



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*

(OFFICIAL REPORT—*Unrevised*)

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# DÁIL ÉIREANN

*Dé Céadaoin, 25 Márta 2015*

*Wednesday, 25 March 2015*

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

*Paidir.*

*Prayer.*

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## Ceisteanna - Questions

### Priority Questions

#### Public Sector Staff Data

1. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will provide a list of the requests received by the Department for additional staff that were approved, partially granted or refused in respect of all Departments and agencies in 2014 and in 2015 to date; and if he will make a statement on the matter. [12044/15]

**Deputy Sean Fleming:** Will the Minister provide a list of requests received by the Department for additional staff from other Departments and agencies that were approved, partially granted and, in particular, those refused last year and this year to date?

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** A full list detailing all of the individual requests for additional staff received from every Department since the beginning of last year will be forwarded to the Deputy directly. This information will reflect positions taken under the moratorium on recruitment and promotions in the Civil Service and the public service which was introduced in 2009 as an emergency response to the crisis in the public finances. As the Deputy is aware, in the budget last October I announced the new arrangements for bringing the moratorium to an end.

Overall, the information will show that, even under the moratorium, public service numbers increased by more than 1,400 in 2014, the first increase in overall numbers since 2008. This was the reform dividend about which we spoke here. At budget time last October I also made provision for an additional 1,700 teachers, special needs assistants and resource teachers, as well as additional front-line staff in the health service and 300 new Garda recruits. I expect many of these to come into the public service during the course of this year.

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**Deputy Sean Fleming:** I will not start on a confrontational note, but I had hoped to receive the list here.

**Deputy Brendan Howlin:** I have it and can pass it over. It is extremely long.

**Deputy Sean Fleming:** That is why I asked for it. I am pleased the Minister has it and that I will receive it during the course of the day.

**Deputy Brendan Howlin:** It will be e-mailed to the Deputy directly.

**Deputy Sean Fleming:** The purpose of my question was to examine the details. I accept that there has been an increase in staff in key areas, as the Minister mentioned. In this regard, the recruitment to An Garda Síochána is welcome. Some of the additional teaching staff will replace teachers who are leaving. Maintaining teacher numbers is primarily designed to reflect the growth in the population, but the pupil-teacher ratio in schools is not being reduced. I am concerned about services in County Laois about which I have heard in the past year, in particular orthodontics. Every child is meant to be checked by a dentist before leaving primary school and receive treatment, but this is not happening owing to a lack of staff. This is but one example; I will also mention speech and language therapy. This is partially due to the recruitment embargo.

**Deputy Brendan Howlin:** I will not deny the pressure we have kept on reducing staff numbers has had an impact, but the contribution made by the reduction in the overall public pay bill was a critical contributor to the economic improvement we can see, particularly in the ESRI's report published today. I will send the Deputy two very long tables. Most requests are granted because Departments know what will make it through and what will not and normally they do not apply for something which does not have a prospect of being successful. The Deputy will see there is a very long list and I have tried to be as flexible as I can in the case of critical positions which adversely impact either on public services or carrying out normal public duties such as in Revenue. The Deputy will have a chance to go through the list in some detail and more questions might arise after he has had an opportunity to do so at his leisure.

**Deputy Sean Fleming:** I accept in good faith the list the Minister will send me and he can expect a response from me once I have seen it. Inevitably, I will concentrate on critical areas in which requests for staff were not approved. While I welcome the recruitment of 300 gardaí, they are not sufficient. We have all seen the need for additional gardaí and the reduction in the number of gardaí on the streets. If it is of any assistance to An Garda Síochána, I support a call for further gardaí to be recruited. I am concerned about the number of gardaí in drug squads being reduced in certain areas. I am also concerned about the system of penalty points, some of which are issued by gardaí and others through the use of GoSafe cameras, as there is a need for greater concentration on road safety in some areas. I am also concerned about fire services throughout the country. I am most concerned, however, about front-line services and have mentioned several areas in the health and education sectors. I look forward to going through the list during the course of the day and the Minister will hear from me.

**Deputy Brendan Howlin:** The ethos I have tried to bring in in the past four years is that when there is a pressure point, it is not always about a need for more resources but for proper analysis of how we deploy the resources we have available. The Deputy mentioned An Garda Síochána. The Garda Inspectorate has conducted a comprehensive review which has showed up some shocking things and major reform of An Garda Síochána is under way because of it.

One of the issues is the haphazard way in which gardaí are deployed. There is no scientific policing mechanism. It is as if as we have always done this way, it is the way we will do it. It is the same in the case of Garda vehicles. There is no structured way for how they are deployed. Part of the objective of the Department of Public Expenditure and Reform is not only to control expenditure but also to provide for rational expenditure to most effect and the greatest benefit of the citizen. The reform element in all public expenditure - I know that the Deputy will agree - will continue to be an important feature.

### **Public Sector Staff Remuneration**

2. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the time frame for rolling back the financial emergency measures in the public interest legislation; the order and manner in which this will be done; his meetings to date and planned meetings with unions in the public sector on this issue; and if he will make a statement on the matter. [11966/15]

**Deputy Mary Lou McDonald:** My question relates to the rolling back or unwinding of the financial emergency measures in the public interest legislation, known as FEMPI. How does the Minister plan to achieve this and what is the order and manner by which he proposes to roll it back? What meetings has he had to date to discuss these matters? What meetings does he plan to have with the unions in the public sector on the issue? Will he give us some sense of the timescale in which he envisages the unwinding of the FEMPI legislation to occur?

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Had-dington Road agreement, underpinned by the financial emergency measures in the public interest legislation, forms the cornerstone of public pay policy until 2016 when it is due to expire. The agreement which contains a number of measures directly affecting the pay of staff is delivering and making a significant contribution to the achievement of the Government's fiscal consolidation target to have a deficit below 3% of GDP this year. The ongoing recovery in the economy is, in no small part, due to the contribution of public servants, as I acknowledge repeatedly.

The public service pay bill must be maintained at sustainable levels. The recovery has facilitated reinvestment, as I have said, in some front line services. In 2015 some €300 million will be reinvested in health, education and An Garda Síochána. The FEMPI Acts deliver about €2.2 billion in reduced public service remuneration and pensions. Notwithstanding our improving economy, because of the magnitude of that sum of money the economy could not sustain the immediate restoration of all of those reductions. Most public servants and their representatives understand that.

I have indicated that, following receipt of the first quarter Exchequer returns and engagement with my colleagues in government, it is intended that I talk to the public service unions regarding the gradual unwinding, in parallel and consistent with the improving economy, of the FEMPI Acts. This is consistent with the approach adopted in securing agreement on the Had-dington Road agreement through engagement with those directly involved.

In essence, early in the next quarter I intend to open the books in the same way, explain what we need to do, hear the proposals from the public service unions in terms of the priorities they would set for unwinding and to engage on that in a way that is sustainable. That would

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have to be voted upon and it is my hope that we would have an agreement before I present the expenditure books to the Dáil in the next budget.

**Deputy Mary Lou McDonald:** I agree with the Minister insofar as I do not believe anybody imagined that in one fell swoop pay, pensions and so on would be restored. I do not think there was any such expectation. I would like more detail from the Minister in respect of how he envisages the unwinding of FEMPI playing out. Where does he propose to start? Does he propose to start with pay or pensions? Is he considering flat rate or percentage increases?

The Minister indicated he has not yet formally opened discussions with the unions. Has he met unions or anybody else informally in respect of these matters? I was struck a week or more ago by the fact that one of his senior officials was sounding warnings that a public service pay deal was not certain and seemed to be throwing cold water on any notion of such a pay deal. I would like him to respond to that.

**Deputy Brendan Howlin:** The Deputy asked a number of important questions. On whether a public pay deal is certain, the answer is certainly not. The Haddington Road agreement was far from certain and, as the Deputy knows, its first iteration was rejected and we had to go again. I hope I can secure an agreement and that we can have an organised approach to restoring pay to the public service. Those working in it have not had a pay rise for seven years and those earning over €65,000 have had three reductions in pay. They have made a significant contribution to achieving the fiscal targets and restoring the good fortunes of the State.

In terms of my priorities, I want to first get agreement at Government level and have an open discussion with the public sector unions. I have already met the recently formed organisation of all public sector pensioners, the first time there has been one co-ordinated group. It will not be left out and I have made a commitment in terms of any pay deal. Pay and pensions will be addressed in parallel.

**Deputy Mary Lou McDonald:** The Minister proposes to address pay and pensions in parallel.

**Deputy Brendan Howlin:** That is what I hope to do.

**Deputy Mary Lou McDonald:** That is what the Minister hopes to do. He might, then, when he responds shed some light on his thinking as regards flat rate versus percentage increases. As he knows, there is a debate at play at the moment among trade unions and public servants as to which would be the better route. He referred to pay cuts for those earning in excess of €65,000. Could he again confirm that the emphasis and priority in the unwinding of FEMPI will be to address the public and civil servants on the lowest pay rates and to work on that basis? He indicated that previously, but I would like him to confirm that will in fact be the case.

**Deputy Brendan Howlin:** In respect of those earning over €65,000, we will implement the Haddington Road agreement in full. Part of the agreement is the winding back of some of the pay reductions during the course of 2016 and 2017, and into 2018, if I recall. We will be faithful to the agreement we have, as the trade union and public service sides have been faithful to it in terms of delivering on their sides. I have my views on whether there should be a flat rate or percentage reduction. I want to hear the views of all the public sector unions, but it is and has been my view that those on the lowest level of income should benefit disproportionately more. I will try to achieve that objective in the negotiations.

*Dáil Éireann*  
**State Bodies**

3. **Deputy Shane Ross** asked the Minister for Public Expenditure and Reform the total number of chairpersons and non-executive directors of State or partially owned State companies, State bodies, semi-State bodies and State agencies under his Department on the State's payroll; the total cost to the State of the payout to these non-executive directors, including fees, travel costs and other expenditure; and to outline his plans to reduce the number of these chairpersons and directors and their fees. [11977/15]

**Deputy Shane Ross:** This question addresses the issue of directors of semi-State companies, semi-State agencies, State agencies and others under the aegis of the Government and Minister. I would like to elicit the facts, rather than rhetoric, on the number of chairpersons and non-executive directors of State or partially owned State companies, semi-State bodies and State agencies on the State's payroll and the total cost to the State from the payout to these non-executive directors, including fees, travel and other expenditure. Does the Minister have any plans to reduce the number of these chairpersons, directors or their fees? I want to know what they do and if they are worth it.

**(Deputy Brendan Howlin):** In response to the Deputy's question the total number of chairpersons and non-executive directors of State or partially owned State companies, State bodies, Semi-state bodies and State agencies under the remit of my Department is two. In the case of the Public Appointments Service, the chairperson is paid €11,970 per annum. Currently, the only expenses paid are to the Chairperson in respect of travel from Belfast which is in the region of €200 approximately per annum. The Institute of Public Administration do not pay fees to board members. It should be noted that while my Department is responsible for determining the fee rate policy for chairpersons and members of commercial and non-commercial State bodies, it is the responsibility of each Department to implement the approved fee rates for chairpersons and members in each of the State bodies.

The fee rates for both commercial and non-commercial State bodies were reduced by 10% in 2009. The FEMPI Act 2009 provided for a further reduction of approximately 6% in the fees payable to members of the boards of non-commercial Public Service bodies with effect from January 2010. There are no current plans to further reduce the fee rates payable to chairpersons and members of State bodies. Similarly, while my Department has responsibility for policy on travel and subsistence it does not have a direct role in controlling the application of that policy in each individual State agency and body.

The code of practice for the governance of State bodies sets out the rules with regard to travel and subsistence in non-commercial State bodies. Page 20 of the code states that non-commercial bodies should adopt and comply in all respects with the circulars issued from time to time by my Department regarding travel and subsistence.

**Deputy Shane Ross:** That was not the answer I wanted, as the Minister knows. I asked about those on the State's payroll, not those on his payroll. It is regrettable that he came up with an answer like that. Perhaps he could refer it back and come back with a fuller and more complete answer.

**Deputy Brendan Howlin:** I will answer.

**Deputy Shane Ross:** Perhaps the Minister could help me in a broader way. His colleague,

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the Minister for Health, Deputy Leo Varadkar, wrote an eloquent document when he was in opposition on the number of people on State boards. He said there were 2,416 sitting on State boards and that 2,007 State agencies were created between 1997 and 2007. Perhaps the Minister may wish to answer as a member of the Government - that is fine - but I believe he has a responsibility in this matter. I am trying to establish whether these people are simply what they used to call in the City of London “grunt-a-month guys”?

**Deputy Brendan Howlin:** I am sorry.

**Deputy Shane Ross:** They used to call them “grunt-a-month guys”. They came in, sat down, took the cheque and said nothing. What performance criteria are they supposed to meet? To whom are they accountable? Is it only to the Minister?

**An Leas-Cheann Comhairle:** I will come back to the Deputy again.

**Deputy Brendan Howlin:** Under the rules of the House and the law I am responsible for the agencies under my direct remit. Each line Minister is responsible by law and statute for agencies under his remit. To be helpful to the Deputy I have asked each line Minister to reply directly to him in order that he can have a comprehensive view. I hope that will meet the point.

The more substantial point Deputy Ross makes relates to what these people on State boards do. We set up an entirely new appointments system which will be transformational, not instantly but over time. In respect of each State board and agency, each Department is required to set out bespoke criteria for appointment, including the balance and skill-set that is required. Then, it must advertise on the Public Appointments Service. The Public Appointments Service must evaluate all applications against the criteria set down and then make recommendations to the Minister. I believe that will be transformational.

**Deputy Shane Ross:** I thank the Minister for that. How many of these people have been removed from their positions in recent years? How many have actually come before the relevant Minister? I presume they are accountable to the Minister. How many of them have been removed? There were 2,416 according to the Minister for Health, Deputy Leo Varadkar, when he was in opposition. It would be interesting to know how many have been removed. Have they all got a clean bill of health? Have they all been reappointed every year?

I wish to ask a second question. In 2009, a global economic forum was held in Dublin Castle. The Government of the day received volunteers from many among the Irish diaspora overseas who offered to serve on these boards. How often has that been taken up? Has it been taken up by any of the Ministers under this Administration? Are they still looking in that area or have they given up?

**Deputy Brendan Howlin:** Board members are not appointed every year. They are appointed for a term, as set out in the statutes that determine each State body. It is not normal to remove people except for stated misconduct during the course of duties. There would be consequences and liabilities accruing to the State for simply firing people, as the Deputy is aware. Besides, the vast majority of people who take up these appointments do so for the good of the State and they do a very good job.

Deputy Ross made a point about volunteers. As I said, there is an entirely new appointments system which is not confined to those who were privileged enough to attend the diaspora forum. It is open to everyone anywhere who wishes to serve on a State board to make application and

be considered for it. That is far more open and transparent. It is not a matter of a person being willing to serve, it is a question of the bespoke criteria that are required, whether the person meets them and, if he does, then he may apply and he will be individually scrutinised by the independent Public Appointments Service to judge whether he meets the criteria.

I wish to pay tribute to the many hundreds of people who give exemplary service to the State, for a small remuneration in many instances.

### **Easter Rising Commemorations**

4. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform in view of the approaching centenary of the 1916 Rising if he will provide details on the projects being undertaken by the Office of Public Works in preparation for this event; the current state of progress in regard to these projects; the total amount of money being spent by the office on 1916 celebrations in 2015 and 2016; and if he will make a statement on the matter. [12045/15]

**Deputy Sean Fleming:** In view of the centenary of the 1916 Rising, which is fast approaching, I am keen to ask the Minister whether he will provide a list of projects being undertaken by the Office of Public Works in preparation for the event and to set out the current state of progress. In particular, I seek details of the allocation of funding for 2015 and, separately, the amount for next year. There is no point in not preparing this year for the major event that will take place next year. I am keen to know what is happening this year and details of the funding available this year for these events.

**Deputy Brendan Howlin:** As I indicated previously to the Deputy in a question answered on 16 December last, the Commissioners of Public Works have a particular role in respect of the commemorations. This arises from the responsibility they have for the care and maintenance of national monuments and other heritage properties in State care. In many cases, these are iconic locations and important in the context of the forthcoming commemorations. The commissioners also have an operational role in respect of supporting the various planned official State commemoration events involving logistical support and organisation. This is derived from their long experience of similar events such as the national day of commemoration, the EU Presidency and so on. This will be an important element of the work of the OPW throughout 2016.

Full details of the Government programme in respect of 2016 are due to be announced shortly. I understand it will be next week. We will continue to supplement this calendar with other appropriate events added on an ongoing basis.

The major projects included in respect of the OPW are set out in the following table:

Site	Details
Kilmainham Gaol	Development of new visitor centre at the former Kilmainham Courthouse Refurbishment of Kilmainham Gaol museum and creation of a complete new gaol exhibition Restoration of the roof of the east wing at the gaol

St Enda's Museum, Rathfarnham	Completion of the programme of restoration of the 18th and 19th century follies dotted around the park which were used by Pearse in the staging of dramatic pageants Continuation of the rolling programme of exhibitions and events has been under way since approx 2010 at the Pearse museum and park at Rathfarnham Permanent exhibition on the life of P.H. Pearse in the exhibition area of the museum to be launched in 2016
Arbour Hill	Presentation works to the site (complete in 2015)
Garden of Remembrance	Universal Access works (complete in 2015) Conservation works at the Children of Lir statue (complete in 2015)
Pearse Cottage	Provision, by Údarás na Gaeltachta, of a new visitor facility and cultural centre at Pearse cottage site (which is managed by the OPW), including a new exhibition Programme of new universal access works at the Pearse cottage
Mac Dhiarmada Homestead	Major structural, roof renewal and thatching project in 2013 Leitrim County Council are planning the development of a car park at the Mac Dhiarmada site and the provision of a visitor facility in nearby Kiltyclogher (OPW will be supporting this with material, interpretation etc.)
National Concert Hall	A project to refurbish certain rooms and recital areas within the National Concert Hall including the Kevin Barry room and other areas (complete by end 2016)

The Government has provided a grant of €5 million to support the signature capital works development in Kilmainham Gaol. The project in the National Concert Hall has been allocated €5 million. In addition, the OPW estimates that approximately €1 million to €2 million from within the existing capital funding is being devoted to supplement this and to resource works at various other heritage locations. Funding is also being provided from other sources, including, for example, the Department of Arts, Heritage and the Gaeltacht, which is providing support funding for the roof renewal project at Kilmainham Gaol's east wing.

**Deputy Sean Fleming:** It is good to begin to hear a little of the detail. I discussed the matter during the Estimates debate on 11 February with the Minister of State, Deputy Harris. At the time it was clear that the Estimate for the OPW heritage services this year represented only a 1% increase on last year, a matter of a couple of hundred thousand euro. That is not much in the circumstances. The Minister has said there would be between €1 million and €2 million to help. Perhaps we can get a breakdown of that.

In particular, I welcome the expenditure in areas like Kilmainham Gaol. Some of it is coming from other Departments but the Department of Public Expenditure and Reform and the OPW have a role and that is why I am pursuing it. In particular, I am keen to know the plans in respect of the General Post Office, especially the Moore Street site and the role of the OPW in this regard. Everyone knows the 1916 leaders moved to the Moore Street site from the GPO. We need the issue of the interpretive centre there dealt with. Various logistical, planning and financial issues arise, but the men of 1916 did not give up their lives for planning, zoning issues or NAMA issues. It will be a shame on the men of 1916 if we cannot overcome this 100 years after their Rising.

**Deputy Brendan Howlin:** I am fully in agreement with the Deputy. We need to go the extra yard to ensure that we do not allow disputes over planning or anything else to in any way obstruct from the singular dignifying remembrance of a seminal event in our history. The GPO development will be particularly important. As the Deputy is aware, there is ongoing construction work there which will be completed in time for 2016.

I agree with Deputy Fleming that the difficulties in respect of the Moore Street site and the initial plans of Dublin City Council need to be overcome. I have said that those of us in the Department of Public Expenditure and Reform will do all we can to ensure that the site in Moore Street, which was the final location of the insurgents' activities, would be in a proper state by 2016.

**Deputy Sean Fleming:** I have listened to the Minister refer specifically to the site in question. I am speaking in a personal capacity but I believe my party would support my view. I would support special legislation brought by this House specifically to deal with the planning issues. There is a precedent. Planning permission for prisons are authorised by this House. The House is the planning authority for them. Given all the complexities, the Thornton Hall planning did not go through the normal procedures. It is possible that it would never have got through the hoops. I think the same happened another prison in Cork, although perhaps that is under way. The town of Portlaoise is in my constituency and planning is not a major issue there because the prison is located there.

This House has acted as a planning authority on major issues like prisons. I suggest the least we could do at this stage is remove the power from local planning authorities and that would remove the local issues from the case. This is a national issue. We are coming up to the centenary of 1916 and, if needs be, I call on the Minister to consult with his colleagues in government to see whether one of them or the Minister himself could bring the necessary legislation to the House to resolve in the national Parliament the planning issues once and for all.

*10 o'clock*

**Deputy Brendan Howlin:** I thank the Deputy for the offer. It is something I will bring to the Cabinet sub-committee on the 1916 Rising commemoration. We certainly intend as a Government to ensure there will be a fitting site on Moore Street and that it will not be in its current state by next year.

## Appointments to State Boards

5. **Deputy Shane Ross** asked the Minister for Public Expenditure and Reform the average age of chairpersons and non-executive directors of State or partially owned State companies, State bodies, semi-State bodies and State agencies under the aegis of his Department on the State's payroll; the number of directors on the board of more than one such body; the number of women; and his plans to make savings in this area. [11978/15]

**Deputy Shane Ross:** This is related to a question I asked before. It is to ask the Minister for Public Expenditure and Reform how many directors are on the board of more than one such body. I am talking about all State bodies. Perhaps the Minister has a reply that applies to himself only, which would be inappropriate, but if he says he can produce the information, that is fine. I also ask how many women are on such boards and the plans, if any, he has to make savings in this area.

**Deputy Brendan Howlin:** The total number of chairpersons and non-executive directors of State or partially-owned State companies within the remit of my Department is two, both of whom are female. As neither the Public Appointments Service nor the Institute of Public Administration asks board members for their ages, I cannot answer that part of the question. Neither of the two people concerned is a member of any other State board. The Public Service Management (Recruitment and Appointments) Act 2004 sets out the process for appointment to the Public Appointments Service.

Every other Department will respond directly to the Deputy with regard to bodies within its remit.

**Deputy Shane Ross:** I understand the misunderstanding. Perhaps, however, the Minister might help me a little on a more general level. He stated in answer to the last question that they did not come up for annual review, which is true. They should, but they do not. That is something at which the Minister might look. Will he tell me what evaluation procedures the people concerned come under? The reality is that while he has spelled out that there is a new system in place which is in its infancy, an appointment is ultimately made by the Minister on every occasion. Even in the worst of the publicly quoted companies, under the new code of conduct, all directors must be subjected to an annual evaluation process. It is unsatisfactory, but it is at least a gesture to the need for an evaluation process. I do not know whether that happens annually or if it happens at all in the case of directors of semi-State bodies.

**Deputy Brendan Howlin:** The Deputy will be aware that we enacted legislation last year to put the NewERA entity on a statutory basis. We gave it a statutory role in the evaluation of the capacity of directors of commercial semi-State companies. We also gave it a statutory role in terms of their appointment. I set this out in the new process for appointment. The Deputy will find that anybody appointed to a commercial semi-State company is fit for purpose in meeting the skills set determined by the NewERA entity for that company. Ultimately, the final appointment is made from those deemed to have met the criteria laid down by NewERA and determined by the PAS. The final appointment is made by a Minister, as is right and proper, because he or she is accountable to this House. I would not like to have it off to someone who was not accountable.

**Deputy Shane Ross:** Has the Minister considered handing over to others the power to appoint? Does he have discretion in this case to reject the advice put to him on candidates?

**Deputy Brendan Howlin:** It does not fall to me to make appointments. They are made by the line Minister in the case of each semi-State company, as determined by the grounding legislation used to set up the company. It is a matter for the line Minister to make the final appointment from those on the list. If he or she judges that there is nobody on it who is appropriate or suitable, he or she can go outside it, in which case he or she must make a public statement on it, explaining why those who were shortlisted were not considered appropriate and the person he or she has appointed is. This is all laid out in the guidelines.

## **Other Questions**

### **Flood Prevention Measures**

6. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform his plans to implement the recommendations made in the Oireachtas Joint Committee on the Environment, Culture and the Gaeltacht's report on River Shannon flooding published in 2012; and if he will make a statement on the matter. [11649/15]

**Deputy Denis Naughten:** In 2012 an all-party group was established which produced a report. Many of its members were from within the catchment of the River Shannon. We made eight specific recommendations on steps that could be taken immediately to address the ongoing problem of summer flooding within the River Shannon catchment. To date, one of these proposals has been implemented by the Office of Public Works. It relates to dropping water levels in Lough Rea, which has had an impact in the management of these waters. We have yet to see action being taken on the other seven initiatives recommended.

**Deputy Brendan Howlin:** The July 2012 report of the Joint Committee on the Environment, Culture and the Gaeltacht on River Shannon flooding included eight proposals to tackle the issue. These proposals covered a number of issues across a range of Departments and State agencies. The Office of Public Works, OPW, responded to the committee by way of a letter in September 2012, welcoming its report and outlining its approach to addressing the specific matters within its area of responsibility. The main issue addressed in the reply was related to the OPW's proactive approach to flood risk management through its catchment flood risk assessment and management programme, CFRAM, and how it was addressing flood risk on the River Shannon in the context of the CFRAM.

The OPW is the lead agency in flood risk management. Its CFRAM programme is in line with Government policy and will give us a clear and comprehensive picture of the flood risk in areas at significant risk of flooding, as well as setting out how the risk can be managed. I am confident that the River Shannon CFRAM programme will prioritise effective and sustainable measures to manage the flood risk on the river. I am advised that good progress continues to be made in implementing the programme. A total of 66 locations potentially at risk of significant flooding along the River Shannon have been identified for further assessment under the programme. To ensure the draft predictive flood maps are fully informed and accurate, the OPW is rolling out an extensive public consultation process on the maps at each of the 66 locations. Further details of the public consultation process and the River Shannon CFRAM programme are available on the website [www.cfram.ie](http://www.cfram.ie). Following the finalisation of the flood mapping and the assessment of appropriate flood risk management options, the final output from this important project will be integrated plans containing specific and prioritised measures to address in a comprehensive and sustainable way the significant flood risks along the River Shannon. At that

stage, I will be expected to find the resources needed to address this important issue.

**Deputy Denis Naughten:** I take issue with the Minister's last comment, that he will be asked to find resources. With all due respect, he will be long retired and have his feet up somewhere warm and dry by the time that happens.

**Deputy Brendan Howlin:** God forgive the Deputy.

**Deputy Sean Fleming:** The sunny south east.

**Deputy Denis Naughten:** The difficulty is that everything is being kicked down the road while we await the CFRAM programme report. The joint committee's report was framed in the context of the CFRAM programme. There are far more extensive things that could be done while we await the CFRAM programme study. There are eight practical measures that could be put in place and that will have to be put in place. Do we not need to have a single agency with authority for the River Shannon and the management of its waters? We have seen the implications, whereby matters on which decisions are required fall between stools.

**Deputy Brendan Howlin:** On the face of it, that sounds like a logical proposal, but I understand a previous Oireachtas committee came to a different conclusion. Each of the agencies involved, whether it be the OPW, the local authorities, the fisheries board or the ESB, has a different statutory function. What is needed is proper co-ordination, rather than somebody call all the shots. As we saw in Cork, for example, sometimes a decision by one agency can have a detrimental effect on the risk of flooding. Charging one agency to make directions is probably not what is required. I am open to taking a view on that issue, but it would not fall to me to make the decision. Better co-ordination is required and something I have asked the OPW to ensure. Undertaking proper mapping through the CFRAM study will give us an important understanding of where the pressure points will be in the future, as well as mapping the effects of climate change into the future. There will be resource implications, but, please God, I will be in a position to allocate the resources required and will not have my feet up by then.

**Deputy Denis Naughten:** I thank the Minister for his reply. I accept the point he is making, but the previous and current committees recommended that there be a lead agency to co-ordinate matters. No one is in charge; there is no single Minister answerable to the House. We already know, in the context of the Asian clam problem, that a lack of co-ordination and indecisiveness among the agencies involved led to a situation where no action was taken for months. We do not have months where we have a flooding problem to deal with. One of the recommendations made was that work be undertaken immediately on the River Shannon and its tributaries to clear the peat silt that had accumulated during the years. As the Minister knows, the big problem is that the National Parks and Wildlife Service, NPWS, prevented such work from being carried out in the past. Will he ensure humans will have equal priority with flora and fauna, along with the impact of flooding on human beings, families and their homes? I ask that an assessment be carried out of the failure to date of the OPW because of the blockage by the NPWS to carry out maintenance works on the river.

**Deputy Brendan Howlin:** I will raise the points made by the Deputy with the OPW directly and the Minister of State, Deputy Simon Harris, who is not able to be here today. There is certainly an understanding that human habitation and human beings take priority.

**Deputy Mary Lou McDonald:** No, there is not.

**Deputy Denis Naughten:** The Minister should tell that to the NPWS.

**Deputy Brendan Howlin:** I am quite certain it is the view of the OPW and would be as-tounded if it was not. As I said, I will pass on the views of the Deputy to the Minister of State and the OPW directly.

### **Public Sector Pensions Data**

7. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform his views on current public sector pension liabilities; the way pension entitlements can be secured across the full range of the public service into the future; and if he will make a statement on the matter. [11699/15]

**Deputy Sean Fleming:** I ask the Minister to outline his views on the current public sector pensions liability. The bill for public sector pensions for many years to come is enormous. I also ask him to give his views on how pension entitlements can be secured across the public sector. I am not just referring to his own Department or the Civil Service but also to the entire public sector.

**Deputy Brendan Howlin:** As part of the ongoing public service pension analysis, an actuarial valuation was carried out last year by the Department of Public Expenditure and Reform to estimate the accrued liability in respect of public service occupational pensions. The key result of the exercise is that the total accrued liability in respect of public service occupational pensions is now estimated at €98 billion, as at December 2012. This compares with the previous estimate of €116 billion for 2009 which was arrived at by the Comptroller and Auditor General. Therefore, in the three years 2009 to 2012 the liability fell by €18 billion or 16%. The main reasons for the reduction in the total accrued liability were the pay and pension cuts under the Haddington Road agreement and the financial emergency measures in the public interest, FEMPI, legislation. The figure of €98 billion represents the current value of all expected future superannuation payments to current staff and their spouses for service up to December 2012, plus the liability for all future payments to current and preserved pensioners and their spouses. The pension payments to discharge this liability will, therefore, be spread over the next 70 years or so. In particular, it should be noted that both the €98 billion and the €116 billion figures assume that future pension increases will be in line with pay parity. The Public Service Pensions (Single Scheme and Other Provisions) Act 2012 permits the Minister for Public Expenditure and Reform, with the approval of the Houses of the Oireachtas, to link future pension increases with the consumer price index. Were this to be done, the accrued liability would reduce by a further €16 billion to €82 billion.

The introduction of the single public service pensions scheme on 1 January 2013 is also of relevance when considering pension liabilities. While the new scheme does not have an immediate effect on the liability figure, it is expected over time to generate substantial long-term reductions in the annual cost of pensions for former public service workers.

**Deputy Sean Fleming:** I believe I understand everything the Minister has said, but I ask him to clarify that the legislation he introduced to set up the single public service pensions scheme which will link pensions with the CPI rather than pay increases will reduce the amount payable to pensioners by €16 billion, in addition to the €16 billion reduction since December 2012. This represents a further reduction in the pension payments people will receive. Under

the Haddington Road agreement, pension reductions were agreed to, but the pensioners were not allowed into the room when the issue was being discussed. That was wrong and grossly unfair. The Minister recently met some of the people affected and I hope this mistake will not be repeated. The pension-related deduction introduced under the FEMPI legislation is resulting in a significant net saving to the Exchequer. Is it the Minister's intention to continue this? There are reports in several newspapers today on the Waterford Glass pensions fund and the fact that the State is having to come up with funds for it. In that context, I highlight the position of Bord na Móna pensioners whose pension contributions have been frozen for many years. In some cases, it is those waiting for their pension entitlements, that is, deferred pensioners and those in payment, who are suffering the most.

**Deputy Brendan Howlin:** The Deputy has asked numerous supplementary questions. If the CPI provision was activated, it would have the effect to which the Deputy referred. However, it has not yet been activated. I have not commenced it and it is not my intention to do so in the near future. I left the provision in the legislation to be considered at a future date. Obviously, at a time when there are no increases it makes no difference whether one links pensions with pay increases or the CPI. The issue will fall to be considered in the future when we see normal increases.

Regarding pensioners, there was a formal, established process for the negotiation of a public sector pay deal which was followed in the way it had always been. However, as I was conscious that pensioners were not directly involved, I advised them to form an organisation and, in fairness to them, they did so. I have met that organisation twice, most recently earlier this month. I have assured pensioners that they will have a channel into the next round of discussions through my officials.

**Deputy Sean Fleming:** I am pleased to hear it. I ask the Minister to address the issue of pension-related deductions under the FEMPI legislation. As I understand it, the gross cost of pensions, as a percentage of pensionable remuneration, is about 20%, but the net cost to the Exchequer is only approximately 8.5% because of the superannuation payments made which amount to a figure of approximately 6% and the pension levy which also amounts to about 6%. The fact is lost on those outside the public sector that public servants are paying an enormous amount every week or month to fund their pensions. People give out about gold-plated pensions - admittedly there are some public service pensions which are excessive - but the vast majority are paying substantial amounts towards their pensions. Will the pension-related deduction be up for discussion and what implications would this have for the public sector pension liability down the line?

**Deputy Brendan Howlin:** I am glad to hear the Deputy make that point because there is something lost in translation in the commentariat that does not understand the contribution public servants are making to their own pensions. That is not confined to people outside the House. There are individuals inside this House who also make assertions which are not based on reality. Current Exchequer annual pension contributions by public servants amount to approximately €500 million per annum. This figure does not include non-Exchequer pension contributions made, for example, in the local authority sector. It is a very significant contribution to the pension pot and Deputies are aware that pensions are paid from current income. The pension-related deduction, PRD, is part of the FEMPI legislation architecture and will have to form part of the discussions.

## **Government Bonds**

8. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if consideration will be given to the raising of a Government bond to fund the provision of critical infrastructure as a means of providing funding for vital areas, in which investment might otherwise be postponed because of the requirement to keep such expenditure off the Government's balance sheet, in view of the fact that it would have the added benefit of utilising savings already available on which the Government can only receive DIRT at a low rate owing to current interest levels; if a particular examination has been carried out of the areas of the economy that require infrastructural investment which might benefit from such a provision; and if he will make a statement on the matter. [11691/15]

**Deputy Bernard J. Durkan:** This question raises the prospect of the use of a Government bond to fund the cost of particular elements of critical infrastructure without affecting the Government's balance sheet.

