nothing had been done since the publication of the strategy. The Government decided to ring-fence €35 million per annum but that was not spent in the first couple of years, although in the past couple of years we have made much more of a commitment, which I welcome. I understand an increased number of staff are on board and it is important that such staff are available.

We should also consider how to change the system. There was an institution-type system in place for hundreds of years but we are moving to a community-based system. That will not happen overnight, no matter how strong the will of the Government or the people. It is difficult to change from being completely institutional to having more of a community base. There is a need for institutional care as well. I was involved in a case where I came across a young man who jumped from a bridge. He got out of an institution and tried to take his own life that day. Two of us were there and we tried to hold him so as to prevent him from going back into the water after we pulled him out. Institutional care rather than community was required in that case. We must be mindful that we cannot put all our eggs into one basket on the community side, as we also need the institutional side.

I will discuss two other issues in my limited time where I have seen major improvements. The first relates to awareness, and it is great to have the debate tonight because it increases the awareness of both mental health and suicide, which are individual issues. I took part in a safeTALK in the Oireachtas and I organised one in my community. I know if I did it again now, I would get a much better response because at the time I tried to organise it through GAA, soccer and rugby clubs. There was very little positive response at the time, and I got a negative response from one club secretary who told me the club did not have that “issue”. That indicates how ignorant society can be.

Awareness also comes from other organisations, and I can highlight Pieta House in this regard. The first year I was elected I went on the walk it organises and I decided to bring the idea back to Naas. There were 800 people at the first walk and this year we had almost 5,000 people attending. That is itself a message and creates awareness of the issue of suicide. Once people are talking about it there is a chance to prevent someone taking his or her own life.

“It’s OK not to feel OK” is a good buzz phrase from the sporting community. A friend telephoned me six weeks ago about a friend of hers who was suicidal. She was worried that if she brought him to the hospital he might be let go. The hospital, however, had a psychiatric unit attached to it, which was able to respond quickly. The fear was that the person would leave without having been examined or treated and something might have happened later. My friend told me that six years ago her brother had been in a similar state, had not been cared for or examined and a year later took his own life. We have made some positive changes. We are moving on this issue and that takes time but we have a long way to go. It is not possible to change an institutional system to a community-based one overnight. We have to give ourselves time and have a path. I am delighted that within the HSE there is a pathway for what we are trying to do. We need to keep going on the right road.
Deputy Mary Mitchell O’Connor: Last March the Oireachtas Joint Committee on Health and Children heard several compelling presentations about suicide in Ireland from Pieta House, the National Office for Suicide Prevention and the National Suicide Prevention Foundation, to name a few. Three key messages which emerged were the need for greater awareness raising, communication and co-ordination among different organisations, and eliminating the stigma of mental illness. By this time next week, ten more people will have died by suicide, eight of whom will be men. Studies have shown that the uptake of mental health services is significantly higher among women than men. This uptake results in early intervention, assessment and in many cases saving of lives. If we want to reduce male suicide, which is what we should be concentrating on, we must further promote the “Mind Our Men” message and make everyone aware of the signs of distress and potential suicide. Awareness raising and education are keys to this.

I recently submitted a parliamentary question on the number and type of suicide programmes and organisations available in Ireland. I was informed that the National Office for Suicide Prevention has developed a range of initiatives to support people who are suicidal. At the committee hearings we were informed that there was anything between 350 and 500 initiatives. Does the Minister know exactly how many support groups and initiatives there are? Where are they and who runs them? Are their personnel trained in counselling, bereavement counselling, etc.? Where and how should one of my constituents in Dún Laoghaire, who is in a difficult state of mental health, reach out to one of these organisations? Which one is best? Which one should that person not contact?