**Deputy Brendan Howlin:** As the Deputy is aware, the National Treasury Management Agency, NTMA, issues Irish Government bonds which attract investment from institutions and individuals. Other financial investment options are also available to those who wish to direct their savings to help to support the Government's work in promoting economic growth, including the national solidarity bond, savings bonds, savings certificates and instalment savings. All moneys raised through Government borrowings are paid into the Central Fund and used to fund Government spending as approved by the Oireachtas. It has never been the custom to link borrowing with specific projects as to do so would limit the flexibility of the Government in managing the State's finances. That said, the public private partnership, PPP, programme allows for private sector investment and risk-sharing in the provision of specific public infrastructure projects. Because of their funding and risk profile, the up-front costs of these projects are not included in the calculations of general Government spending and thus this approach has allowed the Government to supplement its traditional Exchequer capital programme.

The Department of Finance and the NTMA which lead in financing the State have considered other possible approaches to increasing funding sources. One of the Government's recent initiatives in this regard has been the establishment of the Irish Strategic Investment Fund which will harness public and private sector sources of funding to provide commercial investment, including in public infrastructure projects.

As the Deputy will be aware, my Department undertook a review of the public capital programme last year. The review sought to assess all areas of public capital investment and refresh the existing investment strategy and multi-annual envelopes to ensure critical infrastructure deficits were identified and addressed. We need also to ensure our limited resources are focused on the areas that can best support continued, sustainable and equitable growth.

**Deputy Bernard J. Durkan:** I thank the Minister for his positive reply. Is consideration being given to utilisation of the approximately €90 billion in personal savings on which DIRT tax is chargeable, which tax yields no great return for the State, to fund the critical infrastructure projects referred to by the Minister? If not, will he consider that prospect, particularly in the context of the current shortage of housing which also forms part of critical infrastructure?

**Deputy Brendan Howlin:** I thank the Deputy for his suggestions which I take on board. Borrowing by the Government does not present a difficulty at this time. The Deputy will be

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aware that for the first time in the history of the State the Government this year issued 30 year bonds at the unprecedented low interest rate of 1.8%. Our treasury bill - three month roll-over money - issued last week had accrued a negative interest rate. In essence, people are paying us to hold on to their money. This is the first time that this has happened in the history of the State. This stems from the confidence of international lenders in the state of the economy.

On the Deputy's specific point about housing, €2.2 billion has been allocated and a bespoke funding mechanism is being created. I have allocated some of the resources derived from the sale of State companies to this mechanism which will be leveraged by other investment to ensure there will be a sufficient pool of money to deal with the housing problem, one of the real structural deficits in a growing economy.

**Deputy Bernard J. Durkan:** Is the Minister prepared to examine every possible aspect of funding to ensure the maximum amount of funding will be made available in this area in the shortest possible time, given the urgency of the issue? Will he also ensure equal treatment for the need to address other infrastructural deficits in various areas throughout the country to better facilitate economic recovery?

**Deputy Brendan Howlin:** I can give that assurance to the Deputy. A meeting of the board of the NTMA held yesterday was attended by the Secretary General of my Department. I have met the National Development Finance Agency, N DFA, on a number of occasions to ensure there will be in place a robust mechanism to fund critical infrastructure. This side of the summer I will be publishing the new multi-annual capital investment programme. While it is proposed to expand the volume of money to be spent on the capital side, there are, unfortunately, restrictions on us in this regard. It is not proposed to return to the level of spend during the boom times, when at one stage €9 billion was being spent on capital works annually. We will not be able to reach those dizzy heights again for a long time. However, whatever is done will be done in the context of prudent budgeting. I want to ensure critical infrastructure deficits in the economy, in particular, housing, as mentioned by the Deputy, will be fully addressed.

## EU Funding

9. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform the timeframe for the draw-down of funds by Ireland under the European Regional Development Fund; how his Department will ensure Ireland maximises its draw-down and that project targets are met in full; and if he will make a statement on the matter. [11700/15]

**Deputy Sean Fleming:** What is the timeframe for the draw-down of funds by Ireland from the European Regional Development Fund and how will the Department of Public Expenditure and Reform ensure Ireland will maximise the benefits of this draw-down and that the project targets keenly identified are being achieved?

**Deputy Brendan Howlin:** In the context of the 2013 agreement on the EU multi-annual financial framework which was reached during Ireland's Presidency of the European Council of Ministers, the Government was successful in securing €1.2 billion in cohesion policy funding for the period 2014-20. This includes two special allocations of €150 million towards a new PEACE programme and €100 million for the BMW region. A total of €409 million has been allocated to two European Regional Development Fund co-funded programmes which will be delivered through two regional operational programmes aligned with Ireland's NUTS II regions,

one covering the southern and eastern region and the other covering the Border, midlands and western region. Total programme expenditure for the two ERDF programmes, including match funding, will amount to just over €800 million. The programmes will support investment in RTDI, enterprise development, the roll-out of high speed broadband in unserved areas, energy efficiency in social and low income households and urban development programmes.

I am pleased that Ireland's two regional programmes were among the first to be adopted by the Commission before Christmas. I travelled to Brussels last month for the formal signing of the two programmes and meet the new Regional Policy Commissioner, Corina Cretu, who has accepted my invitation to visit Ireland in the summer.

Work is well under way on the implementation of the two programmes. The monitoring committee for each of the programmes met earlier this month. Building on their record in managing previous programmes, the newly reconstituted Southern Regional Assembly and the Northern and Western Regional Assembly, representatives of which attended the signing of the agreement in Brussels, will continue as managing authorities for the new programmes.

At a national level, a partnership agreement monitoring committee is being established to oversee implementation of all the operational programmes covered by Ireland's partnership agreement for European Structural and investment funds, including not only the ERDF but also the European Social Fund, the rural development fund and the European maritime and fisheries fund. As the Deputy will be aware, Ireland has a good record of maximising its draw-down of EU funding. I am confident that this will continue in the period 2014 to 2020.

**Deputy Sean Fleming:** Perhaps the Minister might set out the expected yearly draw-down of this funding and outline how much of it can be drawn down in the early years, rather than, as is often the case, in the final 18 months, leading to project funding possibly not being spent as wisely as it would be if it were drawn down earlier. I acknowledge that it takes time to get systems up and running.

In regard to the regional assemblies referred to, perhaps the Minister might outline when he expects these agencies to draw down funding and give a commitment to provide further information in due course on the monitoring committee referred to in the reply.

**Deputy Brendan Howlin:** There is always a roll-over period. Approximately 90% of the funding for the last period which concluded last year has been drawn down. We will draw down every cent, but final documentation in that regard has yet to be completed. There is always an overlap in this regard.

On the indicative draw-down, the following is the expected draw-down by region. In 2015 the draw-down for the southern and eastern region will be €34.1 million and for for the BMW region, €21.9 million. In 2016 the draw-down for the southern and eastern region will be €34.8 million and for the BMW region, €22.4 million. I will forward this information to the Deputy, including information on the proposed spend by Science Foundation Ireland, the Maritime Institute and so on.

**Deputy Sean Fleming:** I thank the Minister. I look forward to receiving the information which will be very helpful. It would be remiss of me not to raise with the Minister today another issue related to EU funding. While it is not exactly the European Regional Development Fund, I refer to the severe cut in funding to the Leader projects that were announced this week. Although a lovely cup of tea from a teapot with everything set out was served somewhere in

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County Tipperary to give the impression that there is great funding, the bottom line is there has been a 43% cut in Leader funding under the Rural Development Programme 2014-2020. All counties have seen huge cuts, with County Cork suffering a reduction in funding of up to 72%. The impact will be severe and while there will be a lot of good spin with regard to rural development, the reality is of a cut of 43% in that funding, which is a key component. Moreover, it is one of the most visible funds people see throughout the country.

**Deputy Brendan Howlin:** I am dealing with the regional development funds here and the Deputy has referred to a fund that is not under my purview but under that of the Minister for Agriculture, Food and the Marine.

**Deputy Sean Fleming:** It is also under the purview of the Minister for the Environment, Community and Local Government in respect of community affairs.

**Deputy Brendan Howlin:** Yes, there is an overlap in that regard. However, the overall cohesion money is being increased and the overall spend in Ireland will be higher. Although the Border, midland and western region is now a developed area in the European aggregate, the Government managed to get an additional €100 million for it. I will get a specific response for the Deputy on a point that is not directly in my purview, as I do not have one to hand. As I recall off the top of my head, the overall spending and supports we have secured from the EU to be spent across the country have increased by 8% over the last spend although the overall fund negotiated at European level has been reduced by 8%.

## Economic Policy

10. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which he expects to be in a position to recognise and reward the huge sacrifices made by the public and private sectors over the past seven years in the context of economic recovery with particular reference to the changing economic situation, notwithstanding the need to maintain prudent economic and fiscal policies; if he expects budget 2016 to reflect such principles; and if he will make a statement on the matter. [11692/15]

**Deputy Bernard J. Durkan:** This question relates to the opportunities that may arise for the Minister, in the context of the framing of expenditure and reform over the next four or five years, in trying to identify means whereby the public can be rewarded for its support in the economic exercise over the past four years, as well as in recognition of the leadership of the Minister and his Government colleagues during that period.

**Deputy Brendan Howlin:** I thank the Deputy for the question and for his kind remarks. The Government faced the challenge of restoring stability to the public finances and creating the correct environment to support sustainable economic growth and job creation. Gross voted expenditure has been reduced from €63.1 billion in 2009 to €54 billion last year. While implementing these expenditure reductions, the Government has sought as best it could to protect the most vulnerable and to support economic growth. In this regard, its programme of public service reform has played a pivotal role in mitigating the impact of expenditure reductions by contributing towards the effective and efficient delivery of public services.

The measures taken by the Government, combined with the effective prioritisation and allocation of resources to vital areas, have ensured its success in restoring stability to the public

finances. This stability is a necessary prerequisite of creating an environment for further economic growth and job creation. The Deputy will note that in 2014, the economy expanded by 4.8% to become the fastest growing economy in Europe, with domestic demand and personal consumption now also contributing to economic growth. Unemployment at the end of February was at 10.1%, a reduction from a peak of more than 15% in 2011. The Government's fiscal adjustment target for 2015 is a deficit of 2.7% which, when achieved, will ensure Ireland's exit from the excessive deficit procedure. Members will have seen the expectation in the ESRI report published this morning that the unemployment rate will be 8.4% by next year. When the Government came into office four years ago, had anyone suggested it would halve unemployment in its term, people would have looked on with disbelief. However, that is a measure of the progress it has made.

**Deputy Bernard J. Durkan:** I thank the Minister for his reply. It is a highly impressive performance within a short space of time. I will ask a question that is on everybody's lips, namely, the extent to which the Minister thinks the Government may be able to reward the public in the context of the coming year, while at the same time maintaining frugal fiscal policies.

**Deputy Brendan Howlin:** I would not classify the policies as frugal but as disciplined.

**Deputy Bernard J. Durkan:** Prudent policies.

**Deputy Brendan Howlin:** Yes, certainly. The Government began with a slightly expansionary budget last year after a period of seven years of contraction. It was able to add additional spending in priority areas, most noticeably in the areas of health and education. Public service recruitment has started again and as I have stated, there was a gross increase in the number of public servants last year for the first time in many years and this will continue this year as the Government addresses the issue of front-line services. In addition, the Government last year also reduced the level of tax, particularly on the lowest and middle-income earners, with reductions in the universal social charge. The Government will continue this policy in a prudent way next year. The Government wishes to ensure that Ireland does not return to boom and bust but that the economic base that is now solid, with an economy growing on the basis of goods and services people wish to buy, will be sustained and there will be increased prosperity in which people can make rational planning decisions for themselves in an environment that is secure.

## **Aer Lingus Sale**

11. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform in view of the fact that he is responsible for the sale of State assets, if he will provide an update on the attitude adopted by his Department in the interdepartmental steering group in response to the bid by International Airlines Group, IAG, for Aer Lingus. [11688/15]

**Deputy Clare Daly:** This question is fairly straightforward. It seeks an update on the discussions in the interdepartmental group that is considering the potential IAG takeover of Aer Lingus. This issue has dominated the minds of the thousands of people who work for Aer Lingus, as well as the 15,000 members of the Irish airlines superannuation scheme, IASS, the overwhelming majority of whom are former Aer Lingus workers and who are looking at this bid with a great degree of fear. They would like to know whether it is possible to learn what is going on with the bid at present.

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**Deputy Brendan Howlin:** As the Deputy will be aware, the programme of State asset disposals agreed by the Government in February 2012 included, *inter alia*, the disposal of the State's remaining shareholding in Aer Lingus. However, I made it clear at that time that a disposal of the Aer Lingus shareholding could only take place when market conditions were favourable and in circumstances that accorded with Government transport policy, as well as at an acceptable price for the taxpayer and the Government. This has continued to be the Government's consistent position since 2012. The Deputy also will be aware that following the announcement of IAG's approaches to Aer Lingus, the latter is now in an offer period under the Irish takeover rules. These rules impose a range of specific obligations on Ministers, as shareholders in Aer Lingus, including obligations of confidentiality and obligations to ensure statements made in connection with the offer are accurate and not misleading. These obligations are particularly acute for the Government given the pivotal role the State has regarding any proposed bid for Aer Lingus.

The Government has made clear, through statements made by the Minister for Transport, Tourism and Sport, that the key issues of concern in the context of any potential disposal are connectivity to and from Ireland, including direct transatlantic services and connectivity via Heathrow, competition in the air transport market, jobs in the Irish aviation sector and the maintenance of the Aer Lingus brand. In that context, the Minister for Transport, Tourism and Sport announced last month that the information and commitments that had been provided by IAG on these issues did not provide a basis on which the Government could give an irrevocable commitment to accept an offer to dispose of its shares, should one be made by IAG. The inter-departmental steering group, of which my Department is a member, was mandated to continue discussions with IAG with a view to seeking an improved proposal with greater clarity and certainty regarding the implications of a potential takeover on the key issues I have outlined above.

**Deputy Clare Daly:** There is not much clarity in the Minister's reply. I appreciate the stage at which the bid is but that said, this will not provide much comfort for those who are particularly concerned about it. It is regrettable that this proposition was included in the programme for Government at all. Many workers are shocked that the Labour Party did not use its position to ensure that would not happen. However, this is an opportunity to put on the public record that the stated objectives of connectivity, of securing jobs at the airline in particular and of the other issues outlined cannot be achieved if IAG takes over Aer Lingus.

The best protection that can be offered is that the Government would maintain its shareholding. This is a company that currently employs just short of 3,000 people. When IAG involves itself in amalgamations of this nature, this inevitably means job losses and IAG is on record as stating this definitely will happen and promises of future jobs are no guarantees. The Minister should give assurance to Members that the idea of so-called tangible legally-binding agreements on job conditions and connectivity hold no weight whatsoever when one considers the previous guarantees on jobs that were given to airline staff, not least in respect of Aer Lingus and TEAM Aer Lingus. We know what has been going on legally for 21 years. I hope the Minister can assure us that he will be very sceptical about any legally-binding guarantees.

**Deputy Brendan Howlin:** The State owns a minority of the shares in Aer Lingus. I am afraid the decision concerning a majority of the shares being disposed of by the State was made many years ago, so we do not control the bulk of the shares. We have to consider that another sizeable shareholding may come onto the market shortly, depending on the outcome of legal proceedings in the United Kingdom. We must have regard to ensuring that there is a sustainable future for Aer Lingus. As I said, however, we have no control over 75% of the shares.

To deal with the Deputy's specific point on jobs, I have listed the priorities the Government has indicated will be critical to meet in any decision we make. Jobs will absolutely be a part of that.

**Deputy Clare Daly:** I can understand the Government's position, but a slice of cake is better than no bread at all. While I would like the airline to be 100% in State ownership, 25% is certainly better than nothing in terms of securing the objectives which the Government has outlined. The Minister has alluded to the other significant shareholder, but their silence against the backdrop of this bid is of particular concern. There is a belief out there that there is possibly a tacit agreement between Ryanair and IAG that the proposed move would be good for both airlines. That would undoubtedly cause concern to Aer Lingus workers.

I ask the Minister to address the point about entering legally-binding agreements. The history of such agreements in the airline is not good. Litigation around the TEAM Aer Lingus letters of comfort is still ongoing after 21 years. Has the interdepartmental group sought the supposed guarantees? History has shown us that they do not stack up at the end of the day. What is the Minister's approach to that in the discussions?

**Deputy Brendan Howlin:** I will reiterate what I said previously, which is that we have a minority shareholding. The Deputy is overemphasising the influence of a 25% shareholding, if she thinks that is a controlling influence on anything; it is not. That decision was made some years ago. We have to think of the strategic interests of the country, including connectivity, business, tourism and the future of the Aer Lingus brand, as well as jobs in Aer Lingus and our airports. That is the strategic decision that will fall to be made by the Government, assuming that IAG continues in the negotiations and improves on the situation which, as the Minister for Transport, Tourism and Sport has indicated, was unsatisfactory some weeks ago.

**An Leas-Cheann Comhairle:** The next question is in the name of Deputy Ruth Coppinger but, as she is not present, we will proceed to Question No. 13 from Deputy Seán Kyne.

*Question No. 12 replied to with Written Answers.*

### **Coastal Protection**

13. **Deputy Seán Kyne** asked the Minister for Public Expenditure and Reform if he will carry out an inventory in relation to coastal defences here with a view to having a plan for rolling funding for repairs and improvements as necessary; and if he will make a statement on the matter. [11693/15]

**Deputy Seán Kyne:** I wish to ask the Minister for Public Expenditure and Reform if he will carry out an inventory in relation to coastal defences with a view to having rolling funding for such issues that may arise concerning coastal defences.

**Deputy Brendan Howlin:** The primary objective of Government policy on coastal protection is to ensure that in areas identified as being at greatest risk of damage or loss to economic assets through coastal erosion or flooding, appropriate and sustainable measures are identified by local authorities to protect those assets. Where intervention measures are economically justified on cost-benefit grounds and compatible with all required environmental and other statutory requirements, they are implemented subject to the availability of resources. It is not practical to

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provide protection to the entire coastline. The Irish Coastal Protection Strategy Study, ICPSS, is a major examination to assess and identify the most significant areas of erosion risk for the entire national coastline. These programmes assist with the identification of areas potentially at risk from coastal flooding nationally.

The OPW, in conjunction with its consultants, has prepared and published strategic coastal flood hazard maps. These maps have been prepared for the current and two future scenarios, mid-range and high-end, associated with sea level rise in the context of climate change. The mid-range future scenario represents the flood hazard based on a 0.5m sea level rise at 2100, whilst the high-end future scenario represents a 1.0m sea level rise. This major study provides invaluable and essential information required to inform coastal protection policy.

I am conscious of time, a Leas-Cheann Comhairle, so I will give the Deputy a chance to ask a question.

**An Leas-Cheann Comhairle:** Thank you, Minister. We just have time for one supplementary question.

**Deputy Seán Kyne:** I thank the Minister for his reply. I acknowledge the engagement by the Office of Public Works and the Minister of State, Deputy Harris, with Galway County Council on a range of flood defence issues. Last year, there were a series of storms which caused coastal erosion. The old proverb says that “A stitch in time, saves nine”, so expenditure now can save future expenditure. There are plenty of examples whereby coastal defence issues have been identified by local communities for a long time. Funding was not available, however, because of uncertainty over whether responsibility lay with the OPW, the county council, the Department of the Environment, Community and Local Government, or the Department of Agriculture, Food and the Marine.

A small amount of expenditure could have prevented major expenditure last year on particular problems. There are also ongoing problems on private property, for example, in Dog’s Bay which is a world-renowned area near Ballyconneely and Roundstone in Connemara. No money is available for coastal defences there since it is private property. In addition, no money has been identified at all for the second round of storms that occurred in February 2014. Money was made available quickly following the storms in January 2014, but not for the storm damage in February 2014. These issues are ongoing. If an inventory is supplied by local authorities to identify the areas affected, the Minister could put in place a rolling fund for the OPW for the protection of existing coastal defences.

**Deputy Brendan Howlin:** I hear what the Deputy is saying, loud and clear, and there is a lot of merit in his suggestion. In the context of the new capital programme I am working on, I am conscious that there are a number of overarching issues. One of them will be how to address climate change in future, not only concerning coastal flooding and storm damage but also protecting communities that are prone to flooding from rivers. That will require significant funding, so we will have regard to it in future plans. I will certainly take note of what the Deputy has said.

*Written Answers follow Adjournment.*

**An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Aois Intofachta chun**

**Oifig an Uachtaráin) 2015: An Dara Céim**

**Thirty-fifth Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015: Second Stage**

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan):** Tairgim: “Go léifear an Bille an Dara hUair anois.”

I move: “That the Bill be now read a Second Time”.

The Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015 provides for the amendment of Article 12 of the Constitution. It provides for the age at which a citizen becomes eligible for election to the office of President to be reduced from 35 years, the current position, to 21 years. It is a short Bill but an important Bill in the context of the Office of President, as provided for in our Constitution.

Article 12 of the Constitution provides that the President shall: “take precedence over all other persons in the State” and “shall exercise and perform the powers and functions conferred on the President by this Constitution and by law”. Given this position in the Constitution, the proposal to reduce the age at which a citizen is eligible for election to the Office of President is a significant proposal. Indeed, proposals to change our Constitution are always significant milestones in the ongoing development of our State.

The genesis of the Bill lies in the first report of the Constitutional Convention. It examined the proposal to reduce the presidential term of office to five years and to align it with local and European elections. It recommended against that change but, in its examination of the issue, the matter of the age at which a citizen could become President arose. This led to the recommendation that the age of candidacy for presidential elections be reduced from 35 years. The Government accepted the recommendation and agreed that a referendum should be held in 2015 on reducing the age from 35 to 21, the same as the minimum age for Dáil and European election candidates - in short, in keeping with the alignment.

As this Bill has emerged from the recommendation of the convention, I think we should again acknowledge the work done by the convention in bringing forward proposals for constitutional change.

The programme for Government provided for the establishment of the convention. It proved itself to be an innovation in democratic deliberation in Ireland. The convention was made up of 66 citizens selected from the electoral register as representative of the composition of Irish society, plus 33 politicians, including a number from the Northern Ireland Assembly, plus an independent chairman. The impact of their work is clear. The two referendums to be held in May are based on recommendations made by the convention. In addition, the convention recommended in its fourth report that an electoral commission should be established. The Government accepted that recommendation and the Minister for the Environment, Community and Local Government, Deputy Kelly, recently took the first steps in setting up an independent electoral commission. On 27 January last, he published a consultation paper and earlier this month he met with the Oireachtas Joint Committee on the Environment, Culture and the Gaeltacht to discuss it as part of the pre-legislative process. The committee will now engage in a consultation process and report to him with recommendations.

On the Bill and the specific proposal to lower the age at which a citizen becomes eligible

for election to the Office of President, Members of the House will be interested to know that the question was considered previously in reviews of the Constitution undertaken in the 1990s. The members of the 1996 Constitution review group were divided on the issue. Some members saw no sufficient reason to differentiate between eligibility for Dáil membership and for the Presidency. They were prepared to rely on the judgment of the electorate to make a proper choice between candidates. However, others considered that the Presidency called for special qualities which were more likely to accrue and mature over a longer span of years than 21. In the end, the majority of members favoured no change, or only a minor reduction in the age limit.

The all-party Oireachtas Committee on the Constitution took a different view in its 1998 report on the President. It recommended that any citizen who had reached the age of 18 should be regarded as eligible for election to the office of President. The committee believed that there was no logical reason for setting the age at which one becomes eligible to be President at a greater age than that at which one may exercise the right to vote in elections. In making this recommendation, the committee felt that young people should be encouraged to engage in politics. They took the view that any young candidates who succeeded in being nominated would be exceptional and worthy candidates.

In the event, these recommendations were not taken up at the time and the age question effectively lay dormant until the Constitutional Convention considered it again in 2012, 14 years later. A narrow majority of the members of the convention, 50% for and 47% against, found in favour of lowering the age at which a citizen could become eligible for election to the Office of President. While the convention report did not advance any arguments for or against lowering the age threshold, the proposal has since generated debate among political commentators and in the media. I think this commentary, together with the points raised in the Constitution reviews undertaken in the 1990s, are worth reflecting upon.

Arguments advanced in favour of lowering the age threshold from 35 include the consideration that it would generate a greater diversity of potential candidates, thereby providing a greater choice for the electorate. The view is advanced that the electorate can be trusted to judge the suitability of candidates irrespective of their age. It is also argued that capacity to undertake the job need not be age related and, more generally, that it might encourage younger people to engage in politics.

On the other hand, it is argued that there is no public demand for change. It is suggested that lowering the age threshold could weaken the Office of President as considerable experience is seen as desirable in making decisions about such matters as referral of a Bill to the Supreme Court or dissolution of the Dáil. There is also the view that the older age brings a certain *gravitas* to the office that might be absent among young persons.

International experience gives no real guide but it is interesting to note the wide divergence that exists. The age of eligibility for holding presidential office ranges from 18 in Croatia, Finland and France, for example, to 50 in Italy. Most countries have a minimum age requirement of 35 or 40 years for eligibility for the office of president. The age of Presidents in Ireland, when they first took office, has ranged from 46 to 78 years. The Government, in accepting the convention recommendation to lower the age threshold, agreed that a minimum age of 21 would be appropriate as it matches the minimum age for election to the Dáil and European Parliament. While the amendment to the Constitution to give effect to this may not be very difficult technically, it will only be possible to gauge the impact of the change over time. That is, of course, if the proposed amendment is passed by the people in the forthcoming referendum.

The people, the final arbiters, will have their opportunity to decide in the referendum whether or not they approve of the change. In the event that they do approve and that a person younger than 35 is a candidate at some future election, the people will ultimately decide on the suitability of that person for election to the Office of President.

On referendums generally, I have noted the commentary in the media about other recommendations of the Constitutional Convention and, more particularly, when referendums on these might be progressed. As the House is well aware, this Government has run six referendums since coming into office and there will be a further two referendums in May, both of them arising from recommendations of the convention.

Earlier this year, the Taoiseach indicated in the Dáil that, while he does not envisage any further referendums being held in 2015, this is something for the Government to consider at a later stage. It is the clear Government position that the best approach is for two referendums only to be held in May. This is a reasonable position. While the Government agreed to a referendum on lowering the voting age to 16 in 2015, we believe that it would be premature to proceed with the vote in May. This matter was discussed, and the Government's position on it outlined, in the House in February and March when Private Members' Bills on lowering the voting age and voting by citizens resident outside the State were debated.

The debate on the proposed amendments to the Constitution for the May referendums has already begun. Following the publication of the constitutional amendment Bills, the Minister, Deputy Kelly, established on 27 of January 2015 the referendum commissions in respect of both referendum proposals. It is the commission's task to explain the subject matter of the referendums to the electorate, to promote public awareness of the referendums and to encourage the electorate to vote. The commissions' preparatory work is underway.

I will now outline the details of the Bill. Section 1 provides for the amendment of Article 12 of the Constitution as set out in the Schedule to the Bill. Section 2 provides for the standard citation of constitutional amendment Bills. Part 1 of the Schedule to the Bill provides for the substitution of the Irish text of Article 12.4.1<sup>o</sup> of the Constitution. The new text provides that every citizen who has reached the age of 21 years is eligible for election to the Office of President.

*11 o'clock*

Part 2 of the Schedule to the Bill provides for the substitution of the English text of Article 12.4.1<sup>o</sup> of the Constitution. The new text provides that every citizen who has reached the age of 21 years will be eligible for election to the office of President. The opportunity is being taken here to correct a possible conflict between the Irish and English texts of Article 12.4.1<sup>o</sup>, as they currently stand. While the Irish text requires a candidate to have completed 35 years of age, the English text requires a candidate to have reached the 35th year, which would be on their 34th birthday. In the amendment to the Constitution now proposed, both the Irish and English texts of the Bill are aligned. Attention was drawn to this possible conflict between the Irish and English texts in the Constitution review reports undertaken in the 1990s that I mentioned. The all-party Oireachtas committee noted that the issue had been raised by the eminent constitutional lawyer Mr. John Kelly, a former Member of this House, in his book *The Irish Constitution*.

This is a short but important Bill and I commend it to the House. Our democratic processes and our full participation in them are important for all of us so I encourage people to vote in

order to have their say in the outcome of the referendum. I commend the Bill to the House.

**Deputy Charlie McConalogue:** Fianna Fáil supports the holding of a referendum on this issue. We supported the proposal at the meetings of the Constitutional Convention also, but as part of a wide range of measures to increase diversity and the level of choice available on the ballot paper to the citizen. While diversity and choice are important at election time, the decision by the Government to proceed with this referendum when there are more pressing issues of political reform to be considered, including the long list provided by the Constitutional Convention, is another distraction from the need for the current Administration to engage in real government.

Proposals of the convention include proposals to strengthen economic and social rights, to elect the Ceann Comhairle by secret ballot, to reduce the voting age to 16, and to ensure citizens living abroad are entitled to vote in future elections. However, the Government has effectively shut down debate on these issues of very genuine political reform. As a result, it is denying citizens the right to make decisions on how to reform the political system and culture. The Government has not taken the opportunity to propose a list of minor changes advocated at the Constitutional Convention, which the Government itself set up. From what we can see, it has completely given up at this stage on the idea of holding a Constitution day. It was very fond of advocating this before the last general election and in the first year in office. Overall, this Bill is a cynical sop of political reform, and my party and I believe it is patronising to young people. At a time when the Government is deciding not to hold a referendum that would see the voting age reduced to 16 and other promised measures introduced, it is deciding to bring forward this proposal instead. The proposal is particularly patronising towards citizens between 18 and 21, who are being excluded by it. Those aged 16 and 17 who were looking forward to the option of participating in future elections must now be satisfied with the current proposal, which the Government regards as the most important to be brought before the country in order to seek change and for which it seeks support.

The idea of lowering the age of candidacy was one of the most divisive discussed at the Constitutional Convention last year. The vote at the convention was 50 in favour and 47 against, with three not taking a position on the matter. This shows the matter was not cut and dried, nor a result of the fact that views on it were mixed. It was regarded by the Constitutional Convention as likely to have been adopted and taken forward by the Government at a quicker pace than many of the more urgent and meaningful reforms that had been discussed and that would have had widespread support at the convention. Fianna Fáil backed the idea at the convention, but that was in the belief that it would be a relatively small part of a package of constitutional reform measures to be put to the public as part of what was mooted for Constitution Day. This was the impression of other participants who took part in the convention and debated the issue. In 2011, the Taoiseach promised a programme to allow for a series of constitutional amendments to be decided on what would be called “Constitution Day”, to be held within 12 months of a new Government being formed and including a complex question on the abolition of the Seanad. Unfortunately, the Government backtracked on its promise to hold this much-vaunted Constitution day. It now seems to have given up on making any meaningful constitutional or political reforms.

We do not see any great public demand for a vote on the age of the President. I am not sure it was ever brought up with the Minister of State by any of her constituents in advance of its being discussed at the Constitutional Convention. I venture it was not. A straw poll of Deputies to determine how many of them were asked by constituents at any stage in their political careers

to seek to reduce from 35 the minimum age of eligibility to run in presidential elections would indicate very few have experienced such public demand. It is not a matter about which there is much excitement. The opposite is the truth; there is much confusion as to why the Government is actually bringing this stand-alone referendum forward without a suite of much more meaningful reforms.

Candidates for Dáil and European Parliament elections must be aged 21. Candidates running for local elections can run once they become 18. It is a well-established practice for countries to opt for a higher age for certain political offices, in accordance with the importance attached to those positions. In Austria, for example, a presidential candidate must be 35 years of age. In Germany, Lithuania and Romania, the age is 40, while Italy requires its presidential candidates to have reached the age of 50. A number of countries have lower age thresholds. Slovenia and France, for example, both have set the age of candidacy at 18. France, in particular, is interesting because its President has much greater powers than in many other countries, where the position tends to be more ceremonial in nature.

There are, however, several arguments in favour of reducing the age. The main ones are the need for greater diversity on the ballot paper and the need to give voters more choice. Lowering the minimum age of presidential candidates represents a step towards broadening political representation. However, as I pointed out, when such a measure is brought forward in isolation, as it is today, it comes across very much as a sop and a patronising measure rather than one to broaden participation.

Lowering candidate age thresholds can lead to greater youth participation in politics. However, this is a very difficult case to make since research on election turnout and youth political participation indicates that it is influenced by a wide series of factors. Candidate age limits, in particular, are not necessarily prominent among these. Any choice of an age threshold above the age of adulthood, at 18, is arbitrary. The choice of a higher age candidacy requirement is subjective. There is no scientific evidence to suggest someone is more emotionally matured at 35 than at 30 and no guarantee that as people age they will earn more life or political experience.

This referendum is an insult to young people moving abroad, whether on contract or on a more permanent basis. Our emigrants were meant to have a say in presidential elections. This happens in many other states across the world. That option is off the table in this referendum. It would have been a suitable and opportune time to include it and to have the question debated. It would have been much more meaningful as well in terms of its impact had the Government decided to do it. Unfortunately, this has not been the case here.

Several arguments have been made against the idea of reducing the threshold, such as the requirement of nomination by either 20 Members of the Oireachtas or four of the county or city councils to get onto the presidential ballot paper. The nomination process would be a difficult hurdle for a young candidate to overcome. A younger President would also lack the experience which would help him or her handle difficult decisions such as constitutional crises and face down heavy pressure such as was exerted in the past. This is an argument being made by those who feel the threshold should stay the same. When changes are being made to the Constitution, many would argue that it is important someone with significant life experience would be involved. This is the alternative side of the argument.

The Government has failed to live up to its much vaunted new politics. The Minister's at-

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tempt with regard to the mere abolition of the Seanad was a bad beginning to how the Government has handled this issue. The Government brought forward a referendum simply to abolish it, with little thought as to how the functions that are performed by the Seanad could be properly embraced within a one Chamber Parliament. The public rejected at that stage what it saw as a PR effort with little meaningful content on changing politics. This is one of the Government's follow up options for proposals to be put to the people. It is relatively minor in the sense that it is seeking to reduce the age threshold to be a Presidential candidate. This will also be cynically looked upon by the public who rightly expected much more from the Government, given its mandate at the last election.

The history of the Government's measures illustrates its real failure to grasp the nettle of reform. Instead, the Government has concentrated power in the hands of the Economic Management Council at the expense of the Houses of the Oireachtas. The Government has also systematically broken programme for Government pledges not to guillotine legislation. Some 63% of legislation has been guillotined to date. The Government has also failed to implement its programme for Government commitment to allow for a minimum of two weeks between various stages of Bills. This has been the case in up to 78% of the Bills which this Government has brought to the floor of the Dáil and the Seanad.