Joan Freeman from Pieta House advised the committee, “[A]ll the agencies dealing with suicide, whether it be prevention, intervention or postvention, are all scrambling for the one pot. There is no cohesion whatsoever and one agency battles against the other”. This is not good enough and cannot continue. This lack of cohesion is severely damaging. I urge these different initiatives to co-operate more and be made more widely known and available. I believe that work has been started by the National Office for Suicide Prevention to establish an inventory of all organisations working in this area. I hope this will result in a more comprehensive approach and more cohesion between services. There is still a stigma associated with suicide and mental illness, particularly for men in terms of opening up about their emotional literacy and welfare. We really do have another journey to make in this regard.

We must also not forget about the families bereaved by suicide. Stigma campaigns need to be balanced with campaigns that show the impact of suicide on communities and individuals. Finally, the growing problem of cyberbullying and its impact on mental health, particularly among young people cannot be underestimated. We are only too familiar with a number of tragic suicides of young children and teenagers who, it appeared, were being severely bullied and targeted online. I will chair a National Cyberbullying Conference in September in Dublin Castle. We plan to address the matters of education, awareness raising, the role of parents and educators in an effort to really tackle this problem. Some of the major social media providers will be there and questions need to be answered.

I thank the Minister for his time and look forward to updating him on the outcome of this conference and to his continued commitment to implementing A Vision for Change.

Deputy Colm Keaveney: Fianna Fáil remains deeply committed to the full implementation of A Vision for Change. It is the policy for the future of mental health services. I am, however, very concerned that progress on implementing A Vision for Change has been slowing down just
when we most need a functioning mental health service. I deplore the fact that the programme for Government commitment of an annual ring-fenced €35 million fund for community health services was broken in budget 2014 when the funding was reduced to €20 million. Media reports the weekend after that budget indicated that just before the press conference to announce details of the health budget, the Minister of State at the Department of Health, with responsibility for mental health, Deputy Kathleen Lynch, complained bitterly and colourfully about being kept in the dark about the budget. The Minister said this funding will be restored in 2015. Can he confirm today that €50 million in funding will be provided in budget 2015 and ring-fenced?

This cut, and the deliberate policy of delaying hiring of critically important community health staff until close to the end of the calendar year has damaged the health of those who need us most. The recent annual report from the Mental Health Commission warns that the progress made over recent years in improving mental health services in Ireland is in danger of coming to a standstill. In the opinion of the chairman of the commission, Mr. John Saunders, “While some service providers are making progress toward providing a truly modern mental health care service there are many others that are struggling. There are many contributing factors including resource constraints”. There is also an unwillingness on behalf of the Department to provide support. For instance, while more than 90% of approved centres comply fully in areas such as insurance, certificate of registration, hazard analysis and critical control point, HACCP, and health and safety requirements, only 60% are compliant with regulations relating to care plans and other staffing matters.

Mr. Saunders added, “There is potential to make more progress but the resource constraints and in some cases reluctance to change are making progress more difficult”. This is critically important. A Vision for Change is being implemented unevenly and inconsistently across the country and there is a requirement on the Minister and the Department to be more innovative in their actions to support this, reinforced by strong corporate governance in the roll-out of a such an important national plan.

The emphasis on resource constraints is noteworthy, given that the Government cut its commitment by €15 million in last year’s budget. The Mental Health Commission also expressed concern regarding a number of specific areas of service provision which impinge on human rights. In principle, for example, it is accepted that each user of mental health services is entitled to have an individualised care plan, designed to assist his or her recovery. The commission estimates that just 60% of approved centres implement appropriate individualised care plans. The extent of the continued usage of seclusion and physical restraint is unacceptable. It is worth noting that of the nine conditions attached to each of the approved centres in 2013, four relate to non-compliance with care planning, two relate to the use of seclusion and restraint, one relates to transfer, one relates to staffing levels and one relates to unsuitable sleeping accommodation.