The Topical Issues debate has been completely undermined by the regular failure of relevant Ministers to present themselves before the House to take those issues. This has been the case in up to 40% of instances. As a result of that, where a Member of this House exercises his or her right to have the issue deferred, one less Topical Issue is taken on that day. If there are four Topical Issues and two Ministers do not turn up and the Member exercises his or her right to defer it, this could mean that perhaps only two Topical Issues would be taken on that particular day. They are scarce enough as things exist already.

The Friday sitting farce has also come to be widely seen as window dressing to bolster sitting days without seeing any real debate or the normal cut and thrust of exchange and impromptu debate seen during Leaders' Questions.

The Government continues to engage in cronyism in State-----

**Acting Chairman (Deputy Liam Twomey):** The Deputy has been way off the line in the past couple of minutes. He should please stick to the Bill.

**Deputy Charlie McConalogue:** It is relevant-----

**Acting Chairman (Deputy Liam Twomey):** The Deputy is here long enough to know what is relevant without a lecture from me.

**Deputy Charlie McConalogue:** It is relevant to the extent that, unfortunately, what we are seeing here is a Government conforming with a very narrow proposal for reform. This Government promised genuine political reform. This is a key point and a fair point to make. We should be seeing much wider proposals being put to the people, proposals which were discussed at the Constitutional Convention and which could have been brought forward alongside this Bill. The Government's record on this issue is therefore relevant. This is seen as a real disappointment by a public with an appetite for genuine reform.

My party supports the Bill. We supported this proposal at the Constitutional Convention, but as part of a much wider and genuine change and reform of the Constitution. We are disap-

pointed to see that this is the measure the Government is putting forward as it is such a small measure.

**Deputy Brian Stanley:** Sinn Féin welcomes the proposal to lower the age at which people can stand for the Presidency. It is a welcome move. However, the Government has missed an opportunity. It has missed a chance to extend democratic rights. The Government has reneged on its commitment to hold a referendum on extending the right to vote to 16 and 17 year olds by the end of 2015. It is said that people campaign in poetry and govern in prose. This is governing by full stops and commas. It is a missed opportunity.

Sinn Féin recently brought forward a Bill to this House to extend voting rights. Fine Gael and the Labour Party did not oppose it, but was that more about public relations? If the Government is genuine about it, it would bring the legislation forward and hold a referendum on the same day as the referendum on this proposal and the proposal on same-sex marriage, which Sinn Féin very much welcomes as a positive step by this Government. There is an opportunity here, for little or no extra cost, to do this. When we brought forward the Bill, even though it was not opposed, youth organisations in the Vote at 16 alliance were disappointed with the Government decision not to hold the referendum. The youth groups see our proposal as the best means to extend democratic rights.

We also support the need to extend voting rights to members of the diaspora and Irish citizens in the Six Counties. This is particularly important in the context of the Presidency. We have a very good President. The last President, Mary McAleese, was a citizen of the Six Counties. She was obviously an Irish citizen but she was resident in the Six Counties. That she would not have had the right to vote for herself shows the need to do this.

Most of what Sinn Féin advocates with regard to the extension of voting rights was also supported by the Constitutional Convention. We support the view that the extension should be in combination with appropriate electoral and civic education, for example, the proposed new subjects on politics in its broadest sense at leaving certificate level.

From a practical point of view, there is no reason that a referendum on such issues cannot be held on the same day as the referendum to lower the age at which people can stand for the Presidency. Lowering the minimum age for candidates and the voting age could only ensure that political interest is cultivated early. Such civic and social political engagement is an integral part of people's personal and social development. Most Deputies, including the Minister of State, the Acting Chairman and me, probably entered politics young. I did not enter because of civic education, but because of what I had picked up on the streets. Most of us became interested at a young age, probably in our mid to late teens.

Participation in extracurricular activities outside the classroom, for example, youth organisations, sports and debating societies, the right to vote at 16 years of age and the lowering of the age for presidential candidates would serve to empower young people, giving them the right to influence decisions that affect their lives. Since the introduction of a voting age of 16 years in Austria, research on voting behaviour in people aged between 16 and 18 years revealed that they were interested in politics. Two thirds expressed an interest in the election campaign and turnout was comparable with the total national figure. Our Government may be interested to know that those young people did not show signs of voting more radically than the adult population. I understand that some surveys in Ireland may have shown a different result, but reducing voting eligibility to 16 years of age would also serve to kickstart the promotion and aware-

ness of and participation in politics among young people in terms of the issues affecting them. The earlier we can engage young people in democracy and politics, the greater the chance that we will promote and sustain a lifelong interest in and commitment to voting and participating in the democratic process.

There is a significant problem with voter registration. We in the environment committee addressed this matter yesterday. In a survey conducted last year, up to 30% of people aged between 18 and 25 years were not registered to vote. This is partly due to the fact that, at 18 years of age, the majority of people are moving away from their homes and families to college, training or work. They fall through the administrative cracks. However, the majority of 16 year olds are in school or training. As such, it would be easy for local authorities to put them on the register. Nearly all 16 to 18 year olds are in school or training. It would be easy to catch them because we would know where they were, namely, towns and second level colleges. It would be a brilliant opportunity to put them on the register of electors.

If a 16 year old can leave school, seek full-time employment, pay tax and obtain a licence to drive certain vehicles, why can he or she not be entrusted with the civic responsibility of voting? The youth sections of the main political parties allow people to join at 15 or 16 years of age. In my party's case, it is 16 years of age. Therefore, political parties recognise the capacity and importance of people engaging in politics as early as possible. The ideal behind any democratic system of governance is to establish a government that is representative of the electorate. When a large section of the population does not and cannot participate in the democratic process, we cannot claim to represent it fully.

Unlike previous generations, modern young people are much more informed by, for example, civic, social and political education courses in school. Previous generations may only have had access to local and national media, essentially RTE, the *Irish Press* or, for some, the *Irish Independent*. Unlike them, young people today have access to a range of media and social media networks, for example, Twitter, Facebook, etc., where they can get information and engage in debate on political issues.

We welcome the Government's announcement of the introduction of a new subject on politics and society at senior cycle level, as it is important that young people be taught about democracy and democratic participation. However, the introduction of the right to vote alongside the lowering of the age of eligibility for presidential candidates would excite young people and incentivise them not only to learn about participation in the electoral system, but to experience it through voting.

I heard a Deputy on the Government benches state that, while supportive of the Bill, he or she would be unlikely to vote for someone aged under 35 years. That is fine, but allowing someone younger than that to stand is important. The involvement of more young people in politics would introduce innovative and fresh ideas into policy making. It would be fair to say that this is a younger Dáil than the previous one. Some new ideas are coming in as a result. Lowering the voting age would also ensure that the issues affecting young people would gain more prominence in the political arena because they would be able to exercise their franchise and influence the policy-making process.

On the issue of consistency with our European counterparts, there is a global momentum towards extending the right to vote to 16 and 17 year olds, for example, for the recent Scottish referendum, where 75% of that age cohort voted. That is amazing. Given this success, the

Scottish Government has decided to allow 16 and 17 year olds to vote in Scottish parliamentary elections. This is positive and progressive from a country that is similar to ours in many ways.

There is strong evidence to support the extension of democratic rights to young people. The Government is missing an opportunity. I am not having a go. I say this sincerely. The Constitutional Convention recognised this issue. Sinn Féin has long advocated such an approach. It would be a positive step forward. While I support the Bill, I call on the Government to revisit the question of extending voting rights to 16 and 17 year olds. I have outlined the evidence of its benefits. Voting rights in presidential elections could also be extended to members of the diaspora and people in the North. Doing so for the latter would be simple. Ms Mary McAleese was nearly as popular on the Shankill Road as she was on the Falls Road. President Higgins is popular in the North. People of both traditions in the North respect the Presidency. We have an opportunity to extend the right to vote on an all-Ireland basis. The Government might not be ready yet to extend full voting rights, but we want to see a united Ireland. Ensuring that people in the North who wish to do so - there is nothing compulsory in this - can vote in presidential elections would be a positive step towards bringing the two parts of the island together.

**Acting Chairman (Deputy Liam Twomey):** I call Deputy Catherine Murphy, who is sharing time with Deputies Boyd Barrett and Donnelly.

**Deputy Catherine Murphy:** That is correct.

**Acting Chairman (Deputy Liam Twomey):** The Deputies will have five minutes each.

**Deputy Catherine Murphy:** I am underwhelmed by the proposal that is to be put before the people, not because there is no need for change in the role of the Presidency and how we elect the President, but because of how tame this is compared with what is required. I was a member of the Constitutional Convention and diligently went along to all but one of the sessions, the one on blasphemy. I remember the debate we had on this topic because I had brought forward a Bill in December 2011, which was debated in this Chamber on a Friday. I was told that I would have to wait until the Constitutional Convention had completed its deliberations and could put forward a list of well thought out proposals. My Bill was not very different from the proposals made by the all-party review committee on the Constitution which had deliberated in 1998, following which former Minister Jim O’Keeffe also brought forward a Bill similar to the one I proposed not long after the current President was elected.

Of all the issues on which the Constitutional Convention focused, the one which attracted the most attention was a proposal to widen the process by which people nominated candidates to stand for the office in order that they would not be a hostage to the political parties. It advocated greater engagement along the lines of what was envisaged in the all-party report which suggested 10,000 citizens nominate a candidate to stand. It was not proposed in order that we would have a very long ballot paper but rather to provide for greater choice. The President should be above party politics, but this Bill does not address that issue. It tinkers with something in a way that amounts to housekeeping rather than bringing about fundamental change in respect of the office of President.

I predict that we will see a lack of activity on the Government side today and that the only ones who will make a contribution will be those on the Opposition side. The Government side knows that it is a tame measure and that it is difficult to come into the House and be positive about a Bill that is so limited. My Bill of 2011 sought to broaden the nominating role. In 1997

local authorities took on a nominating role for the first time and that energised the campaign, something which has been a feature of campaigns since. There have been six occasions on which the people have been denied by the fact that the parties agreed among themselves not to put forward a candidate to stand against an incumbent, leading to a 14-year gap until they were given the right to elect a President to represent them.

As I said, this Bill is underwhelming and I fear that there will be loads of unmarked ballot papers in the ballot box. There is a huge lack of ambition and so much more could have been done. I cannot for the life of me understand why the Constitutional Convention was held when so little attention has been paid to it. Its report mentioned a prominent theme to emerge from the deliberations of smaller groups. That was whether the nominating rules should be amended to give a greater role to citizens in nominating candidates for the Presidency. That is what really grabbed people's attention when we were debating the issues, but it has been ignored.

One of the things about which I have a regret is signing a letter asking the President to intervene in the water charge legislation as this indicated that the President had powers over and above those he has. I regret that this brought the President into a row into which he should not have been brought.

**Deputy Richard Boyd Barrett:** An African proverb goes "The lion roared and it gave birth to a mouse." That pretty much sums up this referendum proposal. The roaring lion was the voices of the people calling for a democratic revolution which the Government had promised and the mouse is a referendum about changing the age at which somebody can run for President. It is almost not worth dignifying the Bill with a serious debate on the proposal made. If it turns up on the ballot paper, with a heavy heart and thinking about what we could be doing for young people and other issues more urgent for society, I will probably put my "X" in the box in favour, but it is crass tokenism of the worst sort.

I understand that when the Constitutional Convention asked for submissions to help it to prioritise its agenda, it was told that, unsurprisingly, the most important issues were economic, social and cultural rights - the things that affect people immediately. Given the litany of tragedies suffered by pregnant women in difficult pregnancies, other things might have been better subjects of a referendum such as a woman's right to choose. Instead we have this piece of tokenism.

I wish to comment on the nod to youth and young people implied in the Bill. We need to do things urgently for young people, but this is not it. If the Bill passes, one will be able to run for President at 21 years, but if a person is under 26 and has not got a job, his or her social welfare entitlement has been cut to €100. How is somebody under 26 years who is not living at home and cannot find a job going to run a presidential campaign? They cannot even put a roof over their heads on €100 per week. A person aged under 26 years who is not in employment and cannot live at home is homeless by definition. Such persons cannot afford to pay rent and the rent supplement they receive will not get them within a stone's throw of being able to put a roof over their heads. That is why young people are on the streets. Why are we not doing something about this?

We have had a children's rights referendum and have a Minister with special responsibility for children, but the situation for young people with mental health problems is diabolical. On 20 occasions in the past five or six weeks I have pressed for a Topical Issue debate on the chronic lack of resources, support and beds for young people with mental health problems or who are

suicidal. I cannot have a debate on it, however, while we are having a referendum about which nobody really cares. We have the highest rate of suicide in the European Union among young women and the second highest rate for young men, a rate which has spiked dramatically in the past while. Professor Fiona McNicholas recently protested that there was a deluge of young people with mental health problems who had to be put in beds in accident and emergency departments, which blocked up such departments.

We do not have enough psychologists and a report issued in the past week stated that, in Cork alone, 1,000 people were waiting to see social workers. Some 200 are serious, urgent cases involving suicidal ideation and other problems, but there is a chronic lack of resources to provide for them. The Children's Rights Alliance published a report today in which it has shown that the Government has failed in this area and it has given it an "E" grade in terms of the provision of mental health services for our young people. It is a disaster. Child poverty stands at 28%. It is a joke. What has been put forward is a nauseating tokenism when we should be dealing with the real issues that affect our young people.

**Deputy Stephen S. Donnelly:** The legislation before the House seeks to put a referendum to the Irish people to lower the age of eligibility for election to the Office of President. I will be supporting the Bill and supporting a "Yes" vote in the referendum.

The Constitution sets the minimum age of eligibility for a person to run for President in the Republic at 35 years. De Valera when he was explaining this stated that such a person would need to be able to exercise wise discretion. It would appear de Valera took this rule, among others, from the Weimar Republic's rules. While age may bring experience the goings-on in this House during the past years provide categoric proof that being over 35 years of age does not necessarily imbue one with the ability to exercise wise discretion.

The referendum will seek to lower the age of eligibility for election to 21 years of age in line with the Dáil but I believe it should go further and be lowered to the age of 18 years. The Constitutional Convention recommended that the age of eligibility for election to the Dáil be reduced from 21 to 18, as it has been for the local elections. I would like this to be amended before the legislation is passed. I do not understand the rationale for having 18 versus 21 as the age of eligibility for election. It is a democratic process and it is up to the people of Ireland to decide who they want. If they believe a 19 year old is wise enough and 50 year old or a 70 year old is not wise enough, then surely it is up to the candidates to put those positions to the people. However, a move in lowering the age of eligibility for election from 35 to 21 is a significant move, at least in age terms, in the right direction and, as such, I will support it.

The problem I have is not so much with this Bill but with what this Bill is coming ahead of. We now know that the Government has heavily controlling instincts. It consolidates and centralises power. It has locked Parliament, its own backbenchers and policy professionals out of decision making. We have a maniacal control of the Whip, which I am told, by people who have been observing Parliaments for many years, is at an unprecedented level of control. We have the Economic Management Council, which did not exist prior to this Government, centralising key decision making in the country. There has been almost a refusal by the Executive to accept amendments to legislation tabled by Members of this House and in so doing it has rendered the national Legislature completely irrelevant.

National democracy in Ireland occurs about once every five years with the selection of a top team and then that top team just gets on with it. We had the ridiculous situation where the

Taoiseach stuffed the banking inquiry with loyalists after the due process of the House, essentially overthrowing it, and then being so comfortable with that, he came in here and explained to us that the reason he did it was so that he could control the independent parliamentary inquiry.

**Deputy Colm Keaveney:** Stalinism.

**Deputy Stephen S. Donnelly:** One initiative the Government undertook to its credit, in the face of this damaging and unhealthy centralisation of power and control freakery, was the convening of the Constitutional Convention. It was a good idea and it seems to have been very well run. The Government should be congratulated for doing that and we should have more of such conventions.

However, it is regrettable that the legislation before the House and the proposed referendum to reduce the age of eligibility for election to the office of President has taken priority over some other issues. My understanding is that the convention recommended making the Constitution gender neutral. We have one of the least gender balanced parliaments on earth; we are behind Afghanistan. The last time I checked we were 88th in the world. Making the Constitution gender neutral would be a very strong signal that Parliament and politics in Ireland are beginning to move on, to modernise and progress. The Constitutional Convention suggested lowering the age of eligibility for election to the Dáil from 21 to 18 years, which would be very useful.

I have tabled legislation on removing the offence of blasphemy from the Constitution, which is something that is not only preposterous in a modern society but is being used up to this day to quell dissent in ways with which I do not think anyone who believes in freedom of speech should be happy. There were many other options for this proposed referendum, if we have a very limited time and opportunity to get people to change the Constitution. While the first question, which is around marriage equality, is critically important, the second one should not have been prioritised over some of the other issues. I reiterate that while I believe this legislation and the proposed referendum are a missed opportunity, it is a small move in the right direction and I will be supporting it.

**Deputy James Bannon:** As a member of the Constitutional Convention, I recall that there was a great deal of debate surrounding the issue of whether we should lower the age of eligibility for election to the Office of President. It was a contentious issue with many arguments being put for and against the proposal. In the end, the recommendation to lower the age requirement was only passed by a majority of three votes. I was one of the 50 delegates who voted in favour of lowering the age requirement, 47 were against it and three members of the convention had no opinion on it at that time.

A number of people, both during the convention and in the media afterwards, criticised the concept of reducing the age of eligibility from 35 to 21 years of age. Certain commentators believe the decision to hold this referendum is patronising and a waste of money, with one particular individual going as far as to say that the referendum is an insult to the young people of Ireland. One of the most common arguments was that the Office of the President requires a certain degree of experience and a level of maturity, special qualities, some might say, that come with age. Others have said that a reduction in the age requirement would lead to a raft of unpresidential candidates being nominated.

These are relatively weak arguments for two reasons. First, as we all know, the nomination process for the presidency is an incredibly restrictive process, whereby four county councils or

20 Oireachtas Members are required to nominate a candidates. I remember this process well when my late female colleague on Longford County Council, councillor Philo Kelly, proposed that Dana be given a nomination to run for the presidency back in 1997. While this was a constitutionally legitimate means of gaining nomination to compete for the presidency, it was the first time it had been tried successfully and I am pleased that Longford County Council was one of the first councils to engage in this process. Either way, it is virtually impossible that an un-presidential or inexperienced candidate could come through this process.

The second reason lies with the citizens of Ireland. I firmly believe that the people of Ireland, through a popular vote, should be trusted to decide for themselves whether a candidate has the required level of experience for the presidency. Eoin O'Malley in his article, "The 2011 Presidential Election: Explaining the Outcome" pointed out:

Analysis of the 2011 Presidential election in Ireland shows that candidates were persistently criticised for being ill-informed about the specific responsibilities and qualification for the role. The evidence suggests that in Irish presidential election campaigns voters take a candidate's experience and qualifications seriously. Presidential contests since the 1990 election have been intensely personal, with a central focus on the suitability of the candidates for the position of president.

Eoin O'Malley was right in what he said. All the evidence to date shows that the people believe that the experience of a presidential candidate is an important factor.

Therefore, I believe it is actually quite insulting to suggest that the Irish people would elect an unsuitable candidate regardless of whether they are 21, 35 or 65 years. There are a number of reasons we should lower the age requirements. If this referendum were to be passed, we are creating diversity on the ballot paper and offering more choice to the Irish people. A quick glance towards some of our European neighbours shows many nations, like France, Croatia, Finland and Slovenia, with 18 years as the age requirement to stand for their respective presidencies. The fact that the age requirement is 18 years in France is noteworthy as they have one of the most powerful presidential systems in Europe.

Reducing the age of eligibility for the Presidency would create a broader reflection of Irish society. If 21 year olds have a vote in a presidential election, surely they should be afforded the right to stand as candidates. I remind the House what an Oireachtas all-party committee on the Constitution recommended in 1998. It called for the age requirement to be dropped to 18 years and felt that there was no logical reason for setting the age at which one becomes eligible to be President higher than that at which one may exercise the right to vote in elections.

It was interesting to listen to Deputy Richard Boyd Barrett talk about other issues, including young people being homeless at 25 or 26 years. On the issue of homelessness, the Deputy is all talk and little action. If he was a good constituency worker, this would not be the situation in his constituency. It all depends on his ability to get things done in his constituency.

**Acting Chairman (Deputy Liam Twomey):** The Deputy should stick to the legislation.

**Deputy James Bannon:** In conclusion, the arguments for reducing the age requirement for the Presidency are much greater than those against and that is why I will support the forthcoming referendum.

**Deputy Colm Keaveney:** I welcome the measures proposed in the referendum. There can

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be little reasoned or objective opposition to it except to wonder why we did not reduce it to 18 years. The Government has taken the maxim from *Animal Farm* that all animals are equal but some are more equal than others as an instruction rather than an ironic statement. The Government is very good at singling out young people when it comes to cuts in their social protection payments. The Government was quick in its crusade to attack 18 year olds, who were specifically targeted by the Labour Party in strategic attacks on young people.

However, that will not distract us from supporting the referendum. In a presidential election, it ought to be up to the electorate to determine whether the person is sufficiently mature at 18, 21 or 35 years to hold national office. Maturity is not a matter of age. I meet many 18 year olds who demonstrate more maturity than many of the Ministers who sit on the Government side of the House.

I have some questions. Is this it? Is this the extent of the democratic revolution? Is this what it is all about? Some €35 million has been put on the table to run a referendum. In the lifetime of this Government the funding of €35 million ring-fenced for mental health services has never been spent. Young people, 18 year olds, children and adolescents have been waiting years for mental health services and this is the extent of the democratic revolution. The Government has not spent one penny of the ring-fenced money and failed to honour the protection of the most vulnerable people while this is the flagship political reform. I am completely underwhelmed by the democratic revolution and I am not alone because the public are completely underwhelmed by the Government.

In various discussions in my constituency and beyond, I found broad awareness about the marriage referendum but no one knows anything about this proposal. It says a lot about the characteristic of this Government that it uses this as some form of fig leaf on political and constitutional reform. It is underwhelming and pathetic but that cannot distract us and distract this party from supporting the engagement of young people. Many people have confessed to me their views on the paucity of ambition in this Government and ask me whether this is all the Government has to offer in terms of political and constitutional reform. There was a glorious opportunity to put to the people in May a referendum on public ownership of Irish Water. When I knock on doors on Saturday afternoons and ask people to come out and vote to ensure the participation of young people, people ask me whether this is it. It is pathetic. One speaker described it as underwhelming and I must agree.

The Constitutional Convention was given a limited range of subject matter to examine and, like the Government, there was nothing too radical on the agenda. This was strategically chosen so that the *status quo* could be protected. Do not allow the Constitutional Convention to run away with itself, give it a limited mandate and make sure the network and the club upstairs in the ministerial offices continues as has been the case before. The democratic revolution was only words on a programme for Government and was never going to be an action. The Government managed to limit the brief of the Constitutional Convention and come up with well-reasoned arguments why it should not be ambitious. An underwhelming agenda was offered to the Constitutional Convention. Is this the best constitutional and political reform after where we have come from, given the appetite of the people of this country for wholesale reform? Is this it, reducing the participation age to 21 years?

**Deputy Robert Troy:** It is a joke.

**Deputy Colm Keaveney:** I refer to the gusto with which the Government attacked core

rates of social protection payments for vulnerable people. I look across the Chamber at the party that claims as its core principle the issue of equality. What chance does an 18 or 19 year old have to run for the Presidency of the country if they receive €100 per week, having had social protection payments pulled off them by the Tánaiste, Deputy Burton? If this is the summit of the ambition of the Government for political and constitutional reform, the public is gunning for the Government parties. We have a job of work to do on this side of the House because I want to see this referendum passed. The public has no idea what is going on and I doubt many of the backbenchers in government know about it because we can see that from their participation in the debate.

On the Constitutional Convention, some of the recommendations that should have happened involved social issues. The marriage referendum was born of the Constitutional Convention but we did not see any progress on blasphemy. Despite the fact that Fine Gael and Labour stood before the people in 2011 and said they would tackle this wholeheartedly, there is no political reform. It is hard to know who is frightened on the issue of tackling blasphemy. It is appalling. I refer to the Constitutional Convention and the subject matter of political reform. If this is the extent of the ambition of the Government, the public sees through it.

Cuireadh an díospóireacht ar athló.

Debate adjourned.

*12 o'clock*

### **Leaders' Questions**

**Deputy Micheál Martin:** Despite the incredible spin on the part of the Minister for the Environment, Community and Local Government, Deputy Kelly, on Monday last and by the Government in the context of various announcements regarding the rural development programme, the reality is that Leader funding for rural communities throughout the country has been slashed in an incredible manner by the Government in its programme for the period 2014 to 2020. The funding in question has been cut by 43%, which means that towns and villages in rural areas will lose services relating to child care and rural transport and supports for start-up businesses. The cuts to which I refer are absolutely brutal in terms of the sheer scale involved. Some €376 million was allocated under the programme for the period 2007 to 2013 but under the new programme, which covers the period 2014 to 2020, the allocation is only €220 million.

As far as I can see, funding for all counties - with the exception of two - is going to be savagely cut. Incredibly, County Cork is going to lose up to 71% of its funding. I do not know what the Minister for Agriculture, Food and the Marine, Deputy Coveney was doing when that decision was made. Perhaps he was fast asleep at the wheel.

**Deputy Michael Healy-Rae:** He was in a-----

**Deputy Micheál Martin:** County Kilkenny is going to lose up to 50% of its funding, as will counties Donegal, Meath, Kerry and Tipperary. The Minister, Deputy Kelly, proudly proclaimed on "Morning Ireland" that he has brought €10 million to County Tipperary. Some €25 million was allocated in respect of that county under the previous programme. To add insult to injury, the independence and autonomy of Leader and rural development companies has been fatally undermined by the Government. For the first time ever - I am not saying this it is being said by the companies to which I refer - the Government has decided that before the open

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competition for funding happens, it is going to divvy up the overall pot and allocate a budget per county. Not only is the funding going to be dramatically and substantially reduced, the Government has decided to take away-----

**A Deputy:** Stroke.

**Deputy Micheál Martin:** -----the essential ethos of the programme, which was previously about independent companies empowering local communities, as part of a politicisation of it. That process of politicisation was begun by the former Minister, Phil Hogan, who went off to the European Commission, and continued by the current Minister, Deputy Kelly.

The way in which the Government has dealt with this matter is a scandal in itself. It has undermined the companies to which I refer and subsumed them into local authority structures. It has also undermined what was best international practice in so doing. The European Union lauded the model that was originally put in place in respect of Leader and rural development companies. What is being done by the Government in this instance represents a brutal assault on rural Ireland. Will the Taoiseach reverse the cuts and restore, for the period 2014 to 2020, the funding that is necessary in order to, at a minimum, maintain the level and quality of services that have been provided in rural areas by the companies to which I refer? Will he see to it that the Government reverts to the tried and tested model which previously worked effectively and which was lauded by the European Union as honouring the intention behind the programme the latter originally designed?

**The Taoiseach:** The rural development programme was dealt with as part of the process of the Irish Presidency of the European Union in the early part of 2013. It was successfully negotiated and attracted the approval of the European Parliament. There is a fund of €4 billion available for rural Ireland.

**Deputy Micheál Martin:** Will the Taoiseach speak up? We cannot hear him on this side of the House.

**The Taoiseach:** The allocation for the rural development programme is €250 million and each county has now been notified of the amount it will receive for the period ahead.

Deputy Martin will be aware that there has been a change in the nature of the relationship between local authorities, on which public representatives serve, and different organisations and agencies, including the Leader groups. Those groups have done fabulous work in many areas throughout the country.

**Deputy Mattie McGrath:** And now they are being badly treated by the Government.

**The Taoiseach:** Their relationship with the local authorities has changed-----

**Deputy Mattie McGrath:** They are being taken over.

**The Taoiseach:** -----because those authorities and the public representatives who serve on them now have access to all of the detail relating to how the money involved is used for the benefit of communities. This is not to say that the functions and responsibilities of the Leader groups and those who work on them have changed. The latter have a very important part to play in respect of the moneys allocated.

The Deputy referred to an assault on rural Ireland. He must remember that both rural and

urban areas are still recovering from the devastation that was wreaked upon them a number of years ago.

**Deputy Robert Troy:** So the Government slashed their funding.

**The Taoiseach:** The Government is acutely aware of what has been the impact on rural Ireland and, as a result, IDA Ireland has changed its strategy in terms of the development of technology parks, the upgrading of existing facilities and the purchase and construction of new ones in areas outside the main urban centres. It is welcome to see the significant investment being made by Apple in Athenry and the development of facilities in towns and other locations outside those centres. These developments are heartening, particularly as they are giving rise to the creation of further jobs throughout the regions.

The Government has published its programme for the provision of broadband services throughout the country, particularly in areas where capacity is seriously lacking and where this should not be the case. Enterprise Ireland has been allocated additional funding in order that it might facilitate small and medium enterprises throughout the country to assist in developing a regional strategy and promoting employment creation. That is why the Government established the Strategic Banking Corporation of Ireland and the Ireland strategic investment fund. These are two major developments. The Ireland strategic investment fund contains €7 billion and the first public flotation on the Irish Stock Exchange relating to it - involving the Malin initial public offering, IPO - took place this morning. This development involves ten small companies which deal with various areas throughout the regions. As Deputy Martin is aware, the Strategic Banking Corporation of Ireland has an investment capacity of €800 million in the context of small and medium enterprises and can provide lower-interest loans over longer terms. All of these are part of the programme for the development of provincial and rural Ireland.

As already stated, the fund relating to the rural development programme stands at €250 million. That amount is not as large as previously. The Leader groups, in terms of their responsibilities, are still very important.

**Deputy Mattie McGrath:** They are making people redundant.

**The Taoiseach:** The groups will play a fundamental role in the development of quality enterprises and systems throughout the country. I look forward to engaging with them.

**Deputy Mattie McGrath:** The Taoiseach has lost all credibility.

**Deputy Micheál Martin:** I will tell the Taoiseach what Leader companies in a particular area are saying. I am not going to mention the area in question because the companies that operate there might be punished by the Government. People are afraid of the Government's tendencies in this regard and of how it gets to them in the end.

**An Ceann Comhairle:** I would appreciate it if the Deputy would ask a supplementary question.

**Deputy Micheál Martin:** The allocation of funding to the Leader companies in the area to which I refer is the lowest I can remember since the introduction of the scheme in 1996.

**Deputy Mattie McGrath:** It is a smash and grab exercise.

**Deputy Micheál Martin:** The Taoiseach did not address the core issue I put to him. Cuts

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in allocations are happening throughout the country.

**Deputy Mattie McGrath:** Smash and grab.

**Deputy Micheál Martin:** It is an insult to people when the Taoiseach says that they did fabulous work, particularly when he then seeks to screw them. He is undermining their authority, autonomy and independence.

**Deputy Mattie McGrath:** And good work.

**Deputy Micheál Martin:** The Taoiseach should please stop insulting people by uttering meaningless platitudes.

**An Ceann Comhairle:** Will the Deputy ask a supplementary question?

**Deputy Micheál Martin:** The Taoiseach stated that - miraculously - the position has now changed. It did not just now change. The former Minister, Phil Hogan, saw this as a political issue and he wanted to gain control of the funds in order that he might divvy them up. There are two issues which arise.

**Deputy Bernard J. Durkan:** There were not too many funds to divvy up when Fianna Fáil left office.

**Deputy Finian McGrath:** Hulk Hogan wrecked the place.

**Deputy Micheál Martin:** In the first instance, overall Pillar 2 funding was reduced and, in the second, the Government did not live up to its promise on 50-50 funding. In the context of matching funding in respect of Leader programmes, only 37% is being provided by the Government. The reduction in funding in all of the counties to which I refer has been quite severe.

Will the Taoiseach please address the realities that will be experienced in towns and villages throughout Ireland as a result of these quite dramatic funding cuts? This means some services will have to close and some will not be sustainable in future. Will the Taoiseach restore the level of funding provided between 2007 and 2013 for the period from 2013 to 2020?

**Deputy Paul Kehoe:** He is looking for money every day.

**Deputy Micheál Martin:** Will he at least supplement, from a national perspective, the draconian cuts he has presided over and return autonomy to the local rural development companies?

**The Taoiseach:** Deputy Martin has drifted back to where he left off.

**Deputy Colm Keaveney:** The Taoiseach should read the ESRI report.

**The Taoiseach:** It is tax and spend.

**Deputy Paul Kehoe:** They ran the country broke.

**An Ceann Comhairle:** The Taoiseach is well able to look after himself.

*(Interruptions).*

**The Taoiseach:** It is more tax and spend from Deputy Martin. He is back to where he left

off. He has not stood up from that seat once in the last two years to make a constructive suggest for the development of the country, other than to restore or provide money. Does he not understand that when he walked out of this Chamber four years ago, we had 12 weeks of reserves left to pay pensioners, gardaí, teachers and nurses?

**Deputy Micheál Martin:** That is not true.

**Deputy Robert Troy:** It is not the first time he misled the House.

**The Taoiseach:** That is the mess he left behind.

**Deputy James Reilly:** It is true.

**Deputy Micheál Martin:** Will the Government restore funding for Leader groups?

**The Taoiseach:** Now he comes back here in 2015 to look for all those things to be restored.

**Deputy Willie O’Dea:** That is a “No”.

**Deputy Micheál Martin:** Answer the question I asked.

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

**The Taoiseach:** Allow me to answer the question.

**Deputy Micheál Martin:** He is wandering all over to avoid the question.

**An Ceann Comhairle:** Deputy, please adhere to the Chair’s directions.

**Deputy James Reilly:** Deputy Martin wandered all over the place asking the question.

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

**The Taoiseach:** Under the scheme as it operated until this year, administration costs amounted to 33%.

**Deputy Bernard J. Durkan:** Remember that.

**The Taoiseach:** Some 33% of the funding for the Leader groups went into administration.

**Deputy Micheál Martin:** He clearly does not think they are fabulous anymore.

**The Taoiseach:** That is not pumping money into rural Ireland for schemes that the Deputy wants. He knows that.

**Deputy Colm Keaveney:** They are cheaper than Irish Water.

**The Taoiseach:** The OECD recommended a more integrated approach to dealing with these kinds of funds. That is why the relationship between Leader and the local authorities, which are served by elected people from all over the country, will make an impact.

**Deputy Micheál Martin:** It is a smash and grab job.

**The Taoiseach:** There is a responsibility on the part of Leader groups to work with local authorities and other agencies to make the best impact with the €250 million allocated to them.

I expect they will do a very good job.

**An Ceann Comhairle:** For the information of the House, we were four and a half minutes over time on that question. This happens every day and I am getting fed up with it.

**Deputy Gerry Adams:** Yesterday the Taoiseach made it clear that he fully supports the Minister for the Environment, Community and Local Government, and his intention to take water charges from people's wages, pensions and social welfare payments.