The presence of children in adult units remains a scandal. The Mental Health Commission report states that “in relation to younger service users, there is still a most unsatisfactory situation whereby children are being admitted to adult units”. There were 91 children admitted to adult wards in the single calendar year of 2013. A themed report from the child and adolescent mental health services on the issue of the admission of children to adult units in 2013 was also published last week. The report highlights that A Vision for Change recommended that mental health inpatient services for children up to the age of 18 should be provided by dedicated adolescent mental health units. Despite this, some 91 admissions of children to adult units took place in 2013, with 60% of these children remaining in adult units for periods in excess of three days and 21% of them remaining there for more than ten days. When all notifications to the
Mental Health Commission of child admissions to adult units were examined, it was found that in 64% of cases, such admissions were made on the basis that no child and adolescent mental health service beds were available on the date of the child’s admission. However, an analysis of vacancies within child and adolescent mental health service units showed that there were significant vacancies in the various unit locations and administrative supports. It seems that on some occasions, children were admitted to adult units simply because there was no infrastructure for child and adolescent mental health services in the community.

Criticisms of the Minister and HSE management have been made by front-line staff and patient representatives in Roscommon, Galway, north Dublin and, most recently, Carlow, Kilkenny and south Tipperary. According to a HSE report released last weekend, mental health services in Roscommon and Galway are being run in accordance with an outdated model that is 30 years old. I want the Minister to be aware that when he makes a parallel with the Cavan model, he should look at the number of admissions relative to both of those administrative areas. An expert panel appointed by the HSE concluded that services in the west will operate under the new national planning guidelines for the future, with the out-of-date plan from 1984, which was agreed by front-line staff at the time, being shelved. The expert report into mental health services in the west describes an “astonishingly large” number of hostels, day centres, sheltered workshops and other supportive community structures. The experts suggest that such services have become the focus of all treatment. They are criticised as inflexible and expensive compared to using teams to treat people at home, as recommended by experts and dictated in A Vision for Change.

There is a huge willingness among the staff to whom I have spoken to address these problems and to move to the new model provided for in A Vision for Change. Their fear is that the community resources they currently have will simply not be transferred in conjunction with the move from the traditional system to the A Vision for Change system. The local experience of what has occurred since the closure of the state-of-the-art €3.2 million ligature-free unit at St. Brigid’s Hospital in Ballinasloe has confirmed the worst of their fears. The unit in question was never opened. The promised community services in some parts of Galway and Roscommon have proven to be largely fictitious. Vulnerable people have been left to depend on a hopelessly inadequate, dilapidated and substandard psychiatric unit that is attached to the end of an acute unit. The people in question, who need help and support, have to admit themselves through an accident and emergency unit, which is a significant no-no. They have to go through an acute service to be triaged to a psychiatric unit at the other end of the campus.

We learned in June that a group of consultant psychiatrists in Carlow-Kilkenny have withdrawn their confidence in the clinical management of the mental health service there because they believe it is unsafe. Nine doctors wrote to the Minister of State with responsibility for mental health to express “serious concerns” about local services in light of nine fatalities that had tragically taken place in the local community. In a letter they sent to the Minister of State, Deputy Kathleen Lynch, last month, the doctors repeatedly questioned the safety of the governance of the service and said they felt “devalued” and “ignored” in their attempts to raise concerns about the HSE. As in Galway and Roscommon, the medical professionals who dared to speak out in Carlow-Kilkenny found themselves isolated, dismissed, ignored and ultimately ostracised. Those who criticise the Minister are regularly accused of acting in bad faith and wanting to go back to the institutional care model. They are subjected to intimidation by their managers. Their arguments are ultimately dismissed by the Minister.

I have experience of engaging with medical professionals who are deeply committed to
securing the best outcomes for patients who are worried about the state of these services and the lack of resources. The Mental Health Commission has highlighted the need for ongoing independent monitoring of the A Vision for Change implementation body. The commission has said that since the dissolution of the second independent monitoring group in June 2012, there has been no independent monitoring of the implementation of any policy provided for within A Vision for Change. I have already called on the Minister to confirm that the €15 million that is to be provided in budget 2015 will be ring-fenced. I am also calling on him to re-establish the independent group that monitors the implementation of A Vision for Change.