**Deputy Emmet Stagg:** Including Deputy Adams's.

**Deputy Gerry Adams:** He disclosed to the House that the Minister has yet to put a proposal to the Cabinet but he refused to outline the legal basis for the process which he wholeheartedly supports. That would seem strange to most people but in Enda-land the absurd presents itself as a form of government. In Enda-land, we heard this morning that water charge bills will be issued by Irish Water to citizens who are not its customers. In Enda-land, bills will also be issued to households which have undrinkable water, including those who have to boil their water. In Enda-land, 150,000 properties with a private well and a septic tank will be billed by Irish Water. All of these citizens will be billed for a service they do not receive and the Taoiseach fully supports a process of deducting these bills from their wages, pensions or social welfare payments. Surely the Taoiseach will agree that is worthy of Flann O'Brien at his best. It would be laughable except that it is causing huge confusion and further anger.

Why should this concern the Taoiseach or the hecklers on his back benches? It is not their money because the taxpayers will be footing the bill for the bills they are being sent for a service they will not receive. In Enda-land, €85 million of taxpayers' money was paid to private consultants for their advice. How on earth are citizens to have any faith in the Government's water charges policy or, indeed, in the Government itself when those entrusted with running water services cannot even get the basics right?

**The Taoiseach:** In Gerry-land, the record shows that Deputy Adams agreed that he should pay for water until he heard the sound of marching feet and thought this was populism which required him to take a different stance.

**Deputy Ray Butler:** It was because Deputy Paul Murphy came along.

**Deputy Micheál Martin:** The Government changed its stance 13 times because of marching feet.

**The Taoiseach:** I am sure he read the reports of water being contaminated with leachate because of diesel laundering in various parts of the country. I am sure that is of interest to him. Deputy Adams is the president of his party. It is about time people faced up to the reality that water has to be paid for.

**Deputy Aengus Ó Snodaigh:** It already is.

**The Taoiseach:** Every Deputy should observe what happens in a water treatment plant to understand the cost of producing quality water for consumers, businesses and people alike. It seems to be fine for some people to say we are all paying for this. They are happy to continue with a situation in which people have had to boil water for years, contend with inferior and inadequate sewerage facilities in their towns and villages or are condemned to an inadequate infrastructure. It is time that Deputy Adams faces the reality. This Government has listened

carefully to the great number of people who expressed their concerns and anxieties. The charge for water is €1.15 per week or €3 if there are two or more adults in the house. By any scale, these are modest contributions to make for quality water.

**Deputy Mary Lou McDonald:** That is not true. It is not modest by any scale. That is where he is wrong.

**The Taoiseach:** Deputy Adams's party seems to want a system where it can increase income tax and introduce a raft of new charges, including commercial rates, land tax and corporation tax, to pay for some utopian land in which seems to live. It is not Enda-land or Gerry-land; it is fantasy land.

**Deputy Mary Lou McDonald:** In Enda-land, he wants to screw people on small money.

**The Taoiseach:** The people of this country have faced difficult choices in the last number of years. We are now emerging from a recession. I note the reports which indicate that Ireland is a leading economy in a European sense. Our challenge is to manage this carefully for the generation coming behind us. Nobody believes that people should not make a contribution for water. When someone turns on a tap, whether in Donegal, Louth, Clontarf, Kerry or Waterford, somebody has to pay for what comes out. I am not happy with a situation in which thousands of people are drinking water supplied through lead pipes-----

**Deputy Dessie Ellis:** Then get the lead out.

**The Taoiseach:** -----thousands of people have an inferior water system or thousands of people have to say, with their sense of pride, that there are no sewerage facilities in their towns or villages. We have to deal with that reality and I support the Minister, Deputy Kelly, in his efforts to provide a proper system of clean, high quality water for consumers, businesses and people all over the country. When he brings his recommendations to the Cabinet, we will consider them and deal with them in the interest of our country.

**Deputy Gerry Adams:** The Government has spent €540 million on meters but only €50 million on the leaking pipes he decries so much. He refused to answer my question, once again. Is it not ironic that a Labour Party Minister, the Minister for making it up as he goes along, is responsible for this mess? In Opposition the Labour Party firmly ruled out the introduction of water charges but it has since emerged that it was planning to introduce water charges since 2010. An internal Labour Party memo prepared for its then leader, Deputy Gilmore, and the then deputy leader, the Tánaiste and Minister for Social Protection, Deputy Burton, clearly outlined plans for the introduction of water charges and the installation of water meters. Now we know where the Labour Party stood on this issue all along, despite what it told the electorate.

Yesterday I asked the Taoiseach whether he had spoken to his old pal, Phil Hogan, about his unminuted and unrecorded meetings with the chair of Bord Gáis on the establishment of Irish Water. The Taoiseach refused to answer my question or to authorise an Oireachtas inquiry into this serious matter. Given the latest revelations about this billing debacle, is it not time he acknowledged that his party and the Labour Party have no mandate and that there is no sense in what they are doing in respect of water charges? I ask him once again to scrap these charges or, failing that, to get an exit visa from Enda-land and call a general election on this issue.

**An Ceann Comhairle:** It is normal practice to address Deputies as Deputy, Ministers as Minister and the Taoiseach as Taoiseach and I do not want any practice to creep in here of call-

ing this country anybody's land.

**The Taoiseach:** I thank the Ceann Comhairle for his direction.

Yes, I spoke to Commissioner Hogan about his announcement of a €200 million allocation for rural Ireland and trainee schemes for young people to allow them to participate more fully in building up the country.

**Deputy Gerry Adams:** Speak up, scairt amach.

**The Taoiseach:** I am sure the Deputy has it within him to welcome that announcement also.

**Deputy Gerry Adams:** Did the Taoiseach not ask him about the other issues?

**Deputy Brian Stanley:** Where are the minutes of the meeting?

**The Taoiseach:** The answer to Deputy Gerry Adam's question is that I do not intend to call a general election until it is appropriate to do so. The Government was given a mandate by the people to fix the public finances and get the country back working. I hope that when the Deputy is attending meetings around the country and asked how he proposes to pay for all these facilities, he will respond by saying he intends to increase income taxes and commercial rates and to talk to Deputy Paul Murphy about financial transaction taxes, corporation taxes, wealth taxes and everything else, apart from providing the services to which the people are entitled. That is what we are going to do; we are going to fulfil the mandate given to us by the people who in due course will have the answer as to whether we have sorted out the public finances and got people back to work.

**Deputy Paul Murphy:** Pride goes before destruction and a haughty spirit before a fall and that is the situation facing the Government. It is in that moment between pride and a fall. Faced with a huge protest on Saturday and the prospect of a massive boycott, all talk of listening has been forgotten and replaced by a high-handed, arrogant and bullying approach. The Minister for the Environment, Community and Local Government, Deputy Alan Kelly, is swaggering around the place like Nelson in "The Simpsons", threatening to rob people's lunch money. Housing agencies are sending threatening letters to their tenants and we have yet another deadline - a fifth - from Irish Water, taking all meaning from the word "deadline", which is designed to frighten people. Despite what Irish Water states, it is not happy with the level of registration. We face an incredible situation, weeks before the bills are issued, where the Government is threatening that Irish Water will be able to deduct charges from people's wages, benefits or pensions. It is not doing this by putting a Bill before the House or raising the matter for debate here. It is not even going on the airwaves to put forward and debate the issue. It is doing it through leaks in the media that are designed to strike fear into people across the country. Is this the new way of doing politics? Is this the democratic revolution sitting on an overburdened shelf of forgotten promises?

People deserve clarity, not more waffle. I, therefore, ask the Taoiseach to answer these questions clearly. When will we see the long promised Bill? Will the Taoiseach confirm that the water charges are not a Revenue tax and that, therefore, the powers of Revenue to deduct charges do not apply? Will he confirm that any move to give Irish Water these powers would mean Irish Water falling foul of the EUROSTAT market corporation test? If there is any move to have a fast-tracked court procedure which would require one court case rather than a multiple of cases to obtain an attachment of earnings order, will it not similarly have to apply to other

utility companies? How on earth will the Government deal with the hundreds of thousands who will refuse to pay? How many hundreds of new judges will the State appoint? How many scores of new courthouses will the State build or will the entire system simply be blocked up?

**An Ceann Comhairle:** The Deputy is out of time.

**Deputy Paul Murphy:** I will finish on this point. Was Elizabeth Arnett of Irish Water not correct when she said this morning that there would be no penalties in the case of the first four bills? People can, therefore, refuse to pay, without penalty until after the next general election. They can join the group that will bin their bills outside the Dáil on 18 April. This campaign will sink water charges, Irish Water and the Government.

**The Taoiseach:** The Minister for the Environment, Community and Local Government will bring his proposals to the Cabinet in the next few weeks. The Cabinet will consider and make decisions on them. The Bill will then be published and put through the Dáil and the Seanad. It will deal with the questions the Deputy has raised.

**Deputy Mattie McGrath:** The Government has made a hames of it.

**The Taoiseach:** It is not good for Deputy Paul Murphy or anybody else here to express a view that would put people in a position where they would build up a debt for the future. The Government has listened carefully to what the people have said and introduced a level of charge for water that it believes is fair and affordable. It is not good to tell people to put this off and build up a debt as a consequence. There is a need for fairness in this issue, of which the Deputy does not seem to be aware. The majority of people who have signed up as customers of Irish Water and will continue to sign up want to know that their neighbours, including the Deputy, will make their contribution to the cost of production of quality Irish water in the coming years. The Deputy's questions about courts and other matters will be dealt with in the Bill that will be produced by the Government following its decision on the Minister's propositions. There is a need for compliance and people to understand there will be equality in regard to compliance and that everybody who can pay should and will pay.

The Bill will be before the House within weeks and people will have an opportunity to discuss and debate it. We have gone beyond ignoring the issue. The country must deal with it and I am heartened by the continuing strong support through registration and people signing up to receive what they know is a precious commodity which we must be able to supply to every citizen, not just those in particular locations. The Bill will be introduced in a few weeks time.

**Deputy Paul Murphy:** The Taoiseach says the promised Bill will be introduced in the next few weeks. On 3 February he told us it would be published "in the next couple of weeks". The next time we raise the issue will we be told that it will be introduced in the next couple of months and then the next few months? This is a Bill that never appears because the Government wants to use it to scare people, but the content will not be as scary. If it includes a procedure to fast-track proceedings for non-payers of water charges through the courts, does the Taoiseach agree that there are many others in the State who should be ahead of non-payers in the queue to access the courts such as serious criminals and those who were responsible for the economic crisis, for which people are paying through water charges?

On the statement that the majority are signing up to pay water charges, I notice that the Taoiseach did not give figures. The figures coming from the Government-----

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**An Ceann Comhairle:** Will the Deputy, please, put his question? He has one minute in which to do so.

**Deputy Paul Murphy:** How many have signed up? The only consistent message we hear is that lots of people have signed up. On Monday morning the Minister told us that 1.23 million had signed up, an increase of 130,000 in the past four weeks. Last night we heard the figure of 1.23 million, which was an increase of 120,000 in the past seven weeks. The Government's motion refers to a figure of 1.237 million households having responded, but we have a response from Irish Water from a month ago which refers to a figure of 1.23 million.

**An Ceann Comhairle:** This is Question Time. Will the Deputy, please, put his question?

**Deputy Paul Murphy:** What are the accurate figures? My final supplementary question is-----

**An Ceann Comhairle:** Does the Deputy understand he has one minute for a supplementary question?

**Deputy Paul Murphy:** I do. I also understand-----

**An Ceann Comhairle:** He is now on two minutes exactly. Please put your question, Deputy, because this is not statements.

**Deputy Paul Murphy:** I will put my question. What consolation prize is the Taoiseach going to give the Labour Party for enthusiastically hammering the final nails in its coffin? Will the party take the chance? Will the Taoiseach take the chance of voting for the Private Members' motion by the anti-austerity alliance tonight to abolish water charges?

**Deputy Finian McGrath:** Give us the real figures now.

**The Taoiseach:** In reply to an earlier question from Deputy Murphy, I expect that Irish Water will pass the market corporation test. It is a matter for an independent analysis by EUROSTAT. The Bill will be published very shortly after Easter. In respect of the Deputy's last comment, this is a Government comprised of Fine Gael and the Labour Party which was given a mandate by the people to deal with the most difficult economic situation our country has ever had. For that reason the Government has faced many difficult choices and has made decisions. As the Deputy will understand, commentators are entitled to commentate but politics is about people and government is about making decisions. I am not sure that Deputy Murphy has arrived at that point yet. If it ever comes his way, in whatever form, he will find he is living in a very different space than now.

### **Order of Business**

**The Taoiseach:** It is proposed to take No. 6, Thirty-fifth Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015 - Second and Remaining Stages; No. 13, motion re statement for the information of voters in relation to the Thirty-fifth Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015, to be taken without debate on the conclusion of No. 6; No. 40, Climate Action and Low Carbon Development Bill 2015 - Second Stage (resumed); and No. 41, statements on the dairy sector (resumed).

Tomorrow's business after Oral Questions shall be: No. 40, Climate Action and Low Carbon

Development Bill 2015 - Second Stage (resumed); No. 41, statements on the dairy sector (resumed). Private Members' business which shall be No. 189, motion re water charges (resumed), to conclude at 9 p.m. tonight, if not previously concluded.

**An Ceann Comhairle:** There are no proposals to be put to the House.

**Deputy Micheál Martin:** I refer the Taoiseach to page 3 of the programme for Government which contains a very important legislative commitment. In that context, no notes or records were kept of the series of high level meetings about Irish Water in 2012 between the then Minister for the Environment, Community and Local Government, Commissioner Phil Hogan and the Bord Gáis chairperson, Rose Hynes. The briefing sessions took place in Mr. Hogan's Leinster House office in October-----

**An Ceann Comhairle:** Where are we going with this, Deputy? This is the Order of Business.

**Deputy Micheál Martin:** I will explain briefly. They were held in October and November that year. According to records in Mr. Hogan's diary there were no civil servants at either meeting which took place at a time when many key issues were being considered. There were no notes for more than half of all the meetings between the Department of the Environment, Community and Local Government and Bord Gáis in the first six months of the utility's-----

**An Ceann Comhairle:** Sorry, Deputy, this is the Order of Business. I have to ask you, please, like everybody else, to adhere to the rules.

**Deputy Micheál Martin:** I will come to it. There is a context to the question I will ask.

**An Ceann Comhairle:** There are plenty of other ways of raising these matters.

**Deputy Micheál Martin:** A total of 23 meetings took place and of those, only ten had minutes.

*(Interruptions).*

**An Ceann Comhairle:** Details about Irish Water minutes is not on the Order of Business.

**Deputy Micheál Martin:** It is, actually.

**An Ceann Comhairle:** It has nothing to do with it.

**Deputy Micheál Martin:** I will tell the House why. Four years ago, page 3 of the programme for Government stated, "We will legislate for a reformulated code of laws, replacing both the Ministers and Secretaries Acts and the Public Service Management Act, which will spell out the legal relationship between Ministers and their civil servants and their legal accountability for decisions and for management of Departments". It further states, "We will bring to an end the unacceptable executive practice where no record is kept of ministerial involvement with an issue and resulting decisions". What happened that legislative commitment?

What happened with regard to the then Minister, Phil Hogan and the head of Irish Water, is absolutely unacceptable and goes to the heart of the opaqueness and the lack of transparency in setting up Irish Water. The Taoiseach went against all official advice. Out of a whole series of meetings only ten out of 23 were minuted and four meetings between the Minister and Bord Gáis officials were not recorded.

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**An Ceann Comhairle:** I suggest the Deputy puts down a parliamentary question.

**A Deputy:** A democratic revolution.

**Deputy Micheál Martin:** It makes a laughing stock of the Taoiseach's commitment to the programme for Government.

**The Taoiseach:** All of the decisions in regard to the setting up of Irish Water were approved by Cabinet and where appropriate were given independent evaluation by the independent regulator dealing with this matter.

**Deputy Micheál Martin:** That is not my question.

**The Taoiseach:** The decisions to be made about Irish Water were all approved by Cabinet at the appropriate time.

**Deputy Micheál Martin:** I asked about the commitment on legislation in the programme for Government. Why was that legislation not introduced? Will it be introduced?

**An Ceann Comhairle:** I cannot answer for the Taoiseach.

**Deputy Micheál Martin:** He has an obligation to answer a very straight question I put to him. Will he introduce the legislation as committed to on page 3 of the programme for Government?

**The Taoiseach:** I will give the Deputy an update on the work.

**Deputy Micheál Martin:** I do not want an update. Either the Taoiseach will introduce the legislation or he will not.

**An Ceann Comhairle:** Resume your seat, please, Deputy.

**Deputy Micheál Martin:** Or else, the Taoiseach is guilty of gross hypocrisy in terms of how he has been behaving on this issue. Will he introduce it?

**Deputy Gerry Adams:** With respect, the Taoiseach is mumbling a lot and we cannot hear him over here. I ask if he could raise his voice a wee bit, please.

Tá trí cheist agamsa, ceann amháin faoi Bhille na dTeangacha Oifigiúla, ceann faoin mBille um Sheirbhísí Uisce agus faoin mBille sláinte poiblí (alcól). D'fhoilsigh an Comhchoiste um Chomhshaoil, Cultúr agus Gaeltacht tuairisc iontach mhaith ar Bhille na dTeangacha Oifigiúla mí ó shin. As part of its very good report the committee made 34 far-reaching recommendations on the heads of the Bill. These stressed the need to provide more services for Irish speakers and to protect current levels. D'iarr mé ar an Taoiseach anseo sa Dáil díospóireacht a chur ar siúl faoin tuairisc seo le linn Seachtain na Gaeilge agus d'aontaigh sé. However, there was no debate. Ní raibh díospóireacht ar bith ann faoin mBille seo. Will the Taoiseach now schedule that debate? Can we be told when the official languages (amendment) Bill will be published?

On the water services Bill, yesterday and today the Taoiseach endorsed the position of the Minister, Deputy Alan Kelly, that new tough laws will be introduced to take water charges from people's wages, social welfare payments and pensions. There are reports about fast-track courts where an attachment order can be secured by Uisce Éireann. An mbeidh deireadh leis seo? An féidir leis an Taoiseach a bheith soiléir ar an bpointe seo?

**An Ceann Comhairle:** We cannot discuss the content of a Bill.

**Deputy Gerry Adams:** When will the water services Bill be published? An ceist deireanach, last month the Minister for Health published the heads of the Bill for the public health (alcohol) Bill. Its purpose is to ban the below cost selling of alcohol, tackle binge drinking and combat alcohol misuse. Yesterday the Joint Committee on Health was told that last year, alcohol manufacturers spent almost €24 million on advertising with another €16 million spent by supermarkets. This intense marketing of alcohol is recognised as a major contributor to consumption and the dreadful social and health consequences it leads to. When will the public health (alcohol) Bill be published? Will the Taoiseach explain why the three annual reports by the advertising watchdog have not been published by the Minister for Justice and Equality? Those reports find that compliance with existing standards is falling.

**The Taoiseach:** The water services Bill will be published very shortly after Easter. The Bill will contain the decisions made by Cabinet following the propositions brought forward by the Minister for the Environment, Community and Local Government. I do not presume to indicate the details of the Bill at this stage.

The Bill dealing with the official language will be published in this session. We will have a díospóireacht ar an mBille sin. The public health (alcohol) Bill was at pre-legislative scrutiny at the health committee on 10 and 12 March and will be before the committee this week for further comment at pre-legislative scrutiny stage. Thereafter, it will come back to the Minister for the development of the heads of the Bill and work will proceed towards having it published.

**Deputy Gerry Adams:** What is the position on the annual report of the advertising watchdog?

**The Taoiseach:** I am unable to answer that question, but I will advise the Deputy of the position.

**Deputy Sean Fleming:** In view of the housing crisis and, in particular, the budget day announcement of a major investment of €2 billion or €3 billion in housing construction, as well as conflicting reports on the numbers of planning applications granted and the key role of approved housing bodies in the Government's plan, when can we expect to have sight of the housing (regulation of approved housing bodies) Bill?

For the past four years I have been raising with the Taoiseach the issue of the commencement of the Construction Contracts Act which was passed by the House approximately two years ago. Subcontractors who will bid for housing construction contracts still do not have protection in respect of whether they will be paid. Two years after the passing of the legislation the Minister has not signed the commencement order. I ask the Taoiseach to arrange to have this done.

**The Taoiseach:** The housing Bill to which the Deputy refers is due to be published later this year. While I do not have up-to-date information on the Construction Contracts Act, I will advise the Deputy of the position. As he is aware, the Bill was introduced to address a complicated matter.

**Deputy Denis Naughten:** On 7 March 2013 the then Minister for Justice and Equality promised the Dáil that reduced opening hours at Boyle Garda station would result in the station opening, at a minimum, from 10 a.m. until 6 p.m. or 56 hours per week. It is now proposed

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to slash this figure to 33 hours per week. Moreover, the opening hours are not consistent on any one of the seven days of the week. When will the Garda Síochána (policing authority and miscellaneous provisions) Bill be published? Is it acceptable that people living in Boyle and surrounding areas need to consult a calendar before they are able to contact their local Garda station?

**The Taoiseach:** Deputy Frank Feighan raised this matter with me and it was also the subject of a Topical Issue yesterday. I understand Boyle Garda station provides a full service. As Deputy Denis Naughten is well aware, the operation of the station is a matter for the chief superintendent and superintendents in the district. The Bill to which he referred will be published this session.

**Deputy Mattie McGrath:** Does the Taoiseach agree with that aspect of the Constitution which provides that members of the public are entitled to free and unfettered access to court-houses on any day a court is sitting? What is his view on what happened in his home town of Castlebar on Monday morning?

**An Ceann Comhairle:** The Deputy should put his question to the Taoiseach another time. The purpose of the Order of Business is to discuss promised legislation.

**Deputy Mattie McGrath:** I am discussing legislation. Where is the judicial council Bill the Government promised? Does the Taoiseach find it acceptable that people were denied access to the courthouse in his home town on Monday morning? He could have seen this if he had been in Castlebar on the day. It was wrong and a retrograde step. Does the saying of the rosary by members of the public threaten safety in a court? Does the Taoiseach no longer agree with saying the rosary?

**An Ceann Comhairle:** If the Deputy resumes his seat, I will find out about the Bill for him.

**Deputy Mattie McGrath:** I want an answer. This is part of a democracy. What is the point of celebrating the 1916 Rising?

**An Ceann Comhairle:** The Deputy can raise these matters when the Bill is being discussed.

**The Taoiseach:** The judicial council Bill will be published this session.

**Deputy Mattie McGrath:** The Taoiseach can laugh if he likes, but the last laugh will be on him.

**Deputy Michael Healy-Rae:** Previously on the Order of Business the Taoiseach gave a commitment that the Government would support the post office network. Last night the Minister for Social Protection, Deputy Joan Burton, confirmed that her Department had sent thousands of letters inviting people in receipt of the State pension to have payments made directly into their bank accounts, rather than at post offices.

**An Ceann Comhairle:** To which Bill is the Deputy referring?

**Deputy Michael Healy-Rae:** It is as simple as this-----

**An Ceann Comhairle:** It is not at all simple. The purpose of the Order of Business is to discuss promised legislation. If the Deputy submits a request for the Topical Issue debate, I will consider it.

**Deputy Michael Healy-Rae:** The Taoiseach gave a commitment and I want to know if the Government is breaking it. He promised in this House-----

**An Ceann Comhairle:** The Deputy is inviting the Taoiseach to break the rules of the House, which he is not allowed to do.

**Deputy Michael Healy-Rae:** The Government made a commitment in its programme for Government. Will the Taoiseach indicate what his position is on post offices?

**Deputy Paul Kehoe:** The Deputy's father was a member of a Government which closed down hundreds of post offices.

**Deputy Joe Carey:** What is the position on the proceeds of crime (amendment) Bill?

**The Taoiseach:** Discussions with the Criminal Assets Bureau on the Bill have been ongoing for a long time because the matter is complicated. I will advise the Deputy of what progress has been made.

**Deputy James Bannon:** The issue of bail, particularly the manner in which it is granted, needs to be reviewed. Judges and members of An Garda Síochána have been in touch with me about a serious problem with the guidelines governing sentencing for serious offences. The legislation on bail must be reviewed. When will the bail Bill be brought before the House?

**The Taoiseach:** Deputy Bernard J. Durkan has referred to this Bill on many occasions. I can report that work on the draft heads is at an advanced stage and that progress is being made. However, I am unable to give a publication date.

**An Ceann Comhairle:** Does Deputy Bernard J. Durkan propose to raise the same issue?

**Deputy Bernard J. Durkan:** No. The family law Bill has been promised to update and improve family law legislation and provide for greater clarity in this area. What stage has the preparation of the Bill reached? Have the heads been approved by the Cabinet? When is the Bill likely to be brought before the House?

Similarly, the purpose of the insurance Bill is to provide an alternative statutory regime for those insurance companies not covered by the solvency II directive. This is a moot point as it covers a wide area of credit insurance. Have the heads of the Bill been approved by the Cabinet and when is it likely to be brought before the House?

**The Taoiseach:** While the heads of the insurance Bill have not yet been cleared by the Cabinet, it is expected to be published later this year. I do not have a publication date for the family law Bill, but I will advise the Deputy of the stage the work has reached.

**Deputy Willie O'Dea:** As the Taoiseach will be aware, the Housing (Miscellaneous Provisions) Act 2014 was passed last July. Part 2 of the Act which deals with the issue of repossession in the case of anti-social behaviour by local authority tenants has not been brought into effect almost 12 months later. Will the Taoiseach indicate when it will be brought into effect? Local authorities nationwide are being stymied in their efforts to take action against tenants in breach of the terms of their tenancies.

**The Taoiseach:** While I am unable to give the Deputy a date, I will advise him of when the relevant Part is expected to become operable.

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**Deputy Jerry Buttimer:** Just this week, the Minister for Transport, Tourism and Sport, Deputy Paschal Donohoe, in conjunction with the Taoiseach, published the national tourism strategy, People, Place and Policy - Growing Tourism to 2025. The document sets out a wonderful and innovative policy and strategy. In the context of the regions, in particular, the city of Cork, I ask the Taoiseach to arrange a debate in the House on how we can increase tourism at regional level. If we are to realise the potential for growth in tourism and meet the targets set out in the strategy, it is important to have a debate in the Dáil.

**The Taoiseach:** I do not object to having a debate on the national tourism strategy at the appropriate time. I suggest the Deputy raise the matter with the Whip in order that a debate can be arranged at an appropriate time.

**Deputy Dessie Ellis:** Many people with disabilities, including some who cannot leave their homes, are struggling to avail of public transport services. The Minister promised to provide financial assistance for such persons by way of a contribution towards their transport costs. When will the health (transport support) Bill be introduced?

**The Taoiseach:** I tried to answer a question on this legislation yesterday. I will revert to the Deputy on when the Bill will be produced. It is included in the “C list” of the Government’s legislative programme for 2015, which means that the heads have yet to be approved by the Cabinet. I will advise the Deputy of the progress that has been made.

**Deputy Gerry Adams:** That a disgrace; the Bill has been promised for two years.

**The Taoiseach:** I understand that.

**Deputy Seán Ó Fearghail:** When will the nursing home support scheme (amendment) Bill be introduced? Will it address the severe difficulties people are experiencing as they await approval under the fair deal nursing homes scheme? They are suffering inordinately as a result of the serious delays in the scheme. Is it intended that, as part of this legislation, the fair deal scheme will become a demand-led programme?

**The Taoiseach:** The Bill is due for publication later this year. The Minister for Health must deal with a report on the workings of the fair deal scheme and he will make comments on that in due course.

**Deputy Peter Mathews:** In view of the intensive and increasing advertising conducted by the gambling companies, particularly online and through e-mails, I ask the Taoiseach to give a more urgent priority to ensuring the gambling control Bill is expedited.

**Deputy Seán Ó Fearghail:** Hear, hear.

**An Ceann Comhairle:** The Taoiseach, on gambling.

**Deputy Peter Mathews:** It is at crisis point. Many young people in their 20s have become ruined early in their lives because of this easy access, through apps, e-mails, laptops and so on. The matter is too serious to allow it to drift.

**The Taoiseach:** While I do not have a date for the Bill, I will bear in mind the point made by Deputy Mathews.

*Sitting suspended at 12.51 p.m. and resumed at 1.51 p.m.*

## **Topical Issue Matters**

**Acting Chairman (Deputy Olivia Mitchell):** 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 Lucinda Creighton - the need to secure the future of the school completions programmes and oversee its expansion by ring-fencing funding for the years to come; (2) Deputy Colm Keaveney - reports of an increase in cases where electro-convulsive therapy has been used against a patient's will; (3) Deputy Sean Fleming - concerns regarding the publication of a HIQA report into maternity services at the Midland Regional Hospital in Portlaoise, County Laois; (4) Deputy Regina Doherty - changes to funding of the Tús scheme; (5) Deputy Denis Naughten - the need to ensure twilight premium payments for social care workers in Galway and Roscommon as is the case in other parts of the country; (6) Deputy Pat Breen - the need to support the GAA in seeking UNESCO intangible cultural heritage status for hurling; (7) Deputies Derek Nolan and Seán Kyne - the need to review the number of social inclusion community activation programme lots for County Galway, in light of the decision that Galway be treated as one county; (8) Deputy Robert Troy - the need to address concerns over the proposed full producer responsibility initiative for waste tyres; (9) Deputy Michael Moynihan - the need to address concerns regarding the reduction of Leader funding in County Cork; (10) Deputy Seán Ó Fearghaíl - the need to provide clarity to those organisations in receipt of bridging funding under the scheme to support national organisations; (11) Deputy Clare Daly - the need to address the inability of homeowners whose dwellings have pyrite to access their LPT exemption due to the infill testing requirement;

(12) Deputy Mick Wallace - concerns regarding the complaints of the condition of local authority housing which are before the European Committee of Social Rights;

(13) Deputy Thomas Pringle - the need for a new school building for St. Mary's national school, Stranorlar, County Donegal; (14) Deputy Áine Collins - the need for a transition period for working lone parents whose children are over seven years of age, who will no longer qualify for the one-parent family payment; (15) Deputy Richard Boyd Barrett - the lack of availability of inpatient beds for children with mental health difficulties;

(16) Deputy Mattie McGrath - concerns regarding expenditure on the Tipperary hostel project; (17) Deputy Dessie Ellis - the need to address price rises on New Ireland life assurance policy premiums;

and (18) Deputy Niall Collins - the need to address crime against tourists in Dublin city centre.

The matters raised by Deputies Áine Collins, Niall Collins, Nolan and Kyne and Naughten have been selected for discussion.

## **Topical Issue Debate**

### **Jobseeker's Allowance Eligibility**

**Deputy Áine Collins:** I thank the Minister of State for taking this issue, which has arisen in my constituency. I am sure the position is the same across the country. It concerns lone parents with a child or children over seven years of age, who may already be working 19 hours per

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week, and will now be disadvantaged by €80 per week.

The intention has been to ensure that lone parents do not become trapped in a cycle of long-term unemployment. I agree that we should encourage parents to go back to work or education. Having been a lone parent myself for many years, I know the challenges they face. Unfortunately, however, as a result of doing something positive like undertaking training or obtaining work, those parents will now be at a financial disadvantage.

I would like the Minister of State to ask the Tánaiste and Minister for Social Protection to consider a transition period for working lone parents. Those to whom I have spoken are all mothers who are affected by this issue. If they have taken out a loan to get a car or do up a house, they feel they can no longer continue to work because they will be financially disadvantaged through child care costs and other outgoings. Therefore, the loss of €80 per week is a huge issue for them.

We knew this change was coming down the tracks but, like everything else, one only pays attention when it happens. Such lone parents now find themselves in a position whereby they will be seriously disadvantaged. I am suggesting the introduction of a two-year transition period for people who are already working part-time. I agree that we should encourage people to upskill and prevent themselves from falling into the trap of long-term unemployment, which has happened to many people over the years.

I am asking the Minister of State to re-examine this matter because people will be unfairly disadvantaged as a result of the change. A transition period would allow for the payment of the full amount for a year and a half amount later. We have done this for all the other service changes that have been introduced, but the manner of this payment's delivery is a blunt instrument. I am concerned by the negative impact it will have on lone parents, particularly women, and their children.

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Ann Phelan):** I thank the Deputy for raising this important issue and affording me an opportunity, on behalf of the Tánaiste and Minister for Social Protection, to provide the Dáil with a response.

The jobseeker's allowance, JA, transitional arrangement was introduced in June 2013 in order to support lone parents with young children affected by the age reforms. Customers who have a youngest child aged under 14 years, and who continue to parent alone, are entitled to the jobseeker's allowance transitional arrangement. These customers are exempt from the jobseeker's allowance conditions that require them to be available for, and genuinely seeking, full-time employment. They can work part-time without restrictions - for example, mornings only - and still receive the jobseeker's allowance transitional payment, subject to a means test. They also have access to the Department's Intreo services and to related supports to enable them to become job-ready and-or to find employment.

The jobseeker's allowance transitional arrangement allows this cohort of customers to balance their caring responsibilities and significantly reduces their requirement for child care. The exemptions from the full jobseeker's allowance conditions remain in place until their youngest child reaches 14 years of age, at which point, should they continue to claim the jobseeker's allowance payment, they will be subjected to the full jobseeker's allowance conditions - be unemployed for at least four days in seven, and be available for and genuine seeking full-time employment.

The main barrier to employment for lone parents is access to affordable child care. The JA transitional arrangement takes account of the specific caring responsibilities of these individuals by permitting them to remain at home and to take care of their children, while at the same time also enabling them to work part-time without restrictions - for example, during mornings when their children are at school - subject to a means test. This effectively reduces their child care requirements and offers support to lone parents to remain attached to the labour market, thereby allowing them to maintain their skill levels and improve their chances of eventually moving into full-time employment.

For customers who are in part-time employment of less than 19 hours per week, if they can increase their working hours to a minimum of 19 hours per week, they can apply for the family income supplement, FIS. Once eligible for the FIS payment, they will also become entitled to the recently introduced back to work family dividend. This is the best option financially for these customers. The dividend allows customers to retain the child proportion of their welfare payment, which equals €29.80 per week per child, up to a maximum of €119.20 per week for four children, for two years, with full payment entitlement in the first year totalling €1,550 per child and a 50% entitlement in the second year totalling €775 per child. The dividend thus incentivises customers to move into employment or self-employment.

For customers working part-time whose youngest child is 14 or over they can claim JA subject to full conditionality. If a customer is working more than three days a week and under 19 hours per week, they will not meet the scheme rules for either JA or FIS. The following options are open to them, to increase their hours to a minimum of 19 hours a week to claim FIS; or rearrange their working hours over three days per week.

If customers are unable to meet either the JA or FIS scheme rules, and if they continue to have an income support need, they may have recourse to the supplementary welfare allowance, SWA, scheme. The Department of Social Protection is actively engaging with lone parents who are affected by the ongoing reforms to the OFP. This means that lone parents who are on a jobseeker's payment can access the full range of employment, educational and training supports available to improve their skillset and move towards sustainable employment.

**Deputy Áine Collins:** I thank the Minister of State for her comprehensive answer. As I said, I welcome these changes which are important for parents, particularly women. I also appreciate that the family income supplement scheme is available.

*2 o'clock*

There seems to be an issue where people have been working all along for 19 hours a week. The difference between their existing entitlements and what the new entitlements allow them is a net effect of €80 per week. That is a lot of money to any home, but particularly where there is only one income and one parent. It is having a detrimental effect on those cases.

We want to make work pay and to ensure that people continue to work, increase their skills and maybe in a few years become able to go into full-time work. What we have done for this cohort of people is drive them out of work because they would be better off on full unemployment benefit than what they are on now with this new scheme. There seems to be a loophole or gap in what we have designed, which I am sure was not the intention. Now that we are made aware of it, I ask the Minister to re-evaluate it.

I can provide some real-life examples to the Minister that will demonstrate that the family

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income supplement does not cover it. It does not fall under this dividend scheme to which the Minister of State referred. With all due respect to the supplementary welfare officer, nobody wants to be going in every week saying they cannot live. They just want to continue with their commitments where they may have a mortgage, a repair loan or even a car loan. I am concerned that the result of this may be the thing we wanted to prevent in the first place.

**Deputy Ann Phelan:** I note the Deputy's concerns and reiterate that the Department of Social Protection is actively engaging with lone parents who are affected by the ongoing reforms. Lone parents who are on jobseeker's payments can access the full range of employment, educational and training supports available to improve their skill set and move towards sustainable employment. The positive impact of this incentive has been evident from the increase in new applicants for family income supplement, FIS, which we have seen since 2013 when the reforms commenced. On foot of the one-parent family payments which have been implemented to date, many lone parents have increased the number of hours they work in order to qualify for FIS. Individuals who are due to transition off the one-parent family payment scheme from 2 July will now have the additional incentive of the back to work family dividend, which further improves the incentive for the majority of lone parents to avail of employment opportunities. I assure the Deputy that we will ask the Tánaiste to take a look at her examples.

### **Crime Levels**

**Deputy Niall Collins:** I have been raising the situation regarding crime in Dublin for some time in this House. I think it is fair to say the situation cannot be described as being under control - in fact, it is bordering on being completely out of control. It is not Niall Collins or the Fianna Fáil Party that has been saying this - I have been echoing what people have been saying to me who were making those statements from an informed position. The situation is out of control on a number of levels. We have a gangland problem in the capital associated with serious international criminality and all that flows from it. The situation continues down through the various levels of crime to petty crime, which impacts people every day of the week.

Unfortunately, the response from the Government has been denial. We cannot keep denying that there is a problem in the capital city. Part of the denial response has included the closure of Garda stations, for example in Whitehall and Stepside, and the downgrading of the station in Santry. That impacted on the communities in those stations' catchment areas. The Government also continued the moratorium on recruitment into An Garda Síochána, which was brought in when this country faced a precipice in late 2008, right throughout 2011, 2012 and 2013. Eventually in 2014 we had a trickle of new recruits into An Garda Síochána.

If the Garda is to get to grips with the situation, the main resource needed is manpower, which it does not have at present. There are 12,799 gardaí in the force as of 1 January this year. That is significantly below the 13,000 that is the preferred level of this Government. Any day of the week, up to 500 gardaí are out sick for various reasons, and that is a reality we have to face up to. Today, there are 1,498 members of An Garda Síochána eligible for retirement and, in addition, there are up to 230 members of the force on an incentivised career break. I know that recruitment has started but we only have 300 in training and we need to see more of that.

I have also consistently raised the need for greater use of and recruitment into the Garda Reserve force. Many people have contacted me who want to become Garda reserves. They have applied online and their applications are sitting in the Public Appointments Service bureaucracy

and going nowhere. They are out there and willing to contribute to their communities.

I make these points about Dublin on an informed basis because I have engaged in a series of public meetings. I have been to Ballyfermot and was in Drumcondra two weeks ago; I am going to Tallaght tonight and to Finglas next week. I am meeting people in their communities who have felt the effects of crime. They all say they need to see more gardaí on the street. They want a better response time and to see more done about anti-social behaviour. They also want to see issues like burglaries, which are continuing to rise, addressed. At the root of a lot of the crime faced by these communities is the problem of drugs.

The Irish tourist assistance service reported recently that up to 700 tourists per annum are affected by crime. They reported crimes against their persons, mugging, pickpocketing and theft of wallets and mobile phones. That is a damning indictment because every tourist who comes to this country is taking away a story of his or her experience. As a country that relies on tourism for employment and economic activity, we have to sit up and take note of what they are saying. In particular, we have to take note of associations like the vintners associations, the restaurants associations and traders associations like We Are Dublin Town in the city centre.

**Acting Chairman (Deputy Olivia Mitchell):** We can come back to the Deputy, he will have another two minutes.

**Deputy Niall Collins:** We have been saying for a long time that we need to have a dedicated public order unit for Dublin city centre. I am raising this again today because the agencies out there are asking for it. I ask for the Minister of State's response on this.

**Deputy Ann Phelan:** I thank the Deputy for raising this very important issue. I am speaking on behalf of the Minister for Justice and Equality who regrets very sincerely that she cannot be present for the debate this afternoon.

The Minister wishes to thank the Deputy for raising this matter for debate today. I think everyone in the House can appreciate the particular difficulty and distress caused to people who are unfortunate enough to become victims of crime while travelling abroad. The Minister shares the common concern to ensure that visitors to this country have a positive experience and, where a crime does occur against a tourist, that we provide as much support and assistance as possible.

As the Deputy will appreciate, policing strategy in Dublin city centre and elsewhere and the deployment of relevant Garda resources is a matter for the Garda authorities. However, the Minister is committed to supporting An Garda Síochána in providing a strong, visible policing presence throughout the country, to help reduce crime, including crimes committed against tourists.

The specific policing response to the incidence of crime in Dublin city is incorporated in the ongoing implementation of the Dublin city centre policing plan. This involves a high-visibility uniformed presence on key thoroughfares, as well as the use of undercover gardaí as appropriate. Gardaí are maintaining a particular focus on drug dealing and drug related crime, to which the Deputy has referred, in the city centre area. A number of targeted city centre policing operations are in place, including Operation Pier, which concentrates on the south quays and Temple Bar areas and Operation Spire which is focused on O'Connell Street and the north inner city. There is also a specific public order unit which operates on a reactive basis as the need arises.

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The Minister is very much aware of the impact of crime and related anti-social behaviour in the city centre. In December last year, she met representatives of the Dublin City Centre Business Forum to hear their concerns at first hand. Crimes against tourists are of particular concern to many businesses in the city at a time when all concerned are redoubling their efforts to encourage tourism as an important part of the process of economic recovery. It is important, therefore, that the key agencies adopt a co-ordinated, cross-cutting approach to address not just the incidence of crime in the city but also many of the wider underlying societal issues. Clearly, these issues encompass far more than policing issues, and the context for finding solutions must, therefore, encompass a co-ordinated approach. This is precisely the approach that is being pursued in a partnership between Dublin City Council, An Garda Síochána, the HSE and the Dublin Region Homeless Executive. Important initiatives include a new multi-agency street outreach approach, which is being used to work with vulnerable and high-risk individuals, particularly having regard to substance abuse. An offender management programme is being piloted to address repeat offending in the Dublin city area. These measures, combined with the Government's initiatives to tackle homelessness, are helping to address the broader aspects underlining crime and anti-social behaviour in the city centre.

Unfortunately, it is a fact that in any city that attracts a large number of tourists, such as Dublin, there will from time to time be crime against tourists. For more than 20 years, the Irish Tourist Assistance Service, ITAS, has offered support and assistance to tourists who become victims of crime while visiting Ireland. ITAS is a registered charity with a voluntary board of directors representing tourism-related sectors. It is run by staff and volunteers. Since its inception in 1994, the service has assisted over 11,000 tourists. The service offers support and information to tourists in the immediate aftermath of a crime. It operates throughout Ireland and provides a helpline service offering information to tourists in the aftermath of crime. Practical assistance consists mainly of mediation and practical help to replace passports and travel documentation. The service organises money transfers when tourists have had their case or cards stolen. In an emergency, ITAS can arrange accommodation, transport and meals for stranded tourists.

The Minister would like to return to the core provision for policing and tackling crime. The budget provision for 2015 for the justice sector saw the first year-on-year budget increase since 2008, involving a total expenditure increase of €141 million, including a 68% rise in capital funding. Together with the resumption of Garda recruitment since September last year, this clearly underlines the Minister's commitment to support An Garda Síochána in tackling crime in all its forms, working in partnership with other agencies and communities.

**Deputy Niall Collins:** I would like the Minister of State to extend to the Minister for Justice and Equality an invitation from me to accompany me and representatives of the Dublin business associations to take a walk in Dublin city centre to see at first hand the issues that arise. I acknowledge that the Minister met some of the representatives but I believe that stepping on to the streets to see circumstances at first hand will go a long way towards informing everybody about the extent of the crisis.

I referred to recruitment. If we are to take anything from this debate today, it ought to be that there should be a stepping up in recruitment. Three hundred new recruits will not fill the gap but only increase the strength from 12,799 to above 13,000. Some 1,498 members of An Garda Síochána can retire today. What drives people mad is that over the years of the moratorium, which the Government presided over, recruitment to the Defence Forces continued. The Defence Forces were recruiting while there was no recruitment in An Garda Síochána. People

cannot understand that and nor can I. It did not make sense.

Unfortunately in this town, much crime is linked to drugs. The Government has failed the businesses, communities and those who work in Dublin city centre by its failure to implement the national drugs strategy. There has been a huge failure on the part of the Government to live up to its responsibility. We need a dedicated Minister responsible for drugs who will prioritise in government the tackling of drug addiction and the fallout therefrom.

The increases in burglaries, pickpocketing and thefts against the person across this city and all the other crime can be linked to drugs. There are 10,000 people receiving methadone treatment in this city and not far from it. They are not receiving any rehabilitation or being put on any avenues to get off drugs. That is a problem. They are involved in crime and repeat offending, all to feed their drug addiction. The Government needs to take seriously the lack of priority accorded to the national drugs strategy. This would tackle the root of the problem rather than trying to contain it with methadone and some of the associated treatments. The latter will not work. We have got to tackle the problem at the source.

**Deputy Ann Phelan:** I will ask the Minister to respond directly to the Deputy's invitation to go on a walkabout. Crime and drug dealing in the city centre have not been peculiar to the term of this Administration. The centre of our capital city is important not only to those who live there but also to the many who work, shop and enjoy their leisure time there. It is also of importance from a tourism perspective. The Minister shares the general concern that every effort be made to promote a safe and welcoming environment in the city centre. Consequently, she supports the continuing collaboration of the Garda Síochána and other State agencies, working in partnership with business and community interests to make the city centre safe and welcoming for all. The Government will continue to provide the best possible support to the Garda Commissioner to respond effectively to the range of policing challenges in Dublin city and elsewhere throughout the country.

### **Social Inclusion and Community Activation Programme**

**Deputy Seán Kyne:** I welcome the Minister of State to the House to debate this issue. The Government has initiated a process to establish the local community development committees, LCDCs, one of which was established in Galway. Last September, the LCDC in Galway met and had to make a decision on whether to allow one, two or more than two lots for the county. It decided that there would be one lot for the social inclusion and community activation programme, SICAP, contract for the county. Subsequently, there were attempts to have this decision reversed. All the Oireachtas Members from Galway West, including my colleague Deputy Derek Nolan, Senators from the constituency and all the councillors representing the Connemara municipal district requested the LCDC in Galway to reverse the decision and allow for two lots, or allow a separate lot for the Connemara area, which is a distinct region separate from the rest of the county. One has to go through the Galway city local authority area to reach the rest of the county. The reversal did not happen and a contract was subsequently issued.

There is much concern in the locality, not least over the process. There were 19 people eligible to vote on the decision to allow one lot, but only five people made the decision because of certain people not turning up, conflicts of interest and the private and public elements of the process laid down. There is much concern in Connemara. FORUM Connemara has a great record of providing a service to that part of the community over 25 years. The community wants

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to know what options are now open to FORUM Connemara regarding the SICAP and whether the LCDC decision can be reversed. It is concerned about continuity of services. I appreciate that Galway Rural Development would have to continue services for the full county, but there is still a lot of concern. Ten jobs - five full-time and five part-time - are at risk, in an area where jobs are badly needed. They represent very valuable resources so there is great concern in the community. I do not know anyone in the Connemara area who is happy with the decision that has been made. Unfortunately, it has been made by Galway people on the LCDC. I am not happy with the decision and I am wondering what the Minister of State and the Department will do to intervene.

**Deputy Derek Nolan:** We are in the midst of one serious mess in Galway at the moment. The results of what has happened, as Deputy Kyne has outlined, have really thrown the community sector, rural communities, the community in Connemara and the community in the rest of County Galway into total turmoil. No one in Galway wants this situation which has come to the fore. Everyone agrees on this point. Galway Rural Development, GRD, wanted two lots. FORUM wanted two lots. The Minister of State has been to Letterfrack and visited FORUM. She has seen the immense work carried out there to turn what was a very small rural town into a thriving community with so many different community projects. All of them are centred on a community approach of which FORUM is an element.

I know there are things happening to do with judicial reviews and so forth. However, we need to take a step back and look at this mess. No one foresaw it leading to such difficulties. Staff in FORUM and staff in Galway Rural Development are terrified about losing their jobs and communities across Galway are upset. The solution is to find some way for the Department to cut out the legal process and the need for people to go to court. The Department needs to say that two lots are ideal in this situation. This is what both companies would have wanted originally and this is what the citizens and residents of Galway want. They want two companies to allow this to happen.

There may be ways we can do this. Could we allow subcontracting between the two companies or for funds to be transferred in another way? Could we redo the lot again? We need to look at all kinds of options. This is the only way out of it. If someone had been vying for this situation and saying it was a good idea, then the Minister of State could say there is an argument. However, there is no one in County Galway saying that what is happening now is the right way to go. Everyone says it is wrong. Everyone says that FORUM has an excellent record and that Connemara and the east and the west of Galway need that separate independent unique voice which works so well and knows the community. If we can find a way through this without delaying and getting involved in technicalities, let us do it now. Let us put these people and the communities at ease once and for all.

**Deputy Ann Phelan:** The proposals outlined in Putting People First: Action Programme for Effective Local Government seek to position local government as the primary vehicle of governance and public service at local level leading economic, social and community development, delivering efficient and good value services and representing citizens and local communities effectively and accountably. As part of the programme of reform of local government, local community development committees, LCDCs, have been established in all local authority areas. These committees, comprising public-private socio-economic interests, will have responsibility for local and community development programmes on an area basis including the social inclusion and community activation programme, or SICAP as the programme is commonly known. They will develop, co-ordinate and implement a more coherent and integrated approach to local

and community development than heretofore with the aim of reducing duplication and overlap and optimising the use of available resources for the benefit of citizens and communities.

In accordance with the public spending code, legal advice, good practice internationally and in order to ensure the optimum delivery of services to clients, SICAP was subject to a public procurement process, which is in its final stages. In stage one, joint applications were encouraged and organisations of varying sizes, for example, smaller organisations working in consortia with larger organisations, were invited to submit joint applications. The closing date for stage two, invitation to tender, was 19 December 2014. Tenderers have now been informed of the outcome of their tender and local community development committees are in the process of establishing contracts with the successful tenderers. Following contract signature, Pobal will publish a contract award notice in the *Official Journal of the EU* and on the eTenders website.

LCDCs have managed and implemented stage two, invitation to tender, of the SICAP tendering process. While my Department recommended that in order to reduce the administrative burden for each LCDC that it would be prudent to have one lot only for each LCDC, in some areas the decision was taken by the LCDC to divide the lot into smaller units. That was a decision of the LCDC concerned in each case. The LCDC is independent of the local authority in the performance of its functions. This independence is provided for explicitly in sections 49A(2) and 128B(8) of the Local Government Act 2001. Any decisions made by an LCDC when carrying out its functions are solely a matter for the LCDC. I am satisfied that the decision of Galway LCDC to tender on the basis of one lot was taken appropriately.

The primary focus of my Department is to ensure that the front-line services being supported, particularly those focused on the needs of the most socially deprived communities, are protected, given the need to ensure best value for the scarce resources available. I am confident that the new programme will continue to provide key supports to those most in need in our communities in all local authority areas throughout the county and country.

**Deputy Seán Kyne:** I thank the Minister of State for her response. While she states that she is satisfied that the decision of Galway LCDC to tender on the basis of one lot was taken appropriately, unfortunately no one in Connemara feels that the decision is serving them. It is certainly not putting them first. The basis of this programme was to put people first. The people of that region of north Connemara have not been put first by the decision of the Galway LCDC. Herein lies the crux of the issue: how do we solve this? As pointed out, no one in Galway is happy with the decision. Although we have gone down a legal route, I ask that the Minister of State's Department and Pobal would work with the winning tenderer, GRD, and FORUM to see if there is any process or mechanism within the law to reverse this by consent. We have to work together for the good of the county to make the best and most appropriate decision, which is to have a separate lot for the Connemara area. Will the Minister of State examine whatever methods are available within her Department or within Pobal to make this happen?

**Deputy Derek Nolan:** Gabhaim mo bhuíochas leis an Aire Stáit. I appreciate this is what the Department is telling the Minister of State and it is probably accurate. However, will the Minister of State use her offices in a manner broader than the remit suggested in the answer today? Will she examine the situation and have her Department contact the county council and some of the county councillors, Galway Rural Development and FORUM in order to realise and to understand that there is not a single stakeholder in Galway who is happy with the decision or what is happening, or who is happy that the situation as it is unfolding will work for the communities.

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We need to try to recognise that what happened in the LCDC happened at a time when people were probably not as focused as they ought to have been on the issue. Sometimes decisions get made, as we all know, in this House which the Government has got wrong. In this case, the decision was wrong. Will the Minister of State use her office and her Department as a way and means of bringing the stakeholders together to find a way forward? At first, the Minister of State should talk to these stakeholders and listen to them. She will hear the real and genuine concerns from all sides. Will she use her office to examine any possible avenue, be it negotiation, working with Pobal, subcontracting or retendering, to find a way to give Galway Rural Development its piece on the east of the county and FORUM Connemara the piece for Connemara and uphill on the west of the Corrib? This is extremely important. We need to ensure that we continue the vital services which currently serve this region and Connemara.

**Deputy Ann Phelan:** We must bear in mind that the tender process is a legal one which was open to everyone to submit an application. Having said that, I am very conscious that communities have been trying to get their heads around the LCDC structure, the changes and the alignment process, and that there are difficulties, both actual and perceived. I will ask my officials to contact both Deputies to see if we can sit down and examine possible ways to support the communities. My foremost concern is that front-line services be delivered to those communities that need them. I will take the Deputy's concerns on board and ask my officials to get in contact with them to determine whether there is a road forward. There would be no problem with having a chat with anyone about finding compromise.

### **HSE Agency Staff Expenditure**

**Deputy Denis Naughten:** I thank the Ceann Comhairle for giving me the opportunity to raise this issue. I also thank Minister for being present to take this important matter.

Approximately 400 social care workers in Galway and Roscommon are owed in or around €7.5 million by the HSE in unpaid wages dating back more than a decade. The HSE has acknowledged that it owes them this money and has been directed by the Labour Court to pay its debts, but the HSE is arguing an inability to pay.

The payment in question is the twilight premium - time and one sixth for the period between 8 p.m. and midnight - for social care workers or leaders in the Brothers of Charity Services in counties Roscommon and Galway and Ability West in County Galway. Both sets of staff have secured the payment dated from 1 January of this year. At a Labour Court hearing - I am sorry, it was a Labour Relations Commission, LRC, hearing - on 3 March, the HSE accepted that there was a legal entitlement to pay the money and that there was a liability in respect of historical arrears that had accrued to the social care workers and leaders, but asserted that it was not in a position to pay those arrears. Galway-Roscommon primary, community and continuing care, PCCC, handed back €6.5 million in respect of psychiatric services last year. Surely some of that money could have been used to pay these arrears.

What is frustrating for the staff is that the HSE has continued to pay its own staff the twilight premium in recent years. The HSE recently paid arrears to the social care staff of agencies in Dublin such as Home Again Traveller, Families Care and Cottage Home for Little Children, but it is refusing to pay the same arrears to social care workers and leaders in Galway and Roscommon.

Will the Minister intervene and direct the HSE to honour its commitment? In light of how it has paid its own staff the twilight premium and the staff of a number of organisations in Dublin their arrears, the same should apply to staff in Galway and Roscommon and they should get the €7.5 million that they are due in arrears without delay.

**Minister for Health (Deputy Leo Varadkar):** I thank Deputy Naughten for raising this issue, which I am taking on behalf of the Minister of State, Deputy Kathleen Lynch, who is on Government business elsewhere. I should clarify that this issue concerns conciliation conferences under the aegis of the LRC and not a Labour Court recommendation, as was suggested in the initial text of matter raised.

The unsocial hours premium payments of time and one sixth are known as twilight payments. Provision for their payment to nurses was introduced in 1999. Access to this premium payment was subsequently extended to other grades of staff, including social care workers. Costs arising from the introduction of these payments were to be met from within agencies' existing allocations.

The issue raised in this case relates to premium payments to social care workers at a rate of time and one sixth for hours worked after 8 p.m. until the end of their shifts. The matter was the subject of conciliation conferences under the aegis of the LRC last October and November. The latest engagement occurred on 3 March. The staff concerned are employed by the Brothers of Charity Services in Galway and Roscommon and Ability West, which is primarily based in Galway. They are not directly employed by the HSE.

At the LRC conciliation conference on 27 November, the HSE gave a commitment to actively pursue the provision of resources to the agencies in the context of the 2015 Estimates process so as to enable payment of the premium from 1 January 2015. I am informed that the payment of the twilight premium has commenced since 1 January but there remains a continuing issue of retrospective payments, as the Deputy mentioned. This is being pursued by the Impact trade union and was the subject matter of the latest LRC engagement on 3 March. The HSE has indicated that it is not in a position to consider any retrospective payment at this time and has advised that it is engaging in a broader national process to determine the overall extent of issues relating to the non-application of twilight premiums in sections 38 and 39 agencies. It is expected that this process will be finalised on 17 April. Together with the employers directly involved in Galway and Roscommon, the HSE has indicated a willingness to return to the LRC at that stage.

**Deputy Denis Naughten:** I thank the Minister for his reply. My difficulty is that arrears have been paid in sections 38 and 39 organisations in Dublin, namely, Home Again Traveller, Families Care and Cottage Home for Little Children. Why are we treating staff in Galway and Roscommon differently than staff in Dublin where the same liability applies and the latter had not traditionally been receiving the twilight premium? Where arrears have accrued, payment is being made to staff in Dublin but not to staff in Galway and Roscommon.

Will the Minister examine this situation? In fairness to the staff involved, they do outstanding work in sometimes difficult circumstances, particularly in recent years due to changes in work practices and resources. There has been a major shift in how they operate their services. We should try to meet this liability, given the fact that it is being paid in one part of the country. I urge the Minister to examine this issue and try to facilitate a resolution. By 17 April, there could be a clear programme to resolve the issue once and for all.

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**Deputy Leo Varadkar:** I am not an expert on this issue by any means but, as I understand it, there are people who are directly employed by the HSE and, separately, there are people who work for private companies, charities, voluntary hospitals and sections 38 and 39 agencies. The latter are not HSE employees. Those bodies are given money by the HSE on the basis of service level agreements and are supposed to provide those services within the budgets allocated to them. It may be the case that the bodies in Dublin mentioned by the Deputy decided to pay the arrears out of their allocations whereas, for whatever reason, the similar agencies in Galway and Roscommon decided not to do so. I do not know, but that is my best guess for why there is a disparity. However, this issue will be resolved through the LRC and its ongoing work. That is the best place for the issue to be resolved.

**An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Aois Intofachta chun Oifig an Uachtaráin) 2015: An Dara Céim (Atógáil)**

**Thirty-fifth Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015: Second Stage (Resumed)**

Aitairgeadh an cheist: “Go léifear an Bille an Dara hUair anois.”

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

**Deputy Olivia Mitchell:** I am not sure how many times over the years I have spoken on the topic of electoral or political reform but it has certainly been many times and the matter has been brought up repeatedly in different guises and by different Governments and Opposition. This clearly reflects a belief that our system is not as perfect as we might pretend it is. It also reflects a real desire to improve the system and make it more democratic, more equal, more modern, more efficient and more streamlined. There is unanimity that our system is not perfect and needs reform. That feeling was reinforced by our economic collapse and a feeling that our political and electoral system contributed to it and that led to the setting up of the constitutional convention. However, while there is unanimity that we need to do something there is far from unanimity about what reforms we should actually introduce or, indeed, even what constitutes reform.

The two most recent electoral changes which come to mind are the decision to abolish the local town councils and the proposal to abolish the Seanad. In both cases the propositions were argued for and opposed vigorously. There were two sides to the argument and the proposals were hotly debated from a variety of perspectives because people felt strongly about the issues, either for or against. Try as I might, however, I cannot think of a single argument for a change to the age at which a person may be a candidate for President. I hope I am not a person who believes our Constitution is perfect, nor am I someone who is instinctively resistant to change. However, unless I hear good reasons to change with clearly articulated arguments then I take the conservative decision to maintain the *status quo*.

I believe many people feel the same way and even the constitutional convention only passed the recommendation by a margin of three votes. Like most people in public life I have a reasonable idea of what people are talking about at the shops or at the water cooler and they are not talking about this. There is certainly no widespread clamour, no overwhelming demand and no irresistible groundswell of support for dropping the age of eligibility for a presidential candidate. The only value I see in this is that by putting the question now we will take it off the agenda pretty much indefinitely.

In favour of a “Yes” vote I have heard the suggestion that if a person aged 18 can vote in Dáil and local elections and be a Deputy at 21 he or she should be able to run for President at 21, but there is a world of difference in these functions in respect of their powers and the extent and gravity of their impact on people. There is absolutely no qualification required to vote and one does not need training or experience but those things are requirements for a person who wants to be President. A single 18-year old’s vote will not have an impact on people’s lives unless a majority votes with that person but a Presidential decision, on a constitutional matter or any other issue such as the dissolution of the Government, legislation or a serious constitutional issue, will have an impact on the lives of many. Similarly, no single Deputy, whether they are 21 or 81 years of age, will have an impact on citizens because one needs a majority in this House. The President, however, makes these decisions on his or her own and that is the crucial difference. It is a solitary job and about more than simply representing us abroad and attending functions. It is a serious job that can impact on citizens.

I have heard people say it will do no harm because people will not vote for a 21-year old President in any event. We have no guarantee that will be the case. If we do elect a 21-year old with no experience of life, no training and no expertise and we are faced with a constitutional crisis what is likely to be the outcome? It has also been said that it will never happen because the political parties dominate the selection process. That may have been true once but it is no longer true as all a candidate now needs are 20 Deputies or four county councils to give their support.

In an ever-changing political landscape anything can happen. The Irish people - all of us - can lose the run of ourselves. I am reminded that supposedly sensible, qualified people thought it was a good idea to send a turkey to represent us in the Eurovision Song Contest. We can be deluded and if we make a decision about the President in a moment of temporary delusion we will live with the consequences of it for seven years. Why should we take the risk of that happening, especially seeing as there is no clamour for it?

In its favour, the referendum is to be held in conjunction with a referendum for which there has been a clearly articulated demand. However, I agree with other speakers in that I would prefer to see other political reforms being put to Members than one reducing the age of the President. We need to look at the multi-seat constituency system and consider the possibility of a single-seat constituency because the tyranny of competition in constituencies is anathema to the national interest and the common good and again and again over the years the common good has been sacrificed to local and sectoral interests in constituencies. This would be a big step. I am aware that Deputies and the public are wedded to the system and naturally resistant to change. Despite the arguments we had at the last election about parish pump politics the reality is that it is alive and well all over Ireland, on both sides.

Some of the reforms that would be necessary to move towards a single-seat constituency have already been introduced by this Government in the form of giving more powers to local authorities, as well as revenue collection powers in the guise of the local property tax. Local authorities have been strengthened and an important aspect of moving toward single-seat constituencies whose Deputies can concentrate more on national issues is to have strong local Government so that there is no lessening of democratic representation in constituencies. The building blocks are in place for electoral change of this nature.

I will support this Bill because I believe the members of the public should have their say on the recommendation of the Constitutional Convention but I have serious reservations about

supporting the referendum in question.

**Deputy Paul Murphy:** We have here a proposal from Government, originating from the Constitutional Convention, for involving young people in politics. The Government is able to find the time and the space for a referendum on this issue but has refused to provide a referendum for the much more urgently needed repeal of the barbaric eighth amendment of the Constitution.

We will vote in favour of this referendum but the argument made by the Government is based on two false premises. Premise one is the idea that the Government, or any of the establishment political parties, seriously want people, in particular young people, to be involved in politics. I do not believe that they do. We can have all the reductions in the age of eligibility to allow people stand for election to the Office of President, all the civil, social and political education, CSPE, classes and all the hand-wringing about the need to involve people in politics that we want but the reality, as demonstrated in recent months, is that when people get involved in politics in significant numbers the Government is scared as opposed to welcoming. People have become involved in politics outside the framework that is safe for the capitalist establishment, which is people voting or simply standing for election and then a process of betrayal of promises and so on that we all know all too well. Instead, people have become involved in politics. Twenty-one year olds, 22 year olds, and younger, have become involved in politics in protesting against water charges, protesting and stopping water meter installation and in demonstrating their opposition to this austerity policy. For that, they faced State repression. This is a State that has stood over the dawn raids at teenagers' doors for participation in the peaceful protest in Jobstown. It is a State that saw four people jailed for a peaceful protest against water meter installation: people were protesting within 20 m of the meter installation going on. I do not believe the Government, or the establishment parties generally, are in any way serious about people actually being involved in politics. The real politics that is happening is street politics, campaigning politics and working class people power politics.

The second premise is the idea that the Government cares about or has an interest in young people. The reality is that this Government has waged a war against young people. We can consider the cutting of social welfare for those under the age of 25, which the Minister, Deputy Burton, just yesterday explained by saying this is a targeted measure aimed at protecting young people from welfare dependency. She said it aims to incentivise young jobseeker's allowance recipients to avail of education and training opportunities. One could not find a better example of a Tory argument being replicated by the Labour Party. We can consider the so-called student contribution charges, also known as registration charges, which are making third level education inaccessible. Despite the previous promises of the Labour Party, from 2015 to 2016 the maximum fee will be €3,000, which puts third level education out of the reach of many. Education cuts in general disproportionately hit young people, for example, the abolition of funds for postgraduate students. The housing crisis hits young people disproportionately, with high rents and no access to mortgages or council homes for people in their 20s. The result is that this Government has driven young people out of this country. In the course of the past five years, 165,000 have emigrated. The 15 to 29 year old age group fell from 23% to 18% of the population in 2014. If we consider the policy of JobBridge and the mandatory nature of that policy introduced by the Youth Guarantee initiative and the First Steps scheme, they are all about an attack on young people and normalising the idea of young people working for free.

Young people entering working life now face the prospect of working until they reach the age of 68 before they will be able to avail of a pension. We have had the attacks on the starting

pay for teachers and nurses, which particularly affect young people, and we can reflect on the mental health impact of youth unemployment and the rise of incidents of suicide.

**An Leas-Cheann Comhairle:** The Deputy is straying somewhat from the Bill.

**Deputy Paul Murphy:** The point is that the Government-----

**Deputy Jerry Buttimer:** The Deputy has not stuck to the Bill once.

**Deputy Alan Kelly:** Will he support it?

**Deputy Paul Murphy:** -----is not interested in dealing with young people.

With regard to the Bill, the notion Deputy Mitchell put forward that Irish people can lose the run of themselves by electing a 21 year old President - the idea that the worst thing that could possibly befall the State is that the people in a democracy would elect somebody who happened to be 21 rather than 35 or older - is bizarre. The point is that people should have a right to choose who they elect as President. The point of a democracy is that we trust the people to choose. That is the reason we have tabled an amendment to reduce the age of eligibility for election to that office from 21 to 18. We will be voting in favour of the Bill but we will not be going along with the Government's hypocrisy about involving people in politics or about caring about the conditions of young people.

**Deputy Jerry Buttimer:** I never cease to be amazed by the rhetoric of Deputy Paul Murphy. He should remember that he is not at Speaker's Corner or standing on a bully pulpit in Hyde Park. He is an elected Member of Dáil Éireann and there is a responsibility that comes with that.

**Deputy Paul Murphy:** We were the only ones who put down amendments to the Bill.

**Deputy Jerry Buttimer:** I wish that Members who were elected to serve would do so rather than engage in populist nonsense at times, and I say that with the greatest respect to the Deputy.

The Office of President has served us well as a State and as a country. We can think back to the night when telephone calls to the Áras were allegedly made and the then President, Patrick Hillery, allegedly said he would not take them and when we reflect on the modern day phenomenon of our women Presidents, Mary Robinson and Mary McAleese, and our current President, Michael D. Higgins, we have been served well. The person holding the Office of President is our Head of State. That officeholder will represent our country as a dignitary, at civic receptions, or as our Head of State on visits across the world.

There is an obligation and responsibility on the incumbent of that office to be up to doing to that job. Apart from the ceremonial aspect of that office on engagements abroad, there is the day-to-day role the President plays in evaluating legislation with the Council of State and in performing the duty and functions of that office around our country as our Head of State. It is important we acknowledge it is an office that is apolitical, that is outside politics: it is the office of the people. That is why this Bill is very important. It asks us to reduce the age of eligibility for a person to run for election to that office.

When we consider what the office entails in terms of the tasks and duties, we could legitimately argue that in the past the holders of that office had a lived experience in terms of their personal life and their work as an academic, a politician or whatever job they held, and

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they brought that experience to the Office of President. If we reflect upon that, it was a very important part of what they brought to that office. A person on reaching the age of 21 can be elected to Dáil Éireann, the same age requirement applies for election to the Seanad and to the European Parliament while the age requirement for election to local government is 18. There is a discrepancy in the age of eligibility for election to our different offices or institutions which makes the point that eligibility is not age dependent or age specific. It is important that we put that as the backdrop to what this debate is about.

I was very privileged to be a member of the Constitutional Convention and I did not miss any meeting of the convention. I took my role as a member of it seriously. I believe those who will reflect on the work of the Constitutional Convention in time will ultimately acknowledge and pay tribute to the citizen members who were equally committed to their role in the analysis of and participation in the topics upon we were asked to engage. The first item on the agenda of the convention was to examine the proposition of a reduction in the term of the Office of President which the convention rejected. It rejected that proposition by 55 to 43 votes and it rejected, by a majority of 80 to 14, the proposition that a reduced Presidential term be aligned with the European and local elections.

*3 o'clock*

I would have liked to see it introduced, but when we did not vote to reduce the term from seven years to five, I recognised that it could not be done.