Deputy John McGuinness: The consultants and front-line workers referred to by Deputy Keaveney wrote a letter and visited a number of public representatives in Kilkenny to outline quietly their exact fears regarding the delivery of proper health services in counties Carlow, Kilkenny and Tipperary, but they were not listened to. Their expressions of concern came as no shock to those of us who have been campaigning for service improvements at the department of psychiatry in Kilkenny for many years. People like Anne Ryan, who was a front-line campaigner in Kilkenny city, highlighted many issues relating to the health services. The campaign was based on specific information that was provided by such people, for example with regard to patients of the department of psychiatry who died by suicide or caused harm to others after being discharged, but nothing was done about it. I remind the Minister that the consultants and the front-line psychiatric service providers in Kilkenny were not the only people who raised this issue. Over a number of years, public representatives had raised it at the meetings of Members of the Oireachtas and HSE officials that take place in line with legislation. All of the issues that were raised were denied or ignored to the extent that the unchecked system simply got worse.

I believe in supporting the people in the community who require services. It is quite clear that there is no support for the families or the individuals in Kilkenny. There is no belief in those who say there is something wrong with the system. A Minister of State at the Department of Health said that the clinical director in Kilkenny has retired and has gone. We have been told locally that he is on leave. The HSE has said that somebody else has taken over the position. The fact of the matter is that the service is dysfunctional. The Minister needs to intervene in that service by asking for a clear explanation of what has happened. He should ask for a meeting with the consultants who wrote the letter and the staff who are delivering the services. If he talks to some of the families of the patients concerned, they will tell him that they see different people every time they have an appointment. No one seems to hold his or her position in Kilkenny. Everyone is being moved around. Patients and their families have no confidence in the service.

9 o’clock

In spite of the concern expressed publicly by me and others at meetings with the Health Service Executive and through local media, nothing has happened. To this day, there is nothing only doubt and confusion. I ask Members to imagine if they were patients of that service and were seeing it crumbling in front of them, with no hope that it could deliver what is required to put them right. Nobody could have confidence in such a service. I am asking the Minister to intervene with management to request a report into what happened and an indication of what immediate solution it can offer beyond the appointment of a new clinical director.

The Minister referred to the concept of a “healthy Ireland”. Is he aware of the case of a young Irish man who had an accident while on holiday in France which rendered him immobile? This man is anxious to be flown home with a nurse to his family and to be taken into care.
The HSE, however, has told him that he is better off staying where he is and has instructed the French authorities accordingly. There is no evidence there of a healthy Ireland and it is not the type of response one would have expected from the HSE. I will give the Minister the details of the case and ask that he ensures something is done to address this man’s plight.

Deputy Thomas Pringle: I welcome the opportunity to contribute to this debate and the Minister’s decision to accept the motion before the House without moving the Government amendment. Indeed, there is nothing in the proposal that threatens Government policy. Mental health services have long been the poor relation in our health system and have suffered more from under-investment than any other service. The annual report of the Mental Health Commission for 2014 highlights the greatest problem facing the service when it points out that of the 63 premises it inspected, only 44% had adequate staffing levels and only 30% of the premises themselves were adequate. Across the community mental health services, the situation in regard to staffing is just as serious. The continued operation of the public service recruitment embargo is putting vulnerable people’s lives at risk. It is beyond time it was lifted to ensure citizens can access the services they need.

When we consider the levels of suicide and self-harm in our society, it is clear what needs to be done. We must appoint the staff needed to provide the services. The motion before us this evening calls for adequate out-of-hours emergency services, but that cannot be achieved without putting in place adequate staffing levels. There are more than 30,000 hospital admissions each year due to self-harming. Providing staff in the community to support people at risk of self-harming will ease the burden on acute hospitals. It will, moreover, save money which can, in turn, be diverted into community services. I take this opportunity to pay tribute to the people behind SpunOut.ie and Jigsaw for their work to improve young people’s mental health. When we consider that we have the fourth worst mental health record for young people in Europe, it shows the importance and value of the work they do.