More importantly, the Constitutional Convention did not vote to have a single term President. Those who propose term limits for Ministers, Deputies, Senators, councillors and Presidents are misguided about democracy and citizenship. Men, women and children are sitting in the Visitors Gallery and will be the ultimate arbiters of who will sit here or in any other institution when we put ourselves forward for election. We serve at the pleasure of the people, which is the way it should be. I am not in favour of term limits for Ministers, Deputies, Presidents and MEPs and the idea does not serve us well. I would like to see an analysis of what term limits have brought to the United States. I do not think there has been any material benefit for public office there. The vote to reduce the age profile was 50% in favour and 47% against, which is narrow. This underlines the difference in viewpoints within society.

I have heard speeches that this was not the most enduring or important issue. That may be right, but it is an important issue because it is about Uachtarán na hÉireann, the President of Ireland, and what he or she represents. That is why the referendum is important and the issue needs to be examined and scrutinised. If I am given a personal choice, as I will be, I will be broadly in favour of lowering the age limit. Am I 100% sure? No, I am not, but I recognise it is important that we allow every citizen to aspire to being what they can be in society. That is why it is important to lower the age limit.

Other European countries use a different age profile. In France the age limit was 23 years until 2011, but it is now 18. The age limit is 50 years in Italy, 40 in Latvia, 18 in Slovenia and 35 in Austria. There is no happy medium, but it is important that we do the right thing.

I welcome the establishment of an electoral commission. We should change the nomination process, of which the Constitutional Convention voted 94% in favour. Those who remember past presidential terms remember the farce of Members of the Oireachtas and citizens touring the country and hawking themselves to local authorities to try to be nominated. I do not

think that is right and it demeans the process and the office of President. If I am wrong, I can be corrected, but I remember a Member of this House having a meeting of his supporters about whether to nominate a candidate in the last presidential election. That is wrong and we need to see the process changed in the context of the office of President. I would like to see the issue debated as part of the work of the electoral commission or to reconvene the Constitutional Convention to examine the issue of the eighth amendment and others we have not seen addressed in their totality.

This is an important office, important legislation and an important referendum. Young people will have an opportunity in the referendum to have their voices heard. If I may stray, as Deputy Paul Murphy and others have done, in the other referendum on marriage equality they will have the opportunity to leave their imprint on the Constitution by voting “Yes”. Like Deputy Olivia Mitchell, I am in favour of a change to the electoral process where we would have single seat constituencies using the proportional representation and single transferable vote, PR-STV, system. It would be better for democracy and the citizens would be better represented by having single seat constituencies using that system.

I welcome this Bill which is part of the reforms brought about by the Government. Such reforms were lacking for so long and had not brought about by others in government for almost two generations and who refused to do anything. This is an important referendum and I hope it will receive the attention it deserves in this House, on the public airwaves and among the people of the country.

**Deputy Robert Troy:** I welcome the opportunity to contribute to the debate. Taking up where my colleague left off in referring to the demeaning of the office of President by having to go around to councils and Oireachtas Members having to seek the advice and opinion of their supporters, we can think of presidential candidates in the United States and the campaigning in which they must engage to attain the most powerful office in the world. Our candidates do not have to go to the same levels.

Thinking back to 2011, the Government was elected to office and stated it was a democratic revolution. There was a seismic change to the personnel elected to the Dáil and the composition and configuration of political parties. Four years on, we are far from the revolution promised and needed. Looking at the reforms of the political system that could be made without any constitutional change, there has been a total failure to grasp the need for real reform. The Executive retains power with a vice-like grip and has concentrated it further in four Dáil Members. The debates on some 63% of Bills introduced since the Government took office were guillotined, despite having promised not to guillotine the debate on any Bill. The Government articulated that the relevant Ministers with responsibility for a particular issue would attend Topical Issue debates, but one hour ago three of the four Topical Issues debates were not taken by the Ministers responsible for the questions raised.

**An Leas-Cheann Comhairle:** The Deputy is straying somewhat from the Bill.

**Deputy Robert Troy:** I am talking about political reform. The Friday sittings are the greatest farce of all. Backbenchers on the Government side articulate legislation which they say they will bring to the floor of the Dáil. If the Government was real about bringing about the changes articulated by backbenchers, these Deputies would not need to table Bills to be taken during Private Members’ business. The Executive has the power to ensure any business it wishes to conduct can be conducted on the floor of the Chamber. It is hardly surprising that the

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Government has not lived up to its promise to provide for constitutional change. In 2011 the Taoiseach promised a programme to allow a series of constitutional amendments to be decided on Constitution Day within 12 months of the new Government being formed and including a complex question on the abolition of the Seanad. There was a referendum on the abolition of the Seanad and, thankfully, the Government was defeated. What happened to the programme for Government commitment on Constitution Day?

I compliment the citizens who served on the Constitutional Convention on giving of their time to participate in the debates which took place at it. I am sure they are disillusioned and disheartened by the response of the Government to the proposals brought forward. There were proposals to strengthen the economic rights of citizens. A recent report by the Children's Rights Alliance gave the Government an F grade for the manner in which it was dealing with the issue of child poverty. Is it not a priority to ensure the economic rights of children are enshrined in the Constitution? Would it not better to ensure the election of the Ceann Comhairle by secret ballot? The proposal on the abolition of the Seanad, one full arm of the Oireachtas, was put to the people without any reference to the Constitutional Convention. When one considers the number of people who have been obliged to emigrate from our island to far-flung destinations, one must ask whether we should examine the possibility of extending the franchise in order to allow them to participate in elections at home. Promises were made in respect of all of the issues to which I refer. Those issues could have been addressed on a constitutional referendum day such as that promised not by anybody on this side of the House but by those in government. The latter are in a position to fulfil their promises but as has been the case in so many other instances, those promises have been abandoned.

When I consider the proposal before the House and that relating to reducing the voting age, I come to the conclusion that behind both is a desire to ensure that there will be greater engagement on the part of young people with the political system. We can all agree that this is a priority. Why are people disenfranchised from the political system? They have become disenfranchised as a result of the cynical approach adopted by so many politicians in this Government and those which preceded it. I refer, for example, to the cynical approach taken by the former Minister for Education and Skills, Deputy Quinn - when he was his party's spokesperson on education in opposition - in the context of solemnly promising young people that there would be no increase in student registration fees. We know what happened to that promise.

**An Leas-Cheann Comhairle:** I would appreciate it if the Deputy would return to the debate on the Bill.

**Deputy Robert Troy:** I am of the view that the proposal before the House is worthwhile. It sends out a clear and unambiguous message to the effect that we value the opinions of our young citizens. The office of the President of Ireland is very much symbolic and ceremonial in nature. In that context, we should consider reducing the age at which people can be elected to it. The age relating to the office of the President of France, which is the seat of many executive powers, is 18 years. Our President can be faced with issues such those relating to whether to sign legislation into law or refer it to the Supreme Court but he or she has access to the Council of State and it can provide him or her with advice if he or she does not feel capable of making a decision in respect of such issues.

What will be the outcome of reducing the age of eligibility? First, there will be greater diversity on the ballot paper. This means there will be much more choice for the members of the electorate, who will ultimately determine who will serve as President. Under the legislation, a

person will be able to put himself or herself forward for election to the office of President but he or she will still be required to obtain the support of 20 Oireachtas Members or four county councils in this regard. The Bill does not state that the next President of Ireland or some future holder of the office should be 21 years of age. What it stipulates is that anybody above the age of 21 will be eligible to articulate his or her narrative and put forward his or her proposals, vision and views on the office of the President to the electorate. I have faith in the electorate. A number of previous speakers stated that they do not trust the electorate. I trust it to be able to determine whether a candidate who is 24, 25, 44 or 45 years of age is fit to serve as President. The electorate has the capacity to determine who is suitably qualified to be elected to the office of Uachtarán na hÉireann. I have every confidence that young people will be able to articulate their message, views and vision in the context of why they would like to serve as Uachtarán na hÉireann.

Next year we will celebrate the centenary of the 1916 Rising. Two of the signatories to the Proclamation of Independence, Joseph Plunkett and Seán Mac Diarmada, who were involved in leading the Rising were below the age required to serve as Uachtarán na hÉireann. Many more, including Michael Collins, Seán Heuston and Con Colbert, to name but a few, were all under than 30 years of age when they fought in 1916. Those men played a pivotal role in the foundation of the State and nobody once questioned their competence or capabilities or whether they would be able to do what they did. Those men were leaders. Sadly, we do not have such visionaries or leaders serving in the political system today. However, it must be acknowledged that the youngest Member of the Dáil is good enough and possesses the necessary capabilities and abilities to serve as a Minister of State.

I do not believe that age should be a barrier to anyone putting himself or herself forward for election to office. The history books show what young men and women can do. I believe in the electorate's capability in terms of determining who is the best person to serve. What we are doing with the Bill before the House is offering the electorate a wider choice in the context of who might be elected to serve in the highest office in the land.

**Deputy Peter Mathews:** I thank the Leas-Cheann Comhairle for affording me the opportunity, late in the day, to offer some thoughts on the subject of this debate.

Both Houses of the Oireachtas and Uachtarán na hÉireann comprise the law-making apparatus of this country. It is they which put in place laws on behalf of the people. I agree that the contribution of young people, regardless of age, is extremely valuable within society. However, we must not become over-enthused to the point of naivety because we are talking here about the Head of State, who is responsible for signing into law all the Bills passed by both Houses of the Oireachtas. The latter is a solemn representational responsibility. Uachtarán na hÉireann can call on the Council of State to assist him or her in considering and deliberating on particular legislation. He or she can also apply a brake in respect of certain matters. Any behavioural psychologist will confirm - based on evidence - that the ability to pause or reflect is sometimes not a trait which is evident in young people. However, that ability is important.

Even in the most historically long-lasting but what we would identify as primitive societies in parts of the globe that are underdeveloped in technical terms, the wisdom of the elders of the tribe or society is extremely important. There is a roundedness in life that comes with the effluxion of time and the racking up of experience. The experience of grandparents is very valuable to society. In most cases, one does not become a grandparent at the age of 21. There is great wisdom - both emotional and intellectual - in the experience of grandparents, which they

garnered in the course of their working and family lives.

A situation could arise whereby a very powerful Government, such as that which is currently in office by dint of numbers, could decide that it was very important for the country to have a 21 year old President. It could harness all the resources of its constituent parties and these could call upon the expertise of their ordinary members, Oireachtas members and professional advisers in order to make that to which I refer happen. Such a course might not be wise. On January 27, Auschwitz commemoration day, a Private Members' Bill containing a proposal to insert a safeguard section into the Constitution was defeated. Said section related to the Members of the Oireachtas, which constitutes two thirds of the law-making triumvirate - the other one third being the President - of this country. The 27 words in that proposed section, which were identical to article 38.1 of German basic law, was rejected only by the voted numbers of the Government parties. On Friday, 23 January, the day of the date, the Minister of State at the Department of the Taoiseach, Deputy Kehoe occupied the chair where the Minister, Deputy Kelly, now sits. The Minister of State spoke on behalf of the Government but he did not address those 27 words. The section provides that the Members of each House of the Oireachtas shall be representatives of the whole people, not bound by orders and instructions and responsible only to their conscience in this regard.

**An Leas-Cheann Comhairle:** We are debating the age of eligibility for elections to the Office of President.

**Deputy Peter Mathews:** That is correct. The President will be signing all laws. That is why it is relevant. For the last 24 months, two Members of this House, Deputies Clare Daly and Mick Wallace, delivered in spades in accordance with that proposed section. They were representatives of the whole people in their endeavour to pull back the curtains on shortcomings by the Garda Síochána and the Department of Justice and Equality. That is relevant to the first part of the section. They were responsible only to their consciences not to any neurotic or superstitious conscience that could be learned from a strict religion, party or any other organisation, be it a business, an association, an institute or a university. They acted with their consciences and with an understanding of the solemnity of the overarching requirement to be a representative of the whole people.

I will give another example of why that section should not have been dismissed just because the numbers on the Government benches far outweigh everyone else. The section would protect individual party members. I posit the example of a new party with 200,000 members of all ages, from 16 years to more than 100 years. The members convene for their first convention or Ard Fheis in Dublin because it is handy to get there and for three days they put forward policies for health, education and taxation. They propose policies for their manifesto, debate them and amend them before all 200,000 men and women unanimously approve them. The manifesto is, therefore, unanimously approved. That new party then decides to put up candidates for election to the Oireachtas. Let us assume that the Minister, Deputy Kelly, is unanimously approved as a candidate for the following general election. There is a unanimously approved manifesto under the aforementioned three policy areas and a unanimous candidate who wins a seat in the election. Having been duly elected, and regardless of whether he is a Minister or an ordinary Member of the Dáil, he is under a solemn obligation to be a representative of the whole people. He also carries out the mandate unanimously approved by the members of his party.

However, 12 months later a pandemic arrives in Ireland which affects not only the 200,000 members of his party but also the entire population of 4.5 million. The safeguard section for

parliamentary representation confers a responsibility on him to be aware of conscience and social policy awareness. The World Health Organisation and the best medical practitioners and brains convene to help Ireland withstand this pandemic, which is far worse than the Ebola virus. It is lethally contagious. The best medical advice indicates that the party's unanimously agreed health policy is contraindicated. The Minister, Deputy Kelly, as the party's representative in the Dáil, has to refer to his overarching responsibility under the section, to act as a representative of the whole people and to listen to the medical advice. He is not bound by orders and instructions because he is being responsible to his conscience in taking on board the best advice from medical practitioners and policy makers, even though it is at odds with what his party agreed.

That is why the proposed section would act as a huge safeguard for every Member of these Houses. At present, party leaders tell Members to obey party policy or be disenfranchised from committees or be denied speaking time in statements on European Council meetings.

**An Leas-Cheann Comhairle:** The Deputy's time has concluded.

**Deputy Peter Mathews:** This is not nice to hear but it is fundamental to democracy. Parliament must be able to debate honestly and relevantly the issues arising.

It is populist to say people are intellectually ready for any challenge, perhaps even at the age of 12 years, but they do not have generational experience. One has to punch through the hours, have the babies and the grandchildren and learn certain things about life before one can use the fountain pen on all the legislation that has to be signed off by the President or after seeking the advice of the Council of State.

These are important issues. The House is empty.

**An Leas-Cheann Comhairle:** I have to call Deputy Fitzmaurice next because the Deputy's time has concluded.

**Deputy Peter Mathews:** These are important considerations.

**Deputy Michael Fitzmaurice:** I am grateful for the opportunity to speak on this Bill. As Deputy Mathews pointed out, it is difficult to know whether an individual is fitted at the age of 21 years to know about what is involved in going through life but perhaps some people started various things at a young age. As a nation, we should start by giving the diaspora the opportunity to vote in presidential elections. I am aware that the Minister of State at the Department of Foreign Affairs and Trade, Deputy Deenihan, is making inroads on this issue. It is important that the people who have left the country have their say in presidential elections. I acknowledge that complications arise in this regard. We have proposed to reduce the age for voting. At present our law provides that 18 years is the limit for a wide variety of matters. It would require considerable legislative effort to change this.

We have to be open-minded on the referendum and perhaps we will decide that we should give youth a chance. We should be broad-minded in what we do because at the end of the day, it will be the people going to the polls who decide whether the President is 25 years, 75 years or 95 years. While some people would be cautious about the issue because a President has to consider legislation, Presidents have advisers who will help them understand the legislation they sign. At 18, 19 or 20 years of age, many young people today have learned more than many would have learned at 30 or 35 in previous times. These young people are attending college and are very capable and we should be open to allowing them this opportunity. It is the people who

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will decide which way we go. I understand that some people have concerns that an applicant for the Presidency may be a rock or pop star and that all young people would vote for him or her because of that. However, we must take all of this on board. People who cast their vote in a ballot are grown adults who are making a decision on the best way forward. Some people of note who have expressed their views on this issue are worried, but others are very much in favour of it.

All in all, the opportunity should be there for all. Who decided 35 is the right age for being President but 30 is not? We should be prepared to reduce the age to 21 and I have no difficulty with that. I thank the Minister of State for attending to hear our views.

**Deputy Mattie McGrath:** I am delighted to have the opportunity to speak on this issue and thank Deputy Fitzmaurice for sharing his time with me. I am delighted to see my colleague from Tipperary in the Government benches to hear this debate.

I have concerns about this referendum. I have the greatest faith in young Irish people. They are the brightest and most intelligent of people in every way, in sport, literature, culture and communications. I have eight children all under the age of 30, some of whom are involved in youth affairs and they and I believe 21 is far too young an age to be President and that this is a wasteful proposal. If the best the Government can do is to bring forward this proposal, a token referendum, it has failed in its promises. It promised all kinds of reform, a new era of transparency and openness and changed politics. I understand the Government held the Constitutional Convention and that this proposal came from that, but I believe that young people are neither interested in nor want to stand for office as President at the age of 21.

At that age, young people are just finishing or just out of college and may want to go on and do their Master's degree. Young people I have heard speak in debate and in national fora have said that what they want to do after college is to get a job or to travel around the world. I believe 21 is too young to take on the important role of President and to oversee the legislation that has been churned out and rammed through this House. Take for example the Children and Family Relationships Bill, a massive piece of legislation with far-reaching consequences for young people, children and families. I respect the office of President and the ability of the current incumbent to deal with Bills like this and to refer to the Council of State if necessary.

The introduction of this token referendum is farcical. The cost is also an issue. Comments have been made on the cost and while I am not aware of the exact cost, it will be a significant amount. The children's referendum cost over €3 million and I voted for the holding of that referendum. However, the money was misspent by the current Government. This was challenged by a good lady, Joanna Jordan, in the High Court and the High Court upheld the Government case. However, Ms Jordan took the case to the Supreme Court and all five judges unanimously decided the Government had erred and had misspent the money on its campaign. In other words, it was caught with its hand in the till. I do not want to use stronger terms, but that is what happened. I have told the Minister for Justice and Equality that if she does not address this issue soon, I will make a complaint to An Garda Síochána. If somebody stole bread from a shop, he would be prosecuted for it, but in this case the Government misspent the money.

The Minister of State, Deputy Hayes, is a member of the Government that stands over that decision and is now going to bring forward another referendum. What faith can the people have that this referendum or the one to be held along with it will be run properly? It will have none whatsoever, since the highest court in the land found the Government had misappropriated the

money. That children's referendum should have been stopped. A legal challenge on that issue is ongoing and if the Referendum Act is found to have been breached, that makes a farce of the two referendums planned now. It is time the Government took its head out of the sand and started listening to the people. Above all, it is time it respected the laws that have been passed by the Oireachtas, laws it is supposed to implement. The Government is not doing that. The situation is farcical.

We saw what happened in Castlebar the other day, when ordinary people were denied justice. Justice delayed is justice denied. Justice without public scrutiny or participation is not proper justice. Under the Constitution, citizens are entitled to be in a courtroom. Those good people in Castlebar were not going to intimidate, assault or threaten anybody.

**An Leas-Cheann Comhairle:** That is not relevant to this Bill.

**Deputy Mattie McGrath:** What I am saying is that there is no point in passing Bills here if we are going to break the laws ourselves. The Government of the day clearly broke the law in regard to the children's referendum. This was the unanimous decision of the highest court in this land, but there was no debate and not a word uttered on that here, yet it is an issue I have raised here 116 times. The Minister of State does not seem to know what I am talking about judging by the way he is looking at me, but what I have said is a fact. Our constituents know this yet we talk about openness, transparency and democracy.

We have seen a €15 million cut to funding for mental health, yet we have heaps of money for this referendum. The Department of the Environment, Community and Local Government has decided to cut funding for housing adaption grants by 40% for the most needy, yet the Government has money to spend on this referendum. Nobody asked for it but we are told it came from the Constitutional Convention. We are losing €15 million in Leader funding but we have money for issues like this. There are serious issues that should be put to a referendum, but the Government runs away from those issues. We should have a referendum on Irish Water and the Bill I introduced demanded a referendum on that issue. We should let the people decide whether they want a super quango like Irish Water but we are not getting that referendum.

We have chronic shortages in social welfare and we could make a long list of cuts. The Government did away with the motorised transport grant for needy people, but the benefit was supposed to return after a couple of months. It has not been restored yet we have money to throw at issues like this. I do wish to demean any young people, but I believe they need life experience before they can become Uachtarán na hÉireann and look after Bunreacht na hÉireann and our people and representatives abroad. I am not knocking young people, but I would like to see a common sense proposal, not the patent nonsense we are getting from the Government nor its patent disregard for the laws and courts of the land.

**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Tom Hayes):** I thank all Members for their contributions to this debate. As the Minister of State, Deputy Ann Phelan, said this morning, this is a short but important Bill to provide for a referendum to be held in May.

I take this opportunity to address some of the comments that have been made regarding this referendum. It has been suggested that rather than progressing the referendum on candidacy age for the Presidency, the Government should address some of the other recommendations made by the Constitutional Convention. In some quarters, these other recommendations have

been portrayed as being more substantial than the proposal to lower the age at which a citizen is eligible for election to the office of President. I do not accept that view. Under the Constitution, the President takes precedence over all persons in the State. A President is required to make significant decisions after issues such as the referral of a Bill to the Supreme Court or dissolution of the Dáil. Taking these facts into consideration, the proposal to reduce the age at which a citizen becomes eligible for election to the office of President must be seen as a significant proposal.

It is true that the Constitutional Convention made other recommendations. However, the impression sometimes conveyed that the Government is not responding to these recommendations is not the case. Let us look at the position in regard to some of those recommendations. We should acknowledge that all of the issues on which recommendations have been made are serious issues with implementation implications that must be considered carefully. Arising from recommendations made in the first report of the Constitutional Convention, the Government agreed to hold a referendum on lowering the voting age to 16 in 2015. However, it would be premature to proceed with that referendum in May. Consideration must be given to the possible consequences across the policy spectrum of lowering the voting age. These issues were recently debated in this House.

The Government has undertaken to look at the question of the most appropriate wording to be presented to the people arising from the recommendations in the second report of the Constitutional Convention on amending the language in Article 41.2 on the role of women in the home.

It has also undertaken to look at the feasibility of including the principle of gender equality as well as the use of gender-inclusive language in the Constitution. A task force established to look at these issues has completed a draft report which is under consideration at present. Arising from recommendations in the fourth report, the Government has commenced work on the establishment of an independent electoral commission. The Minister of State, Deputy Phelan, referred to this work in her contribution. Arising from recommendations in the fifth report that citizens resident outside the State should have a vote in presidential elections, the Government set out the position announcing our diaspora policy. Together with the Minister of State with responsibility for the diaspora and the Minister for Foreign Affairs and Trade, I will be carrying out an analysis of the practical and policy issues that arise from the recommendations to extend the franchise before any decision on the referendum on that matter is made.

Arising from recommendations in the sixth report on the removal of the offence of blasphemy the Government agreed to have a referendum on an appropriate date in the future after examination of a number of options and the preparation of the required legislation. This work is being carried out. Work is also ongoing on the remaining reports of the convention.

With regard to the Bill before the House, it is interesting to reflect on the number of citizens currently not eligible for election to the Office of President who will become eligible if this Bill is passed and approved by the people in the referendum. Based on the population figures from the most recent census, some 2.27 million people, or 49.5% of the population were 35 years and over. Some 3.27 million people, or 71.2% of the population were aged 21 years and over. On the basis of these figures, some 1 million additional people in the State, or 21.6% of the population, would become eligible for election to the Office of President. This is a very significant number of additional people and it reflects that this is an important amendment that is being put to the people for decision in the referendum in May.

In conclusion, the Government has committed to holding two referenda in May, one on marriage equality and the other on the subject of this Bill. I understand that if either or both of these proposals is accepted by the people, Ireland's Constitutional Convention will be the first ever citizens' assembly of its type to produce bona fide constitutional change.

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

**An Leas-Cheann Comhairle:** When is it proposed to take Committee Stage?

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan):** Now.

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

**An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Aois Intofachta chun Oifig an Uachtaráin) 2015: Céim an Choiste agus na Céimeanna a bheidh Fágtha**

**Thirty-fifth Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015: Committee and Remaining Stages**

**An Leas-Cheann Comhairle:** Before Committee Stage commences I will deal with a procedural matter with regard to Bills to amend the Constitution. The substance of debate on Committee Stage relates to the wording of the proposed constitutional amendment which is contained in the Schedule to the Bill. The sections of the Bill are merely technical. Therefore, in accordance with precedent and Standing Order 128, consideration of the sections will be postponed until consideration of the Schedule has been completed. Is that agreed? Agreed.

## AN SCEIDEAL

### SCHEDULE

**An Leas-Cheann Comhairle:** Amendment No. 4 is in the name of Deputies Paul Murphy, Higgins and Coppinger. Amendments Nos. 4 and 8 form a composite proposal and may be discussed together.

**Deputy Paul Murphy:** Tairgim leasú a 4:

I gCuid 1, leathanach 7, líne 3, “bliain agus fiche” a scriosadh agus “ocht mbliana déag” a chur ina ionad.

agus

I gCuid 2, leathanach 7, líne 5, “twenty-one years” a scriosadh agus “eighteen years” a chur ina ionad.

I move amendment No. 4:

In Part 1, page 6, line 3, to delete “bliain agus fiche” and substitute “ocht mbliana déag”.

and

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In Part 2, page 6, line 5, to delete “twenty-one years” and substitute “eighteen years”.

This is a simple amendment and I can be brief. The amendment proposes to extend the eligibility down to 18 year olds as opposed to leaving the age at 21. The same logic that goes for extending it to 21 year olds also goes to extending it down to 18 year olds. These people work, they pay taxes, they have the right to vote and we think they also should have the right to stand for the Dáil, for the Seanad, stand for the European Parliament and in this particular case, to stand for the office of President. This does not mean that there would be an 18 year old President in the future but it would mean that 18 year olds, 19 year olds and 20 year olds, would also have the right to put themselves forward for election as President. That would then be in the hands of all those people who are over 18, as the voting age currently stands, to decide. That is a very simple proposition.

The essence of this debate about the substantive Bill and the amendments is whether one trusts people to make a decision, that one does not require any special qualifications or age limitations because one trusts that people will be able to make a correct decision, taking into account people’s age, their experience and everything about them. That is why I thought that the fear expressed by Deputy Olivia Mitchell that we would lose the run of ourselves and elect someone the age of 35, was bizarre, in terms of the fear that expresses of trusting the electorate. I think the same argument applies in terms of 18, 19 and 20 year olds. I see no good reason we should have an arbitrary cut-off of 21 years. I think 18 year olds should not only be entitled to vote but should be entitled to run for election for all of these positions.

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan):** I referred in my contribution on Second Stage to the Government’s rationale for selecting 21 years as the proposed age at which a citizen would become eligible for election to the office of President. As I said earlier, the recommendation that the age of eligibility for election to the office of President should be reduced from 35 years, came from the first report of the Constitutional Convention. In its consideration of the question of whether the presidential term of office should be reduced, the matter of age at which a citizen could become President, arose. While recommending that the age threshold should be reduced the convention did not recommend a specific lower age to which it should be reduced.

Different views have been put forward as to what an appropriate age should be. Some hold the view that 18 is the appropriate age - as does Deputy Murphy - while others are of the view that we should leave the age at 35. Reasonable arguments can be put forward on all sides. Of the 24 European states which directly or indirectly elect presidents, six have an age threshold of 18, seven have an age threshold of 35, ten have an age threshold of 40 and one state has an age threshold of 50. Against this background, I am satisfied that the Government’s approach in linking the age of eligibility requirement to that which applies to the case of the Dáil and the European Parliament, is the logical and, therefore, the appropriate approach. I cannot accept the amendment.

**An Leas-Cheann Comhairle:** Has Deputy Murphy anything further to add?

**Deputy Paul Murphy:** No.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Amendment put and declared lost.

Aontaíodh an Sceideal.

Schedule agreed to.

**An Leas-Cheann Comhairle:** Amendment Nos. 5 to 7, inclusive, are out of order.

Níor tairgeadh leasuithe Uimh. 5 go 7 a huile.

Amendments Nos. 5 to 7, inclusive, not moved.

Níor tairgeadh leasuithe Uimh. 1 agus 2.

Amendments Nos. 1 and 2 not moved.

Aontaíodh ailt 1.

Section 1 agreed to.

**An Leas-Cheann Comhairle:** Amendment No. 3 is out of order.

Níor tairgeadh leasú a 3.

Amendment No. 3 not moved.

Aontaíodh alt a 2.

Section 2 agreed to.

## RÉAMHRÁ

## PREAMBLE

**Deputy Paul Murphy:** Tairgim leasú a 8:

I leathanach 5, líne 9, “bliain agus fiche” a scriosadh agus “ocht mbliana déag” a chur ina ionad.

I move amendment No. 8:

In page 4, line 10, to delete “twenty-one years” and substitute “eighteen years”.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Amendment put and declared lost.

**An Leas-Cheann Comhairle:** Amendments Nos. 9 to 11, inclusive, are out of order.

Níor tairgeadh leasuithe Uimh. 9 go 11 a huile.

Amendments Nos. 9 to 11, inclusive, not moved.

Aontaíodh an Réamhrá.

Preamble agreed to.

Aontaíodh an Teideal.

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Title agreed to.

Tuairiscíodh an Bille gan leasuithe, glacadh é chun an breithniú deiridh a dhéanamh air agus ritheadh é.

Bill reported without amendment, received for final consideration and passed.

### **Ráiteas faoi Eolas do Vótálaithe: Tairiscint**

#### **Statement for Information of Voters: Motion**

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan):** Tairgim:

GO ndéanfar an ráiteas atá leagtha amach sa Sceideal a ghabhann leis an Rún seo a fhorordú mar eolas do vótálaithe, de bhun alt 23 d'Acht an Reifrinn, 1994 (Uimh. 12 de 1994), i ndáil leis an togra chun an Bunreacht a leasú, atá ar áireamh sa Bhille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Aois Intofachta chun Oifig an Uachtaráin), 2015, agus is ábhar do reifreann bunreachta.

An Sceideal

Fiafraítear díot sa reifreann seo an aontaíonn tú leis an togra chun Airteagal 12.4.1<sup>o</sup> den Bhunreacht a leasú chun an aois ag a bhfuil saoránach intofa chun oifig an Uachtaráin a laghdú ó 35 bliana (mar atá faoi láthair) go dtí 21 bhliain.

MÁ THOILÍONN TÚ leis an togra, cuir X os coinne an fhocail TÁ ar an bpáipéar ballóide.

MURA dTOILÍONN TÚ leis an togra, cuir X os coinne an fhocail NÍL ar an bpáipéar ballóide.

I move:

THAT the statement set out in the Schedule to this Resolution be prescribed for the information of voters, pursuant to section 23 of the Referendum Act 1994 (No. 12 of 1994), in relation to the proposal to amend the Constitution which is contained in the Thirty-fifth Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015 and is the subject of a constitutional referendum.

Schedule

You are being asked in this referendum if you agree with the proposal to amend Article 12.4.1<sup>o</sup> of the Constitution to reduce the age at which a citizen becomes eligible for election to the office of President from 35 years (the present position) to 21 years.

IF YOU APPROVE of the proposal, mark X opposite the word YES on the ballot paper.

IF YOU DO NOT APPROVE of the proposal, mark X opposite the word NO on the ballot paper.

**Deputy Peter Mathews:** While the train may already have left the station, I wish to make a brief comment. Only four of 166 Deputies are present for the conclusion of this debate. The signature of the President is the final action before the enactment of the legislation. Notwith-

standing the contributions made in this debate, the solemnity of the occasion has not come through in the atmosphere of the debate. This is a matter of great significance. Even in so-called primitive societies across the globe, solemnity is shown by elders and the mores and cultural traditions of a tribe or people are respected. A good wine or whiskey must be old. I am using Montessori imagery in order that Members will pause and think about this issue.

My children are young and I love young people. They have much to offer and, like me, much to learn. Uachtarán na hÉireann, the Head of State, is the embodiment of judgment and compassion, which are qualities rather than skill sets. I am saddened that this legislation has been rushed and that the debate has lacked qualitative solemnity. The current Uachtarán na hÉireann is a person with enormous life experience, of culture and with intellectual and emotional ability, all of which come with time. Plants do not grow overnight and oak trees take 100 years to grow. A copper beech tree on the lawn of the school I attended was approaching the age of 200 years. It was a living plant, part of creation and something solemn and majestic.

I thank the Leas-Cheann Comhairle for allowing me to share these thoughts. Let us, please, pull in the reins a little now and then.

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

**An Leas-Cheann Comhairle:** The Bill will now be sent to the Seanad.

### **Climate Action and Low Carbon Development Bill 2015: Second Stage (Resumed)**

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

**Deputy Dan Neville:** I welcome the opportunity to speak about this Bill. The Government promised in its programme for Government to publish legislation on climate change with a view to its enactment before the end of the life of the Dáil. This Bill partly fulfils that commitment.

Climate change is the greatest challenge facing humanity. It threatens the environment and economic development and the quality of life we enjoy. This generation will be remembered by how it responded to this challenge.

Climate change is real. The Intergovernmental Panel on Climate Change, IPCC, published an assessment report in 2013 which left no doubt about the precise nature of this challenge. It concluded that the evidence of climate change was unequivocal. It also shows how man-made emissions of greenhouse gases are driving climate change. Failure to take the necessary action on climate change will have potentially catastrophic effects in many areas of the globe. Climate change will also have spill-over impacts in all regions and countries which will grow as its impact increases. We will have to adapt our lives to manage our responses to these changes and reduce greenhouse gas emissions to ensure future generations can retain the capacity to manage future climatic conditions.

*4 o'clock*

When discussing climate change, it is important to provide a definition of climate. Although weather and climate appear closely related, they are in fact two different concepts. Weather describes the meteorological conditions at a given time and place. Climate, however, describes the meteorological conditions, including temperature, rain and wind, that characteristically pre-

vail in a particular region over a period, with the typical unit of time taken being 30 years. It is possible, by collecting weather information all around the country every hour and by analysing these records over the aforementioned 30-year period, to assess how the climate is behaving and changing. Currently, Ireland's climate tends to be warm in the summer, at approximately 16° Celsius and cool in the winter at approximately 5° Celsius. Natural climate variability also is picked up by these measurements. For instance, March 2012 was one of the warmest for 50 years, while March 2013 was the coldest on record. This does not mean necessarily that the climate is changing but an increase in extremes such as these is a good indicator that it might be.

One can forecast the likely weather by monitoring the climate and this is important for many reasons. For example, in agriculture, one needs to know when one should sow crops and so on, while planners and engineers need to have climate data in order that they can design roads, buildings and bridges in anticipation of the climate conditions. Climate change is a significant change in the climate a region experiences. It can be caused by natural factors such as variations in solar intensity or volcanic eruptions. However, the term "climate change" is now generally associated with changes in the climate due to the build-up of greenhouse gases in the atmosphere as a result of human activities. Greenhouse gas build-up is caused by excess emissions from activities such as burning fossil fuels for energy, transport, heating and cement manufacture, as well as methane emissions. Greenhouse gases let sunlight pass through the atmosphere to reach the earth but then trap the outgoing energy from the heated surface of the earth like a blanket. This causes a warming of the global atmosphere generally although it is hard to anticipate exactly how this will affect climates at more regional scales.

According to the latest assessment report from the Intergovernmental Panel on Climate Change, IPCC, warming of the climate system is unequivocal. Many of the observed changes since the 1950s are unprecedented over decades to millennia. The atmosphere and oceans have warmed, the amounts of snow and ice have diminished, sea levels have risen and the concentrations of greenhouse gases have increased. In fact, each of the last three decades has been successively warmer at the Earth's surface than any preceding decade since 1850. The assessment report also considers that human influence on the climate system is clear. This is evident from the increasing greenhouse gas concentrations in the atmosphere, observed warming and understanding of the climate system. Ireland's climate, even in the last 20 years or so, has seen a noticeable change in temperature. A graph from the Met Éireann report, Ireland's Climate: The Road Ahead, shows that Ireland's mean temperature has risen by 0.5° Celsius since 1990 alone, which in climate terms is a highly significant rise. One consequence thus far has been higher rainfall recorded in the west, south west and north of the country. Six of Ireland's warmest years on record have occurred since 1990. In Valentia during 2007, the warmest year since records began in 1892 was recorded. Over the past three decades, an increase in temperature of 0.42° Celsius per decade has been detected, compared with an increase of 0.23° Celsius per decade between 1910 and 1949. If climate change continues at this pace, increased global temperatures will have a dangerous and irreversible impacts on our planet. The challenge for us all, in Ireland and elsewhere, is therefore to limit and adapt to climate change.

In its Programme for Government 2011-2016, the Government agreed to "publish a Climate Change Bill which will provide certainty surrounding government policy and provide a clear pathway for emissions reductions, in line with negotiated EU 2020 targets". In November 2013, the Oireachtas Joint Committee on Environment, Culture and the Gaeltacht launched its report on the outline heads of a climate action and low-carbon development Bill, in which it set out a number of possible courses of action that might be considered in future deliberations on

the Bill. In April 2014, the Government approved the general scheme of the climate action and low-carbon development Bill. The general scheme of the Bill was developed, following public consultation processes in 2012 by the Department of the Environment, Community and Local Government and pre-legislative scrutiny by the joint committee. In the latter regard, the joint committee's report is stated to have been given "full consideration and a number of changes were made to reflect its findings, including reducing the interval between proposed national low-carbon roadmaps from seven to five years and enabling the national expert advisory body on climate change to publish directly its annual and periodic review reports".

The Climate Action and Low Carbon Development Bill 2015 was published by the Minister for the Environment, Community and Local Government on 19 January 2015. The Department of Agriculture, Food and the Marine has completed a public consultation process in which it invited written submissions from interested parties on a discussion document on the potential for greenhouse gas mitigation within the agriculture and forestry sector. I welcome the Bill and welcome the opportunity to have contributed to the debate.

**Deputy Derek Keating:** I thank the Ceann Comhairle for the opportunity to speak on this important legislation and acknowledge the presence of the Minister of State, Deputy Ann Phelan, in the Chamber. I commend the Minister and the Government on fulfilling their commitment to propose the implementation of specific legislation to deal with climate change. In its Programme for Government 2011-2016, the Government committed to "publish a Climate Change Bill which will provide certainty surrounding government policy and provide a clear pathway for emissions reductions, in line with negotiated EU 2020 targets". In its Statement of Government Priorities 2014-2016, the Government reaffirmed its pledge to publish legislation on climate change, with a view to enactment by the end of 2014 as follows:

Enactment of the Climate Action and Low-Carbon Development Bill by the end of the year together with a new national roadmap to help Ireland meet its EU2020 climate change targets. The Government will also ensure that any additional climate change and renewable energy targets for Ireland are fair and realistic, and take appropriate account of our particular national circumstances and economic challenges, including in respect of the agriculture sector.

The Government's national policy is clear on the need for a continuous focus through target achievement not just for today or for the lifetime of this Dáil but over decades to come and states:

The evolution of climate policy in Ireland will be an iterative process, based on the adoption by Government of a series of national plans over the period to 2050. Greenhouse gas mitigation and adaptation to the impacts of climate change will be addressed in parallel national plans – respectively through National Low-Carbon Roadmaps and National Climate Change Adaptation Frameworks.

The National Low-Carbon Roadmaps and the National Climate Change Adaptation Frameworks will constitute key pillars of the process through which Government will develop and progress, mitigation and adaptation policy in order to enable the State to pursue and achieve transition to a low-carbon, climate-resilient and environmentally sustainable economy in the period to 2050.

As members of the EU, we are also bound by obligations to our neighbours and partner

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states. I am profoundly aware of these through my work on the Select Committee on European Union Affairs. These obligations put environmental concerns front and centre in our thinking on all national, regional and local development plans.

Over the past decades, the European Union has put in place a broad range of environmental legislation. As a result, air, water and soil pollution have significantly been reduced. Chemicals legislation has been modernised and the use of many toxic or hazardous substances has been restricted. Today, EU citizens enjoy some of the best water quality in the world and over 18% of the EU's territory has been designated as protected areas for nature.

However, many challenges persist and these must be tackled together in a structured way. We are a party to the 7th Environment Action Plan which has three key objectives: first, to protect, conserve and enhance the EU's environment and animal and plant diversity; second, to turn the EU into a resource-efficient, green and competitive low-carbon economy; and third, to safeguard the EU's citizens from environment-related pressures and risks to health and well-being.

This Bill will begin Ireland's journey towards achieving these goals and make our villages, towns, cities, factories and farms more sustainable, as well as helping us to address international environmental and climate challenges more effectively. This House needs to keep a constant and vigilant oversight on all actions undertaken through the framework established by the Bill.

**Deputy Peter Fitzpatrick:** I welcome this opportunity to speak on the Climate Action and Low Carbon Development Bill 2015. The Bill is the result of two years' hard work, including in-depth public consultations on climate legislation. In this regard, I would like to praise the extensive consideration given by both the Joint Committee on Environment, Culture and the Gaeltacht, and the Department of the Environment, Community and Local Government. The Bill will provide a statutory basis for the national objective of a transition to a low carbon, climate resilient and environmentally sustainable economy by 2050. In so doing, it will give a solid statutory foundation to the institutional arrangements necessary to enable the State to pursue and achieve that objective.

I have seen at first hand the many benefits achieved from introducing renewable energy and energy efficiency projects in the community. My home town of Dundalk has been progressive in this regard and the Dundalk 2020 project is a prime example of this. Dundalk set itself ambitious targets by 2020, including 20% of all heat produced by renewable energy; 20% of all electricity used by renewable energy; and 40% energy efficiency in selected buildings. By achieving these targets it was estimated that there would be a reduction of 10,000 tonnes in carbon dioxide. By the end of 2010, Dundalk 2020 had reached almost 60% of the ambitious targets set. This scheme was established by the SEAI in partnership with Louth County Council and is a perfect example of how sustainable energy communities can exist and thrive in modern Ireland.

The area covered by the project is 4 sq. km and has approximately 2,500 residents. Some 3,500 people are working in the area and over 5,800 people are studying there. As a direct result of the scheme, savings in excess of €500,000 per year are being achieved through energy efficiency measures and over 5,000 tonnes of carbon dioxide is avoided each year. Dundalk 2020 is perfect example of how innovative technologies, policies and practices can create sustainable energy communities that are of benefit to all.

Another such project in Dundalk is the Cox's Demesne Regeneration Scheme, which is a unique public private partnership between the local authority, SEAI and Electric Ireland. The project involved more than 600 homes and included energy efficient insulation, boiler installations, draught proofing and installation of heating controls, all at no cost to the residents. It achieved impressive results with the vast majority of houses improving their building energy ratings from an E2 to a C1. Such was the success of the project that it was short-listed for the Ace Awards, which is one of Europe's most prestigious events for recognising achievements in renewable and sustainable energy.

I would like to put on record my full support for the Climate Action and Low Carbon Development Bill and I look forward to it being enacted.

**Deputy Seamus Healy:** I welcome the opportunity to speak on the Climate Action and Low Carbon Development Bill 2015. It is a very important Bill and is long overdue.

Climate change is a real and distressing phenomenon which disproportionately affects the most vulnerable in our society. We only have to think of a country like the Philippines and, more recently, the Pacific island of Vanuatu, to see the utter devastation that climate change is wreaking on the most vulnerable people in the world who are already living in extreme poverty. Here at home, the Irish climate analysis and research unit has studied key meteorological changes in this country from 1890, when records began, to 2004 and the results do not bode well. The main finding was that Ireland's climate is warming and this warming is accompanied by greater rainfall events of higher intensity and frequency, and increased flooding. Many communities around Ireland are already at the forefront of this struggle with climate change, including flooding. There has been significant evidence of flooding in the country and particularly in my constituency of Tipperary South. The Old Bridge area of Clonmel, Ardfinnan, Kilsheelan, Carrick-on-Suir and Knocklofty have all seen devastation caused by flooding.

Robust, meaningful and action-oriented legislation is vitally important to protect the lives and livelihoods of those living in vulnerable areas. Currently, we have no plan for climate change in this country. This Bill is the seventh such Bill to be presented to the Dáil in the past ten years. Passing this Bill, with amendments, would mark the first time that climate legislation has been placed on the Statute Book in this country.

The legislation provides for the preparation of five-yearly national low-carbon transition and mitigation plans. These will set out how Ireland's national greenhouse gas emissions are to be reduced in line both with existing EU and international commitments. This is intended to be done in a dual manner of mitigation and adaptation.

While the introduction of any climate legislation is an encouraging step, the Bill needs to be amended and strengthened. As we know, sending draft Bills to Oireachtas committees for consideration was one of this Government's main, and much talked about, reforms in the programme for Government. My colleague, Deputy Catherine Murphy, was a member of the all-party Joint Committee on Environment, Culture and the Gaeltacht, which scrutinised this Bill and made 12 recommendations. It is disappointing, however, that only three of those recommendations have been acted upon. This begs the question as to whether Oireachtas committees are taken seriously by the Government at all.

Effectively, the Bill has changed little from the draft prepared by the former Minister, Commissioner Phil Hogan. The latter's decision not to include any specific targets for emission

reductions was widely criticised by environmental groups and Opposition parties. I recently attended a briefing given by a group called Stop Climate Chaos, a coalition of some of the most eminent civil society organisations in Ireland, including Trócaire, Comhlámh, Concern and the National Youth Council of Ireland, to name but a few. Together, they constitute the largest network of organisations campaigning for action on climate change in Ireland and have described the Bill as deeply disappointing. They have identified five major weaknesses in the Bill which needs to be strengthened. I concur and ask that the amendments necessary be brought forward during the course of the Bill's progress through the Houses.

First, the Bill fails to set numeric targets for emissions reductions in the future. This is a fundamental flaw, as it means that there will be little concrete direction in the coming years. Civil society organisations are not alone in calling for clear targets; businesses also point to the need for targets to provide confidence and drive investment. Finland, Denmark and France have recently announced the introduction of climate and energy legislation, each setting clear targets in reducing greenhouse gas emissions. In Finland the law sets an 80% target to be reached by 2050, while the law in Denmark sets a 40% target to be reached by 2020, double the target set in EU 2020. In France the energy transition Bill seeks to reduce greenhouse gas emissions by 40% by 2030 and by 75% by 2050.

Given the resistance of some interest groups to setting a single national target, the compromise proposed by the Oireachtas committee is to define what is meant by "low carbon", which would at least provide for some clarity on the objectives of the Bill. The former Minister, Mr. Phil Hogan, set out a definition during his appearance before the joint committee in July 2013 and the committee recommended that it be incorporated into the Bill. The Government refined the definition and formally adopted it as national policy in April 2014, but it was not included in the heads of the Bill. As a consequence, while some Departments such as the Department of Agriculture, Food and the Marine have been referring to it, others such as the Department of Transport, Tourism and Sport have been ignoring it. Only including the definition in the Bill will ensure all Departments will give it due consideration.

The Bill also proposes the establishment of a national expert advisory council on climate change to be tasked with giving advice to the Government on climate change matters. Again, the joint committee recommended that the climate change advisory council be modelled on the Fiscal Advisory Council in that its independence should be prescribed in the Bill and that its members should be independent of State and stakeholder interests. Instead the Bill provides for a body of no more than 11 members, four of whom will represent state bodies in an *ex officio* capacity. It does not specify that the council must be independent in the exercise of its functions, as in the case of the Fiscal Advisory Council. While the Bill provides for the council to publish its reports, the time period is anything from 30 to 90 days, which is too long for the purposes of public debate and transparency.

The Bill does not provide for the inclusion of a reference to climate justice. Ireland has a responsibility to the poorest people in developing countries who are already feeling the impact of climate change, a crisis they played no part in creating. While the Bill is about mapping out a strong and sustainable future for Ireland, it is also about ensuring Ireland will live up to its global responsibilities. The Government has repeatedly stated its commitment to climate justice is a principle guiding its engagement with the issue of climate change. Provision for the principle of climate justice in the legislation would provide an opportunity to realise it.

As regards the timing, Ireland's last five-year action plan on climate change expired at the

end of 2012, just as our EU 2020 targets came into force. The heads of the Bill, published in April 2014, envisaged that the first national mitigation plan would be adopted within 12 months of enactment of the legislation. The Bill provides for a period of up to 24 months for the adoption of the mitigation plan. That means that Ireland's plan for reducing emissions in the period 2013 to 2020 will not be adopted until 2017, which is patently absurd. Given the fact that the preparation of the national mitigation plan has been progressing in parallel to the development of the legislation, which is long overdue, we recommend that the period allowed be six months and that the plan be finalised and adopted before the UN climate summit in Paris in December 2015. The previous five-year action plan, the national climate change strategy, covered the Kyoto Protocol commitment period, 2008 to 2012, and made it clear that the measures contained in it were designed to meet Ireland's Kyoto Protocol commitment to limit total emissions in the period covered to 314 million tonnes of CO<sub>2</sub> equivalent. All future five-year action plans should equally indicate total projected national emissions in the period covered under the plan. Given the significant potential already recognised for mitigation by the management of carbon in Irish soils, particularly in wetlands, the Bill should include soil carbon management in the matters to be taken into account in the national mitigation plan.

One of the purposes of the Bill is to provide a platform for the achievement of as much cross-party and independent support for action as possible, given the scale of the transformation needed in coming decades to contain the effects of climate change. While I welcome the Bill, I strongly urge the Government to amend it during the course of its passage through the Oireachtas, particularly to deal with the points I have mentioned. This would strengthen it and our commitment to climate justice.

**Deputy Tony McLoughlin:** I am grateful for the opportunity to speak to the long awaited Climate Action and Low Carbon Development Bill which will, among other things, provide a statutory basis for the transition of the Republic of Ireland to a low carbon, climate resilient and environmentally sustainable economy by 2050. If enacted by the Oireachtas, it will be the first item of climate change legislation to be enacted in the history of the State, which, of course, will be a key milestone, one which I believe must be acknowledged by all sides of the House as a positive first step in Ireland's efforts to combat climate change. It must also be noted that, if the legislation is passed, Ireland will be one of only a few EU member states to have dedicated climate change legislation and as such will exhibit the country as being a European leader in dealing with the issue. This targeted change, a national objective of the Government, will have the highest regard for existing international agreements such as the United Nations framework on climate change and our current obligations under EU Law. For example, it will formally oblige the State to adhere to both EU and international climate change targets such as a 20% reduction in emissions by 2020 over 1995 levels. I warmly welcome this aspect of the Bill.

Although this is a new Bill on the topic, this is not the first time climate change and the damaging effects it has on our natural environment have been discussed in the House. I have the privilege to sit on the environment committee and have listened to many submissions by local organisations, companies and members of the public on the damaging effects climate change is having in their daily lives. Those living along the western seaboard are particularly at risk from the changing weather conditions. It is a very worrying topic for my constituents in counties Sligo and Leitrim. I fear that the natural environment we will eventually pass onto our grandchildren will be irreversibly damaged, unless real measures such as those included in the Bill are enacted and adhered to on a global scale. However, I am pleased that the Bill provides our first opportunity as Irish legislators to make attempts to combat the problem in our own country

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which has been spiralling out of control in recent times. We are setting a strong international example and I firmly believe the Bill will continually be developed and expanded in the coming years. The overall transition associated with the Irish approach to climate change will be achieved by the introduction of two statutory plans, namely, a national mitigation plan and a national adaptation framework. The plan will guide policy on greenhouse gas emission reduction and climate change adaptation.

The other major feature of the Bill is the establishment of an expert advisory council called the National Expert Advisory Council on Climate Change. This new body will consist of between nine and 11 members whose aim will be to advise and to make expert recommendations to the Minister for the Environment, Community and Local Government. Its chair will be independent but it will include the top officials from the Environmental Protection Agency, Teagasc, the Sustainable Energy Authority of Ireland and the Economic and Social Research Institute. The introduction of this new body is a vital aspect of the Bill as it will bring all the key stakeholders on the topic together under one umbrella, with the one key goal of advising the Government on the issue of climate change.

While this proposed climate change legislation is largely welcome on many fronts, there are, however, some concerns over certain aspects of the Bill, and there are many who believe it does not go far enough in combating the issue. A number of my concerned constituents have contacted me about the Bill recently to state their fears. Some believe the powers of the National Expert Advisory Council warrant further investigation. It has been said that the body could be ignored by the Government or not listened to, and that the reports it produces may not be taken into account.

Another issue raised with me concerns why there have been no long-term mitigation targets set out in the Bill. While I understand our commitments up to 2020 and that negotiations are in place for the period up to 2030, I believe that longer-term targets would have been beneficial and should be considered. That there has been no definition of what “low carbon” actually means within the context of the Bill is unfortunate. This can and should be changed in the next stage of this Bill’s passage through the Oireachtas.

I am fully supportive of this proposed legislation as it clarifies that Ireland is now fully committed to playing its part in tackling international climate change. We, as legislators, need to stand up for and play our part in protecting our climate and our environment for future generations. It has taken a great deal of time and effort to get the Bill onto the floor of the House. I commend former Minister Phil Hogan and the current Minister, Deputy Alan Kelly, and their departmental officials on the work they have done on the Bill. I would appreciate it if the Minister provided the House with further clarity on some of the concerns I have sought to raise here during this debate.

**Deputy Anne Ferris:** There is a very well-known and very old saying, attributed to the Greek philosopher Aristotle, that one swallow will never make a summer. That proverb has relevance to this climate change debate, in more ways than one. The behaviour of migratory birds is studied a lot by climate change experts. When birds travel thousands of miles, weather patterns influence their behaviour. Birdwatch Ireland tells us that the Irish swallow is arriving here in increasingly fewer numbers. Global warming has caused the Sahara desert to become bigger and wider. Many of the swallows die on the journey home to nest because they cannot make the longer crossing without water. The swallows that get here have to deal with the wetter Irish summers, also caused by climate change. This, the bird experts tell us, results in fewer

insects for feeding the chicks and a lower survival rate all around. It is not just affecting the swallows. The famous Atlantic salmon of Irish folklore also faces extinction due to rising sea temperatures. Fewer and fewer are making the journey home to Irish rivers to spawn.

As a nation, we do not just have international obligations regarding climate change as we also have local obligations. The next generation of Irish children is as entitled as the previous one to have salmon in its rivers and to mark the beginning of spring with the return of the swallows. Climate change regulation is one of the most important duties we have in this Oireachtas. Contributing productively and sensibly to correcting climate change is at least as important, if not more important, to future generations than the work the Government is doing to correct the economy. However, this is where there is another context for using the expression, “One swallow does not a summer make”. One piece of climate change legislation does not a problem solve. While I welcome the fact that this legislation has an interdepartmental focus, I am seriously concerned about the lack of joined-up thinking so far on the topic of climate change. Across Government, different Departments are working separately, like busy, endangered bees, on reports and strategies that affect climate but nobody seems to be focusing on putting the pieces of the jigsaw puzzle together.

Achieving renewable energy targets is an essential aspect of meeting emissions targets. When oil, peat and coal are burned to make energy, it releases the emissions that lead to climate change. Therefore, it is fairly straightforward to conclude that reducing emissions will require the world to use less energy, and for the energy that is used to be from cleaner renewable sources, such as solar or wave power or wind turbines. It makes sense that Ireland should contribute to this global effort through adopting strategies to waste less energy and to build our fair share of renewable energy technologies.

Given the need for a global effort, I was shocked in recent weeks to discover through parliamentary questions that nobody in any Government agency or Department is measuring the amount of renewable energy that has been generated thus far on foot of the granting of planning permission. The Department of the Environment, Community and Local Government counts no planning permissions, although one might expect it to have a vested interest in understanding how close the country is to achieving a fair share of global emission targets. The Department of Communications, Energy and Natural Resources does not count the planning permissions, even though it has the job of preparing energy strategies. The Sustainable Energy Authority of Ireland has no accurate count either. One might ask why this should matter. Can we not continue building wind farms across the country and up to our shorelines until there is no more space for a swallow to fly between the turbines? One might ask whether it is not all good for climate change. There are many reasons this attitude is wrong. There has to be public support for climate change initiatives to work. The public has to understand what the targets are, why they are needed and how Ireland’s efforts fit into the global context. First, there must be targets and, second, the targets have to be accepted by the citizens as valid.

There has to be flexibility in how the country achieves overall emissions targets. At present, people are not being offered energy conservation and reduction targets as an alternative way of reducing emissions. Electric vehicles have a role to play in reducing emissions but this is not being considered to the appropriate extent.

At present, it seems as if the only plan under active consideration is for wind turbines and for Ireland to build enough of them to help meet the emission targets of the United Kingdom and France. This type of blinkered strategy is not going to lead to the level of community buy-

in necessary to achieve meaningful adjustments in climate-changing emissions. That is why I would have liked to have seen more independence in the formulation of the new expert advisory council.

The State agencies have so far displayed over-dependence on a wind energy strategy that is not being properly measured and has a falling level of public support. What is needed more than anything is a fresh approach, and fresh ideas that involve local communities in climate action. I urge the Ministers to bring as many independent voices as possible to the table. It takes the voices of more than one swallow to make a summer.

**Deputy Michael McCarthy:** By making informed choices now, we can reduce risks for future generations and ourselves, and help communities adapt to climate change. However, just paying lip service to the problem is not going to make it go away. That is why the Government has committed to legislating in this critical area.

Legislation is the best way to make sure that all Departments across Government and all Departments across time take climate change seriously and take action consistently. We have to hard-wire action and accountability on climate change into our political thinking and system. In response, the programme for Government committed to publishing a climate change Bill to “provide certainty surrounding government policy and provide a clear pathway for emissions reductions, in line with negotiated EU 2020 targets”.

This is the first time that a coherent and legislative response has been developed to combat the threat of climate change. The Bill will be one of the most important to have passed through the Dáil and the Seanad for years. It represents the culmination of lengthy and wide-ranging consultations on climate legislation over the past couple of years, including extensive consideration by the Oireachtas Joint Committee on the Environment, Culture and the Gaeltacht. I chair that committee.

The principal function of the Bill is to provide for the approval of plans by the Government for the purpose of pursuing the transition to a low carbon, climate resilient and environmentally sustainable economy by the year 2050. In particular, the Bill provides for the approval, every five years, of successive national low carbon transition and mitigation plans. These plans will specify the policy measures required to reduce greenhouse gas emissions, having regard to our EU and international mitigation obligations. The Bill also provides for the approval of successive national climate change adaptation frameworks, which will specify the national strategy for the application of adaptation measures in different sectors and by local authorities to reduce the State’s vulnerability to the negative effects of climate change.

The Bill provides for the establishment of a national expert advisory council on climate change to provide advice and recommendations to relevant Ministers and the Government on the making and approval of these plans. Moreover, the Bill provides that relevant Ministers will make a statement to Dáil Éireann annually providing updates on progress in respect of the implementation of approved greenhouse gas mitigation and adaptation policy measures. The impetus for and importance of the Bill stem, in part, from our current greenhouse gas mitigation targets under EU legislation up to the year 2020 and likely future mitigation targets up to the year 2030 and beyond. Although the Bill is not a panacea for the very challenging targets that we face, it should assist us in narrowing the distance to reaching the set target by 2020 and stand us in good stead thereafter.

In addition, although the Bill does not contain any numerical mitigation targets, it will function to statutorily underpin the national climate change policy position agreed by the Government last April. This position sets out a quantitative vision of low carbon transition by the year 2050. This is vital, as the low carbon agenda is one which the EU and the international process is pursuing in any event. This legislation sets us apart as it will make Ireland one of the few EU members states that have adopted climate change legislation to date and one of the first EU countries to put a legal obligation on its government to develop policies to plan for existing and future climate change commitments. This Bill has been a long time in the making. We have provided a sound basis for ensuring that we strike the right balance between ambition and practicality.

In the end there were many great disasters and pities of the last Government, which is now characterised by the economic collapse, the Government's downfall, spiralling unemployment, the blanket bank guarantee and the collapse of the banking system. One of the greater tragedies of that Administration, regrettably, despite the laudable intentions of the Green Party through involvement by a Green Party environment Minister, was that it did not get to bring in the climate change legislation to which it had committed. However, one of the ironic aspects of the economic recession is that it has allowed us to pursue an agenda such as this. During the boom, as pressing as the issue was, it was very hard to give it political oxygen - no pun intended. It was very difficult to get it on the agenda as a popular news item or to get it on the political agenda at a serious level. This is a great difficulty which has surrounded the issue of climate change in recent years.

In my capacity as Chairman of the Oireachtas Joint Committee on Environment, Culture and the Gaeltacht, I wish to acknowledge the huge role that members of our committee, Members from both Houses and from all parties and none, played. One of them, Deputy Humphreys, is in the House today in a ministerial capacity. We sat three years ago, and in particular two years ago, through very fine weather on non-sitting days in the committee rooms in the basement, and we heard excellent testimony from academics, scientists, employer organisations, environmental groups, farming organisations, and all of the people who have been lobbying around this issue for one reason or another. They all got a very fair hearing and it is a testament to political reform that our committee system, which is an adjunct to Parliament, now has the opportunity to play such a pivotal role in developing critical legislation by virtue of its public hearings and consultations. The committee hearings went on for weeks and months. We eventually launched our report and won widespread praise and support for it from the groups which were involved in some shape or form. That body of work took us about two years to initiate and to complete.

All too often and for obvious reasons, governments will be criticised for what they did not do or what they said they would do and never did. When we take the economics out of the last number of years and look at the other issues then, along with the marriage equality referendum, this legislation represents a significant achievement for my party in government. I am very proud of that. I am also very proud, in an apolitical fashion, of the members of the Oireachtas joint committee from all parties and none and from both Houses who played a role. To bring about legislation which requires widespread public support, a process must be initiated that gives people a role and an impetus to deliver into it. Sometimes when dealing with issues such as these - there will be an example of it in the House later this evening - much of the terminology we use to advance or articulate our cause will not sell newspapers. It will not feature on the six o'clock news, the nine o'clock news or "Morning Ireland". This does not mean that it is any less important and that we should not do it. It is essential we do. To get it to this level

is historic.

I was slightly dismayed, when we discussed the report of the committee in this House, that there were two Members, in particular, who spoke against it. Neither of them came to our committee. They never made submissions to our committee or made public pronouncements on the issue of climate change. They then decided to criticise the report for what they thought it did not contain. I was at a loss to find out in particular what elements in the Bill they thought should be included, aside from their rehearsed statements. They simply decided to criticise. They are not members of Deputy Ferris's party.

We are now at a critical juncture where we have to acknowledge the profound development in terms of climate policy and putting it on a statutory legal basis. The previous Administration, with all its faults and failings, did not get around to doing this and that was a great pity. It will be remembered for its failure to address the issue. However, we have a responsibility in this country to play our part on the world stage and we are doing it. That is something in which all legislators in this House and in Seanad Éireann can take pride. Trying to politically articulate an area such as this, which is not universally popular or sexy enough to dominate media headlines, is a very important initiative. I wish to acknowledge the role played by the Minister, Deputy Kelly, in bringing this to the forefront of his ministry, a ministry that has been dogged by controversial issues of one hue or another over the past 12 months. We are at a critical juncture in dealing with this issue.

Much was said about targets in the Bill. During the process of the committee hearings, we established with academic experts and people with expertise at various levels that we are bound by European targets. The absence of numerical targets in this Bill is not a cause for concern. When European law changes, we are bound and obligated by that law. As we move into another sphere in advancing the issue of climate change, Ireland will take its place as one of the few nations in the world that legislated for climate change. This is something of which we should take stock.

There will be a political requirement on Ministers, whoever is in the next Government, to come into this House every year and to produce sectoral maps and policy on climate. Although it may not happen before then we should nevertheless consider in the coming ten or 11 months what will be involved in this. The legislation will be on the Statute Book and that is something of which we as Members of this House should all be proud.

**Deputy Martin Ferris:** The Climate Action and Low-Carbon Development Bill, if implemented and carried out to the letter, can make a difference. It needs to be supported in that regard. Measures to alleviate the effects of climate change and to lower our carbon emissions are becoming more urgent and necessary as the years pass. In my constituency of Kerry, we are very aware of the effects of climate change, particularly the storms of early last year, the increase in severity of those storms, and the consequent coastal erosion. This did not happen on my doorstep alone, but across the western seaboard. There were and are examples of severe damage.

The Government, if one excuses the pun, needs to take its head out of the sand on the issue. There seems to be no strategy for the phenomenon and there is scant provision for it. The Bill provides for a national adaptation framework in two years' time. The problem is that the damage is severe and the frequency of storms is increasing. There are predictions of more high tides. The highest tide in 70 years happened last Saturday night and Sunday. It was only that

luck was with us that we did not have a storm as well. If there had been, the consequences could have been disastrous. Consider the damage done last year. With the same type of stormy weather, the consequences last Saturday would have been much worse.

As regards my portfolio, I am concerned that there is a major contradiction between the targets being boasted about by the Minister in terms of our potential for dairy and beef production and our obligations to reduce our carbon emissions. The joint committee on the environment has already recommended the desirability of supporting rain-fed, grass-based agriculture as opposed to more intensive, less sustainable forms of agriculture. This is commendable and makes perfect sense, but in the meantime we must discuss emissions management and consider international best practice on the issue.

Once again, I am calling on the Minister for Agriculture, Food and the Marine to stand up for Ireland and defend our way of farming, which is comparatively environmentally friendly. At EU level there should be a trading system whereby our efficient and sustainable farming practices are rewarded with increased emissions quotas. We are moving further in terms of forestry, which is being incentivised. Does this not mean that we should be able to offset some of that ecologically beneficial activity against emissions from our national herd? The proposals of recent months regarding more funding being made available for forestry development are commendable and I support and welcome them fully, but I am concerned that we will be subject to fines due to increasing the herd and that Ireland's unique case is not being considered in the one-size-fits-all approach of Brussels to carbon emissions.

Next week, our milk quotas will be gone and it will be a free-for-all. Farmers all over the State are preparing for this by increasing the size of their herds and their production. That is understandable, as they wish to capitalise on the opportunity and contribute to the recovery of the economy. If we must wait, as this Bill suggests, for a further two and a half years before there is any specific strategy for carbon emissions reduction, we will be in trouble. I stress the importance of moving forward with a strategic approach as soon as possible. I hope that action will be taken. I do not want to see a situation where the farmers of Ireland must take the hit for the heavy industry and transport sectors. The beef and dairy farmers of Ireland are farming comparatively well for the environment and should not suffer a reduction in their herds and the imposition of fines because the Government has not stood up to make their case in Europe.

The importance of the agriculture sector, particularly the dairy sector, in creating jobs, benefiting our economy and helping in the recovery from the depression, recession or whatever one wants to call it is dependent on how we move the sector forward. As such, getting this Bill up and running as soon as possible is important to the country as a whole.

**An Ceann Comhairle:** I call Deputy Costello, who is sharing time with Deputies Barry and Mitchell O'Connor. Deputy Costello has ten minutes.

**Deputy Joe Costello:** I welcome the opportunity to speak on the Bill. I also welcome the Minister of State, Deputy Ann Phelan, to the House and acknowledge the work of the Minister for the Environment, Community and Local Government, Deputy Kelly, in introducing this important legislation.

The extreme weather events that have hit Ireland in recent years and which battered our coastline last year and the year before, flooded towns and cities and inundated thousands of acres of farmland are signs that Ireland is experiencing climate change. These events are part

of a trend. Each of the past three decades has been warmer than the previous one. The global temperature has been higher each year since 1976 than the 20th century average. Twelve of the 14 warmest years on record since 1880 have been since 2000. The extreme weather events that are hitting Ireland ever more frequently are part of a global pattern. What we are witnessing fits in with the scientific community's projections of what a warming world would be like, except that the projections are becoming a reality even faster than scientists expected. Despite what some may suggest, there is no serious split among climatologists on climate change. Global warming is a reality and is becoming a global crisis.

Today, the national forum on flooding visited Leinster House to discuss with Members the difficulty in getting flood insurance, be it in urban or country locations. The insurance companies are refusing to provide quotes or cover. They are doing this on the basis of climate change. They no longer accept the old given wisdom that a serious flood only happens once in 100 years. It is not even once in 50 years now. According to them, they are seeing a serious flood once or more every decade. Flood insurance is becoming a more serious issue. If the current trend continues, it will be impossible to get the insurance industry to provide any cover where there is a threat of flooding.

Limiting the average global surface temperature increase to 2° Celsius over the pre-industrial average has, since the 1990s, been commonly accepted as the minimum necessary to avoid dangerous climate change. However, the International Energy Agency, IEA, warns that, without more decisive action, we risk passing the 2° Celsius point-of-no-return increase that would make it impossible to prevent dangerous climate change. This would mean a future of food and fresh water shortages, devastating and intensifying weather extremes, coastal inundation, desertification, ocean acidification, mass extinction events, mass migrations of millions from the worst affected areas and conflicts. As to major coastal inundation, recent weeks have witnessed the destruction of the homes and islands of Vanuatu. Keeping below the 2° Celsius limit is feasible and affordable, but the window of opportunity is closing. The longer we delay, the more difficult and expensive it becomes.

Labour's manifesto at the previous general election committed the party in government to producing a climate change Bill that would set out a clear path for tackling climate change in line with our EU 2020 targets. The programme for Government includes that commitment. With this legislation, Ireland will be one of the first states to put a legal obligation on government to develop policies planning for existing and future climate commitments. Ireland's EU 2020 targets to be low carbon and climate resilient are contained in the Bill, as are the EU targets for 2050. The Government has defined what is meant by "low carbon" in the national policy position on climate change as "an 80% reduction in emissions from electricity, buildings and transport and carbon neutrality in agriculture and land use." Including this definition in the Bill will ensure there is no ambiguity in what is meant by "low carbon". I strongly advise that the definition be retained.