I also commend the child and adolescent mental health services, CAMHS, community teams on the work they do in assisting young people in need of help. They are inundated with calls for help, however, and must be provided with the resources necessary to meet all the demands on their time and assistance. In the HSE west area, there is one inpatient CAMHS unit at Merlin Park University Hospital in Galway, with two teams operating out of it. One of the psychologists assigned to the unit has been on sick leave since last September, with no cover provided during that period. One has to wonder about the Government’s commitment to providing child and adolescent mental health treatment when this situation is allowed to continue. It is a situation that highlights how lack of staffing is impacting on treatment for our young people. If we want to see A Vision for Change implemented, we must provide the necessary investment.

Deputy Maureen O’Sullivan: I take this opportunity to acknowledge what has been achieved in recent years and the good systems that are in place. Examples of such systems include the west Cork mental health service, which operates a 24-hour listening service, and the Celbridge community mental health team, which has a seven days per week service, with service users also having a telephone number to contact the acute unit if they need it. That type of service, encompassing a home care service, a key worker system and 24-hour telephone access, is vital and should be available in all communities. It can give people with mental health issues a sense of security that there is somebody at the end of the telephone line who will listen to them and help them. It is a factor which can reduce hospital admissions. I also acknowledge those people with mental health issues who have had the courage to speak out publicly. That has done a great deal to reduce the stigma around mental health problems.
There is a correlation between austerity and its associated cutbacks and mental health issues. Indeed, in times of austerity we see increasing demands on mental health services. In 2013, for instance, there was a huge increase in people presenting with mental health issues. A study conducted in one of the communities I represent showed that for one in every three people who presented with a medical problem to the local doctor, there was also a mental health aspect. Any further cuts in the funding of services will lead to an increased incidence of mental health issues and more demands on those services. In the long run, that will prove even more costly.

There are very significant gaps in services for those with a dual diagnosis, that is, persons in addiction who also present with a mental health issue. In many cases, in fact, such persons are also homeless. We need an inter-agency approach to the provision of supports for individuals in those circumstances. As it stands, people have to present to a different agency for each problem, namely, homelessness, addiction and mental health issues. I am a member of the board of a counselling centre in the north inner city which is very active on suicide prevention and working with those who have been bereaved by suicide. The centre regularly rolls out the applied suicide intervention skills training, ASIST, safeTALK training and mindfulness training. It is one of the few centres that will counsel people who are active in their addiction and it is taking referrals from leading agencies. However, none of this is reflected in the funding it receives. I hope that the review of the ReachOut initiative might lead to an improvement in this regard.

I understand the Minister of State, Deputy Kathleen Lynch, is in favour of introducing a requirement for informed consent from patients before electroconvulsive therapy is administered, an issue which is being examined by the expert group. I hope that provision will be brought forward. I take on board what the Minister, Deputy Reilly, said about people who cannot make an informed choice, but there is a need for families to be fully informed of what is happening.

We must work to ensure there is a linkage between physical and mental well-being. Ceapa-im go bhfuil sé dearfach go bhfuil an díospóireacht seo agaínn anocht agus amárách. Ba mhaith liom aitheantas a thabhairt don Teachta Ó Caoláin.

Deputy James Reilly: With the Leas-Cheann Comhairle’s permission, I wish to correct the record of the Dáil. Such is the commitment of the Minister of State, Deputy Kathleen Lynch, to this issue that even though she is in her sick bed, she is following this debate carefully via webcam. She has informed me by text that she never said that the gentleman in Carlow-Kilkenny had retired or resigned but that he was on sick leave.

Debate adjourned.

Message from Seanad

An Leas-Cheann Comhairle: Seanad Éireann has passed the Protected Disclosures Bill 2013, without amendment.

The Dáil adjourned at 9.10 p.m. until 9.30 a.m. on Wednesday, 2 July 2014.