The Bill also stipulates that the national mitigation plan should be adopted within 24 months of the legislation's enactment. This timeframe could mean that it would be 2017 before a mitigation plan for reducing emissions was developed for the period 2013-20. Since work is already under way on developing the plan in parallel with this legislation, it would be more appropriate that the plan be adopted within no more than 12 months of enactment, but preferably sooner.

Global warming is a global crisis. Although climate change threatens all countries, it is the

world's poorest and most vulnerable nations and their peoples that suffer most and can cope least. We live in a world of plenty, but one that is reaching its environmental limits.

*5 o'clock*

We are struggling to feed a rapidly growing population under a changing climate. Ireland has played a strong and active role internationally in addressing the climate challenge. As part of our EU Presidency in 2013, I worked to ensure that Ireland had a lead in the negotiations for a new framework for global development post-2015, which will include efforts to address climate change. This Irish Government initiated a process on climate change that involved three EU Commissioners, humanitarian aid Commissioner Georgieva, development commissioner Piebalgs and environment Commissioner Potocnik, probably the first time ever that three Commissioners came together and they agreed the process on humanitarian aid, development, climate and the environment.

With the millennium development goals due to expire in 2015 and new goals due to come into place in September this year, the Irish Presidency achieved a joint EU position on the new global development framework, including a Common Position on the impact of climate change on development. By listening to the experiences of people in developing countries, the links between hunger, undernutrition and climate change are obvious. These people must endure unpredictable weather patterns in their struggle to feed their families. Damaged crops and less food push millions more people into poverty and hunger. As former President Mary Robinson powerfully stated at a major international conference organised in Dublin during the Irish Presidency in 2013, climate change is also a justice issue, as it undermines a host of internationally recognised human rights, has a larger impact on the poor and vulnerable and requires disproportionate action by developing countries.

The new integrated approach of the Rio+20 environmental goals with the post-2015 millennium development goals was combined into a single framework by the 28 EU member states under the Irish Presidency and was agreed. At the UN Summit in New York in 2013, this framework was adopted as the new way forward by the global community. This included countries such as China and India as well as developing countries in the African, Caribbean and Pacific regions which had never previously been engaged in climate change issues. This integrated approach provides a whole new and very important dimension to climate change. With Ireland's strong track record in promoting climate justice, I believe this legislation would be enhanced by the incorporation of the principles of climate justice.

It is hard to persuade some of the major countries of the world, particularly developing countries, to engage with climate change because they see the developed countries as having had decades and maybe centuries of development in which they took no steps to deal with emissions or problems relating to carbon. They feel that climate change measures are an imposition on them because they have only been developing their countries and their industries for a few years. One way to engage the international community was to do it partly under climate change and partly under the development umbrella. All countries are anxious to ensure that international development proceeds on a sustainable basis. Climate change in this context cannot be separated from sustainability or from development and humanitarian issues because they are the way to engage countries that would otherwise not be prepared to engage in reducing emissions.

It is a complex issue, not just scientifically but in terms of international relations. In this

legislation we have begun the process of tackling climate change and meeting European Union standards but we still have a major role to play in ensuring mechanisms are in place to allow the world community to engage in climate change measures which they do not see as threatening their economic development. Some of that work was done during the Irish Presidency and there is a lot more to be done in the years to come. I commend the legislation.

**Deputy Tom Barry:** I welcome the opportunity to speak on the Climate Change and Low Carbon Development Bill 2015. It is an issue that affects all of us, especially those of us in agriculture. It is very important to set targets and to have oversight of their progress but there is an inclination to set targets and to try to make the transition to a low-carbon economy without actually considering what that practically entails. We need to make sure our ambitions are practically feasible and that there are no negative consequences from not preparing properly for what we have to embark on.

In the UK there is a renewable heat incentive scheme where an incentive is given to the producers of heat from sources other than fossil fuels in the form of a payment of a penny for every kW produced or replaced. We need to look seriously at a renewable heat incentive scheme because the initial cost of producing renewable energies is quite high and that cost is often subsidised within a scheme such as the one in the UK.

We lost an opportunity in the past to look at district heating schemes. A particularly good scheme exists in Tralee, where locally produced forestry is woodchipped down and heats an awful lot of houses for a fraction of the price of using fossil fuels. With fossil fuels having dropped in price there is a tendency to be lax but we should use this as an opportunity to progress all these avenues. If we are to reduce our carbon emissions it must take place across all sectors.

There is a long lead-in time so it is important we think about this properly. In agriculture there is huge potential as 60% of greenhouse gas emissions in tillage come from artificial fertilisers. We are very used to using them and we know what they do but we need to start embracing the use of sludges and all other such materials. We have been sidestepping the issue. We have produced enough phosphate from all the organic sludges in the country to mean we should not have to purchase artificial phosphates. We should put a system in place which is verifiable and keeps our good food image but we are not doing that.

Biogas digestion is big in Germany but we have very little here and incentives need to be put in place for people to do it. In England they have also brought in a renewable heat incentive scheme for domestic use. In my own house I run a wood gasification boiler which is incredibly efficient and has meant we have not burned oil in five years. These work particularly well in rural areas where there is plenty of timber and other items suitable for combustion. Although the SEAI brought out its scheme a number of years ago the amount of wood gasification boilers still in operation is only 30% so we have failed. I have found that the skill sets do not exist to install these boilers and keep them so we need to train people to fit them and ensure they last a lifetime.

We need to recognise our future obligations and this Bill does that. We want a low carbon climate-resilient and environmentally sustainable economy. They are lovely words but the measures have to be practical. In a week's time milk quotas will be removed and emissions from cattle are getting a lot of blame for climate change. We need to look at that and we need Teagasc to work on it. We need to put other mitigating measures in place that will allow us to expand our herd and get more production while recognising our carbon obligations. Climate patterns

are developing, and there is not a farmer in the country who needs to be reminded of that. We had a fodder crisis only a short while ago. That happened because of climate change. We saw wet weather that I hope we will not see again for a very long time. We had a winter that lasted almost 18 months. We are not getting the fine weather we once enjoyed. Even this March soil temperatures are very cold. There is virtually no spring barley set when March is normally our planting month. Nobody recognises the issue of climate change more than farmers. That is not to say that we alone in meeting our climate obligations will solve climate change - it will take every other country to get involved - but we need to recognise our obligation and do it right.

The Government needs to take ownership in this regard. I welcome the establishment of a national expert advisory council on climate change. We need agri-representation on that council, and the director of Teagasc being one of the members of it is welcome, but there is also a need for a member from the farming community to be on that board, be it from the Irish Farmers Association or wherever. I strongly urge the appointment of an active farmer to that board.

Some of the issues at meetings I have attended about which people have been most vociferous have been objections to the development of wind energy. Many people are upset about wind energy and if that is to be part of our renewable targets we need to start getting proper information and facts out to the public so that it is not just hearsay and people getting upset about issues that may not be correct. We need to very clearly address that. There have been objections not only to the development of wind energy but to the transmission of power with regard to the erection of pylons. We need to bring people with us in our consideration of these issues and we need to discuss them fairly with the people.

I welcome the presentation of an annual transition statement to Dáil Éireann and this will change as we move along. Oversight is needed. We need to make sure that with any movement in the direction of a low-carbon society we also recognise the obligations people have in order to make a living. One of the criticisms levelled at the Green Party in the past was that it came up with lovely ideas but, unfortunately, they were not practical at a farm level. We need to examine a country where such change has been introduced with the support of everybody. We are all working in the same direction but we need to make sure that such change does not impact overly on the people who have maintained this environment to a very high level to date.

I welcome this Bill and hope there will be good contributions on it. I recognise there are countries in the developing world that are still forging ahead with coal-fired power stations and their emissions are extremely high. We need to consider diplomatically discussing with those people their obligations towards climate change action worldwide. Our emphasis should be national but we should spread our knowledge in this area as we grow internationally to ensure that we have a climate that is stable for the longer period because that is what we will hand on to our children in time.

**Deputy Michael Healy-Rae:** I sincerely thank the Technical Group and Deputy Mattie McGrath for sharing their time with me. I am glad to have this opportunity to speak to the Bill. I acknowledge the presence of the Minister of State, Deputy Ann Phelan, and thank her for being here. During the course of an earlier discussion on the Leader programme, we heard that people working on the ground were highly complimentary of her and her work to date in dealing with Leader groups. Despite the fact that we have a problem with what the Government is doing, we acknowledge her work and ability. We would like to put pound signs behind her ministerial role and then we would be flying, but hopefully that will come too. I acknowledge the input of the Minister of State and thank her for the excellent work she has been doing.

This is an important Bill. Amazingly, one group that probably did the most disservice to climate control and climate action was the Green Party because of the adversarial way it took on this issue. They were down on farmers and on everybody. They were against everything and for nothing. They did not greatly help in progressing this issue. We have to consider climate change not in a timeframe of a year, a month or five or ten years but over the past 50, 100, 200, 500 or 1,000 years. We can reflect on the many climate changes we have experienced. When we hear people talking about having had a bad winter, we can reflect on when countries in Europe were under metres upon metres of ice which has long since receded, but that shows climate change over a long timeframe.

A former Vice President of the US, Al Gore, who ran for the presidency but did not make it, has made a very successful and good living out of talking about climate change and climate control, and more luck to him, as have many others in society. They make a living out of talking about our climate. Our workers and farmers live in our climate. The previous speaker made a well thought out contribution and he knows what he is talking about when it comes to agriculture and related issues. Farmers have had to endure the most unusual of scenarios in recent years. Our forefathers would never have thought that hay and straw would have to be imported from France and other parts of Europe and distributed in a famine like crisis through our marts. We were all, myself included, very glad to receive it at the time because we had nothing to feed our animals. There were cows in sheds and we had nothing to feed them. We were damn glad to get what we got from the marts. I compliment the people who organised that and the then Government. Even though we had been calling on the then Minister to intervene for a long time, the Minister eventually belatedly woke up and realised there was a crisis. It was an usual situation. It was unprecedented but we had to work through it and we got out the other side. That crisis showed that our climate can have a dramatic impact on people's livelihoods. Parts of North America experience awful winters but they can deal with frost, ice and snow, but if we get the slightest sign of frost, ice or snow, there is chaos. There is a major panic and it is as if it were the end of the world as we had never experienced such conditions. We must ensure that we are capable of dealing with such events. I have dealt with the atrocious winters we have had. I want to especially compliment the IFA and the ICMSA on dealing with the crisis at that time. There is nothing worse than a farmer having a shed full of cattle and nothing to feed them. That is awful. Not a lot of Members sitting on these seats have heard animals roaring with hunger, but any person who has that knowledge knows what I am talking about. For the first time in my lifetime, I heard that roar and it was bad. I thank everyone involved in addressing what was a serious issue. We worked through and got out of it.

As regards wind and wave energy, we want to provide as many renewable energy options as possible. Local authorities have much to do with dealing with this issue because when a group of farmers want to form a committee to enhance farm incomes by developing a community wind farm, they must face their local authority. Unfortunately, on many occasions local authorities are restrictive in the planning permission they grant. In the area I am from some wind farm applications have been granted, while others have been refused. We were always told that beauty was in the eye of the beholder and I can see nothing wrong with wind farm development, provided it occurs in a location where it will not prove detrimental to the person in a family home. If householders object, more luck to them and they are right to do so if they do not want it. However, if a wind farm is proposed and developed in a place away from built-up areas, while it may be seen from some areas, I can see nothing wrong with it. If it is not damaging property values for those adjacent to it, there is nothing wrong with it. Unfortunately, for many years local authorities have been refusing far more proposals than they have been granting. If

ten farmers come together and want to develop a wind farm with a number of turbines, when it comes to zoning the area, one does not have to zone restrictively for two or three farmers but for hundreds of acres. It makes no difference who owns the land, but a big scope of ground is included. Unfortunately, local authorities have been refusing applications. If they were granted, it would give us a valuable source of renewable energy and, most importantly, give small farmers additional off-farm income that they would not otherwise have. That additional income might help to sustain the family farm and keep them in place.

This is the part the Green Party missed completely because it was not on the right wavelength. The best person in Ireland to protect, mind and safeguard land is a farmer because he or she knows that he or she does not really own the land. I do not own my land; rather, it was given to me by my family and I will never sell so much as one millimetre of it. I will pass it on to the next generation. I am the same as other landowners and we do not own the land. It is not a valuable asset and not something in our pockets. Someone would have to shoot me to get me to sell one acre of land and that still would not do because I would not sell it. All true farmers are of this mentality. A farmer is a caretaker of ground. He or she was given the land and is grateful to his or her parents and grandparents. He or she will mind it and spend every bob he or she has or does not have to improve it, to try to make it better and more viable in order that it can accrue more income. At the end of his or her days, when he or she pops his or her clogs, all he or she is interested in doing is picking the best person to mind it, take care of it and pass it on to the next generation. If people really want to study climate change, they should read the statistics for farmers and how often they sell land. It is a regular occurrence in other parts of Europe. One day they have land, the next they do not because they flip and sell land which they treat like a commodity. In Ireland it is not a commodity. That is where the Green Party fell on its bottom and why there are no Green Party members with bottoms on seats in this Chamber. It missed the big issue. The farmers of Ireland are the custodians of land and heritage and the people who protect the environment. I am not a critical person, but I was disappointed with the Government when it had no agri-environmental scheme for the first time in 27 years. That was wrong because if we give farmers encouragement and an incentive, they will spend it threefold in enhancing and protecting their landholdings.

When it comes to enhancing and protecting the planet, farmers play a critical role. Our farmers have invested heavily in slatted sheds in order that they can winter cattle indoors. Sheep farmers have invested heavily in sheep sheds in order that they can winter, fatten and lamb sheep indoors. Slurry being spread at appropriate times is a big issue as we should never try to farm by the calendar. We should farm in the way the farmer wants. The Minister of State is a sensible person and knows that January could be a better month for the spreading of slurry than August. Many times in the past 15 years it was far easier to travel land in January than in August. That is unbelievable but true and I know it to be true from experience. In January the weather could be fine, hard and fresh, but we might not be able to travel land in August if it was pouring rain.

Farmers have invested, but I know of numerous towns and villages where sewage is going straight into lakes and rivers. If private individuals or farmers were to do it, there would be outrage and they would be condemned and convicted for doing so. However, the main polluters of the environment are the local authorities. In any county in Ireland finding the biggest polluter presents no problem because all it involves is going to the local authority, not farmers, guesthouse owners or small business people. This issue must be addressed quickly.

The Bill provides for the unequivocal commitment of the State to existing and future EU

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and international law and in respect of greenhouse gas emissions and the climate change adaptation framework. I have major concerns regarding the EU's decision in 2009 in respect of greenhouse gas mitigation targets up to the year 2020. The reason for those concerns relates to the fact that the issue of climate change has been hijacked by vested interests and is being used as a vehicle to make money. We are all aware that climate change has always been with us. As stated earlier, one need only consider the ice age and the fact that we have experienced many different types of climate change over hundreds of years. When one discusses climate, one cannot do so in the context of a period of five, ten, or 20 years. One must instead consider periods of 25, 50, 100 or thousands of years. One must carry out studies and then assess what needs to be done. That is the aspect of this matter which the Green Party missed. In order to cheer up the Minister of State - she may think I am becoming boring - I must inform her that one of the most amusing things I ever witnessed occurred when the Green Party was, to some extent, in power. Its Ministers used to cycle to work in the Dáil and they would be followed by their ministerial cars, which had their briefcases and their papers in the boot. They thought they were great because they had their pictures taken as they cycled in the gates of Leinster House. I am not a member of the Green Party - I never will be - but I cycle to work quite early every morning and I enter the complex by a back way. Nobody sees me arriving. The members of the Green Party to whom I refer did what I call the "green cause" no good.

Let us consider who are the real people who are interested in green issues, who promote climate protection and who - in the best way possible - act as custodians of our climate. Those to whom I refer are the people who were hurt and put down by the Green Party when it was in government. I am, of course, referring to the members of the farming community. I am glad that community, its representatives, politicians who have sympathy with it, the IFA, the ICMSA and all the other farming organisations survived when the Green Party did not. Farmers and the IFA survived because they were straight about their business and they worked in respect of the issues. They knew what they were talking about and they did not speak nonsense. They were very sensible and practical. I admire the IFA so much because I am of the view that it is in tune with the relevant issues.

We need more help from people such as the Minister of State. She must encourage some of her senior colleagues who might not be as knowledgeable as she is with regard to matters such as those under discussion. The Minister of State knows what I am talking about in this regard. Her senior colleagues in Government need to be pointed in the right direction. Those of us on this side of the House try our best but some of the Minister of State's colleagues remain in a coma. Given that she is not in a coma, I would appreciate it if the Minister of State would use her influence in respect of these matters. I am acutely aware that she has been travelling throughout the country attending meetings and that she has been warmly welcomed as a result of her common-sense approach. I would like her to relay to her colleagues the views expressed by ordinary people in respect of climate change.

I am grateful for having had the opportunity to contribute to this debate and I would appreciate it if the Minister of State took on board my strongly-held views on the matter to which it relates.

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan):** Perhaps I might begin by thanking Deputy Healy-Rae for his kind words. I assure him that I would never consider him boring. I thank him for highlighting the critical role that farmers play with regard to this matter. The Deputy referred to the Green Party. If memory serves, I seem to recall one particular Green Party Minister of State indicat-

ing that she was a very good friend to farmers. I will leave it to the Deputy to ponder that one.

**Deputy Michael Healy-Rae:** I will ponder it.

**Deputy Ann Phelan:** I thank the Deputies who contributed to this debate for sharing with the House their views on the Bill and on how it might be further enhanced. I am heartened by the level of interest shown and I know the Minister will give consideration to many of the ideas put forward. He and I have listened carefully to the contributions and some common themes appear to have emerged. I am conscious that the Minister already covered these areas in his opening contribution. However, given the importance of the Bill and the debate relating to it, I believe it useful that I reiterate his views briefly on the issues raised.

There has been much said in respect of the setting of targets and trying to define low carbon on a legislative basis. Although I appreciate the reasoning behind the arguments being made, there is no doubt that such an approach is perhaps not in our national interest. As part of European Union processes, mitigation targets are already prescribed and will be agreed for all member states, including Ireland, on an incremental basis over the coming decades. It is important to spend some time examining this process in a little more detail. Reference was made to the debate about targets being set for 2030. Notwithstanding the targets already set for 2020 under the effort-sharing decision of 2009, we are now entering a critical phase in terms of how a new decision will be agreed for 2030. Deputy Catherine Murphy made reference to Ireland being set a new target of 40% for this date. However, Members should note that this is a target for the EU as a whole and may not necessarily translate exactly for each member state. This does not mean that Ireland will have a 40% mitigation target, particularly as the next stage of negotiations will involve another effort-sharing decision for the division of burdens among member states.

The Taoiseach made it clear at the European Council meeting that what is to be agreed must take account of Ireland's specific circumstances and be achievable, fair and economically sustainable. In this regard, specific recognition was given to the multiple objectives of agriculture and land use, including reference to ensuring coherence between the EU's food security and climate change objectives. Moreover, on the basis of a proposal from Ireland, the contribution of afforestation to greenhouse gas mitigation and sequestration was also recognised by the European Council. Again, this is crucial for Ireland as it continues to make major investments with a view to expanding new forest cover. Within such a context, the question must be asked as to why we would consider setting different or duplicate targets within national legislation in advance of targets being agreed at EU level and even if such targets were to be set, the basis on which this would be done. Are we suggesting the establishment of two separate, parallel processes? Putting in place our own targets would cut across and interfere with the EU's target-setting process and could lead to potentially adverse outcomes. We want to develop a clear and coherent path to meeting our EU targets and not impose on ourselves multiple overlapping policy objectives which lead to greater complexity, policy misalignment, increases in costs and a tendency towards such unexpected outcomes. We would prefer to concentrate our efforts on achieving a single target, namely, that agreed with our EU partners, while incurring the least cost for the Irish economy. Ireland will, in due course, be set what will need to be a fair and achievable target for 2030. This should be the primary focus of our attention in the short to medium term.

On the second issue, and as stated by the Minister when commencing the debate, there is no internationally-agreed definition of what a low-carbon economy looks like. By defining it in statute, we could end up restricting the breadth of activities which could conceivably contribute

to lowering greenhouse gas emissions. Does the State want to use a straitjacket in developing national mitigation plans? Do we want to restrict how we might innovate in identifying the best path forward in terms of decarbonisation? Targets can only be realised by putting in place appropriate and proportionate mitigation measures across the sectors with the most significant emissions. There is no shortcut for this, which is why the Bill focuses on institutional arrangements for ensuring such sectoral mitigation measures can be developed, approved and implemented.

A number of Deputies have referred to the delays in putting a national mitigation plan in place or, as Deputy Richard Boyd Barrett put it, kicking the can down the road. However, the work in developing mitigation measures is not awaiting the enactment of legislation. In anticipation of legislative requirements, work has been ongoing for some time in several Departments to scope out additional mitigation measures beyond those already adopted. Deputy Catherine Murphy put it well when she spoke about ensuring the nuts and bolts were in place. I cannot underestimate the importance of this process. In my opening statement I spoke about the importance of having sufficient time to engage in appropriate public consultation and meet our obligations in having due regard to processes relating to strategic environmental assessment and appropriate assessment, both of which are critical considerations in the development of a national mitigation plan. If we move too fast, we are criticised for not being inclusive. This point was made strongly by Deputy Brian Stanley. If, however, we follow due process, we incur the wrath of those who are accusing us of kicking the can down the road. We intend to do the right thing and make sure we will have sufficient time to do it well.

Several contributors suggested the Government had ignored the recommendations of the Oireachtas joint committee on the heads of the Bill. The committee did not make recommendations as such but instead proposed possible courses of action to further develop the heads of the Bill. I assure the House and, in particular, those who contributed to this process that the proposed courses of action were given due consideration in the final drafting of the Bill. Of the possible courses of action proposed by the committee, the following five have been accepted fully: that the annual emission limits up to 2020 should be based on the European Union's effort sharing decision of 2009; that the annual emission limits up to 2050 should be as agreed in effort sharing decisions at EU level; that the intervals between proposed national roadmaps should be not greater than five years; that the preparation of sectoral mitigation measures should be integrated into the national mitigation plan; and that the expert advisory council should be empowered to publish its reports directly after submitting them to the Minister. In this regard, it is worth noting that the committee did not recommend the introduction of our own annual emission targets between now and 2050 beyond those agreed at EU level.

Some Members presented Ireland's comparatively high greenhouse gas emissions *per capita* as evidence of some failure on our part to reduce emissions. This is quite misleading and does not fully reflect our unique greenhouse gas emissions profile and historical trends. The *per capita* figure can be easily explained by the fact that Ireland has a unique emissions profile which reflects our large agriculture sector. Agriculture features prominently not because of any lack of efficiency but solely because of the size of the sector relative to others. Agricultural emissions account for well over 40% of our emissions under the trading scheme. Emissions *per capita* appear comparatively high because of the size of the national herd. If we look at carbon dioxide emissions alone, Ireland's emissions *per capita* are only marginally above average for the EU 28, at 8.295 tonnes *per capita*, as against the average value of 7.345 tonnes *per capita*. Considering that Ireland, by virtue of its location and low population density, does not have ac-

cess to many of the public transport and heat distribution options available in mainland Europe, this is a creditable position and reflects well on the actions that have taken place. Ireland's actions in reducing carbon dioxide emissions are having an impact.

Much has been said about the perceived lack of independence attaching to the expert advisory council in its advice giving function. There will be a challenge in achieving the required balance of input on the council so as to ensure independent advice is provided. On the one hand, we want to avoid a scenario in which the council will be so far removed from real world policy making and capabilities that its advice will be ignored. On the other, we also need to ensure the advice being proffered can prompt the system to act effectively rather than just endeavouring to find favour with the political system of the day. Between these two considerations lies a council with the expertise and a mind of its own to appreciate both the demands of our mitigation targets and the realities of where we are. I am fully confident that the council will play a significant role in providing independent and robust advice as we navigate a course towards our mitigation targets. In the coming weeks I hope to bring forward nominations for appointment by the Government. The persons concerned will have a wealth of appropriate expertise and experience in climate change related disciplines and serve alongside the *ex officio* members of the four key agencies, namely, the EPA, Teagasc, SEAI and the ESRI, who will also bring a wealth of talent, expertise and practical understanding of the administrative system. This combination will allow us to have the best of both worlds. The council will have to operate within strict terms of reference set out in the relevant provisions of the Bill, including section 10 which deal with the disclosure of interests for all those serving on the council.

Deputies Catherine Murphy and Clare Daly, among others, expressed concern about the absence of an explicit reference to climate justice in the Bill. Few, if any, of us would doubt the validity of considering the impact of climate change on those who have made the least contribution to the problem and the most limited means to adapt. We know that climate change exacerbates many existing problems and affects most acutely those who are already marginalised or vulnerable. Our aim must be to provide for practical actions. By far the single most important contribution any country can make is to take ambitious action to mitigate greenhouse gas emissions as part of the global effort to limit climate change and its impact. That is what the Bill is already doing by putting in place an institutional framework to ensure robust mitigation policy measures will be developed in a timely fashion. Through the European Union, Ireland is active in the international negotiations which aim to deliver in December a legally binding global agreement on combating climate change. The Bill recognises the importance of these international discussions in having regard to existing obligations under international agreements. Ensuring all citizens have the option and means to access information and participate in the development of climate policies and actions affecting them is crucial in ensuring our response to climate change protects and promotes the rights of all. The Bill provides for such participation. Furthermore, by providing support for countries which need to respond and adapt to climate change, we can ensure Ireland's efforts will be part of a global transition to a more climate resilient world. Ireland has maintained significant support, reporting €34 million in 2013 in climate finance, mostly for the adaptation project in Ireland's key partner countries in sub-Saharan Africa. Work is continuing to explore options of how to maintain and enhance such support well into the future.

Rather than legislating for broad concepts like climate justice, Ireland has already demonstrated its commitment through practical actions, aimed at ensuring a fair and inclusive national and global response to climate change that promotes sustainable transition for all. However,

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we will reflect further on this point and consider whether and how we can reinforce our commitment to climate justice, including through explicit reference in our national climate policy position.

I would like to reflect on the journey that has brought us here today. In particular, I note the level of frustration that exists in terms of getting a climate Bill published, never mind enacted. It is no secret to say that the Bill has been a long time in gestation, but now it is here. I would like to think we can get a collective mandate to get on with the work that needs to be done and avoid any further delays in this process. I know that as the Bill proceeds through the Oireachtas, Deputies and Senators will make heartfelt contributions to the debate. I have taken note of the intentions to table amendments and am willing to consider the proposals tabled on merit, but only where I think such changes can enhance the existing provisions in terms of making a practical difference in the context of implementation.

For example, Deputies Stanley and Boyd Barrett made reference to the role of local authorities in the development of a national mitigation plan. We have been looking at similar proposals, particularly from the operational perspective. As Members know, we have provisions within the Bill in respect of the role of local authorities and the making of adaptation frameworks. There may also be merit in considering trying to underpin, on a legislative basis, relevant operational aspects for mitigation. We will also commit to taking another look at the possible courses of action as outlined in the joint committee's report. However, there may not be much scope to make significant changes for the reasons already outlined.

We all share the same ambition for the legislation. It is historic and is a significant step towards making a meaningful contribution to both the required mitigation and adaptation efforts by the State over the coming decades in the interests of all.

Question put and agreed to.

### **Climate Action and Low Carbon Development Bill 2015: Referral to Select Committee**

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan):** I move:

That the Bill be referred to the Select Sub-Committee on the Environment, Community and Local Government pursuant to Standing Orders 82A(3)(a) and (6)(a) and 126(1) of the Standing Orders relative to Public Business.

Question put and agreed to.

### **Message from Select Committee**

**An Leas-Cheann Comhairle:** The Select Committee on Social Protection has completed its consideration of the Social Welfare (Miscellaneous Provisions) Bill 2015, and has made amendments thereto.

### **Dairy Sector: Statements (Resumed)**

**Deputy Michael Healy-Rae:** I thank the Technical Group for allowing me some of its speaking time on this important matter. In the more than 30 years that the quota system has been in place, Ireland has been liable to pay €170 million in fines for breaches of the quota year on year. The abolition of the quota will mean that Ireland will now for the first time be no lon-

ger liable to penalties as a result of milk production.

I wish to acknowledge, thank and compliment ordinary farmers who for so many years milked five, ten, 15 or 20 cows. These farmers worked extremely hard with few resources and little by way of sheds. I am not talking about today's large commercial farmers who all have fine new sheds. I want to remember the people who milked five, ten or 15 cows by hand in poor quality sheds. At the time, one was a big farmer if one was milking 20 cows. I want to acknowledge all of those people at this time when we are talking about the lifting of the quotas. Many of those people have gone to their eternal reward.

The Minister of State will indulge me by allowing me mention my father who gave a life-time milking cows. Until 1997, when he got elected to the Dáil, he used to milk cows every morning and evening. I remember he would milk the cows at 6.30 a.m. At the time, he was in the health board association and many of its meetings were held in Athlone. After milking the cows in the morning he would clean himself up, jump into the car and head for Athlone. He would attend the meeting, return to Kerry and milk the cows again in the evening. He was committed to milking the cows. I wish to remember him and people like him, particularly those who are with us no longer, who milked cows and operated under a levy system that imposed penalties for being over quota. We must move on and make progress now. Unfortunately, the day of the small farmer is gone as small farms are no longer viable. People must rise to this challenge. Our farming communities will do that, in conjunction with the IFA, the ICMSA and all the farming organisations that represent them and work so hard and diligently to represent their interests and lobby governments and Ministers. I commend the Minister of State and thank him for how he has performed in his role.

With regard to what will happen when the quota ends, I cannot let this opportunity pass without highlighting that while we are talking about the abolition of quotas, this is happening at a time when we face increased competition and must make greater efficiencies. At the same time, the eligibility of farmers' land is being attacked and withdrawn. Farmers who signed up to land categorisation have seen that land which was eligible for area aid is being withdrawn from that category. The Minister of State knows this is wrong. There is an issue now in regard to "white heather". White heather grows on much of our countryside, but we are now being told that land with white heather will no longer be eligible for area aid. That is wrong. This land with white heather may not be as good as the plains of Kildare, Meath or Tipperary, but it is land that feeds sheep and cows. Unfortunately, we are now being told this land is debarred as an ineligible area.

*6 o'clock*

That is ridiculous. I was very glad last Monday night to attend a meeting organised by a group of farmers from west Cork who are taking a legal challenge in the High Court. We are all putting our hands in our pockets, farmers are united in that area. We are putting €100 per farmer into a fund of €100,000 to take a High Court challenge against this because it is wrong and it is probably one of the biggest attacks on our farming community that I have ever witnessed in my lifetime.

**Deputy Tom Hayes:** What is it about?

**Deputy Michael Healy-Rae:** It is about land eligibility. It is about land that was previously eligible for area aid. I will explain it in simple terms. If one has 100 acres of ground now they

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are saying that instead of that 100 acres being eligible if anything over 20% of the 100 acres is deemed ineligible then one will incur a 100% penalty. Therefore, one will get no area aid.

My nephew, Johnny Healy-Rae, rightly highlighted this aspect at the meeting and he put it very well. He said, "Any person in their lives that was ever 20% wrong about something - they were never 100% wrong about everything". He was right. For a young man's head it was a very sensible point to make. A person can be 20% wrong about anything but why should that person be fined 100% for being 20% wrong? In the past those people were not 20% wrong because the land that is now being deemed to be ineligible was eligible before. That is having a detrimental effect on our farming community and family farm incomes and it will make the dairy farmer's job even more difficult. The Minister of State can appreciate this point because he has a common sense head on his shoulders and he knows what I am talking about.

With regard to the group from west Cork who are taking the legal challenge what will the Government do to try to assist these farmers? There have been a lot of protests and rightly so and people are very angered about the water charges. As I already said in the House this morning to Deputy McGrath, the water charges issue is very important but this issue of land being taken away from being eligible for our farming community is even more detrimental to that sector than the water charges are to the people who have to pay them. The farmers have to pay water charges also.

**Deputy Tom Hayes:** They have been paying them for years.

**Deputy Michael Healy-Rae:** Most certainly so. The Minister of State is right. They have been metered and they have been diligently paying. The Minister of State is correct to highlight that fact. They just took it on the chin and paid it. When it comes to the issue of the quotas it will be a dramatic change, it will create competition and it will call for increased efficiencies. The grand people who were there long ago are gone, unfortunately, and the new system will be completely alien to the system under which they operated. However, as a farming community we will work to try to continue but I urge the Minister of State and the senior Minister to try to be grounded in their understanding of what is happening and to try to be grounded - as I know he is - in the issue of the problems that farmers have in adapting to this new change of operating without quotas and the strain and the financial constraints and competition that it will bring upon the community. I thank the Technical Group for sharing time.

**Deputy Mattie McGrath:** I am delighted to contribute to this debate and to make some brief comments on the changes in agriculture. I welcome the fact that my colleague and fellow Tipperary man is in the chair opposite as junior agriculture Minister.

I echo many of the points made by my colleague, Deputy Healy-Rae, about past times. The Minister of State, Deputy Hayes, will also remember because it is not 100 years ago or 50 years ago, it is about 30 or 35 years ago when we were all milking cows. Deputy Bannon has indicated how cows were milked. We all did it. We never got sore fingers and we had good muscles in our fingers and hands. We were well trained for canvassing because we had built up good muscles. That is the way it was.

I salute the small farmers and their wives and families. I am proud to say that I milked cows before I went to school and I went to the well for water to wash my hands after I had milked them. We were not paying for water at that time but it was a huge effort to bring the clean water. Things have moved on. Some farmers suffered huge penalties under the quotas but these have

now been removed. Today there is a different attitude to agriculture. It is great that the quotas have been removed because they imposed serious penalties on some farmers. There were issues such as moving the milk and trying to remain under quota and swapping milk. Sin scéal eile. That is finished, imithe. Now we have a new system and farmers are up for the challenge, as always. The young farmers and medium-age farmers are up for the challenge, as with most agricultural schemes. They are rightly concerned about their grants being publicised on the website. When farmers get the grant money they spend it on investment and building works such as fitting out. They work diligently tending their stock and making sure that everything is above board.

I have concerns that some farmers have transferred from beef, cereals and elsewhere. This will mean a very great number of cows. I wish them well but I have concerns. We are facing into spring and I can remember only two short years ago that we had a savage spring which was very harsh. I remember going to the Roadstone AGM to know would they get involved in helping to transport some of the fodder from abroad. I have concerns that Teagasc has encouraged this changeover and the banks are shovelling out the money. This will work provided the milk price stays at current levels but if it does not there could be huge consequences. It is very important to support farmers but one needs to be cautious and to tread lightly. Deputy Healy-Rae referred to his father. I was never at a health board meeting with him but I know that the late Con Donovan was at many meetings with him and he was a practical man. That was the way they did their work and milked their cows, looked after their children, did their work and milked the cows again. It was a seven day week. I have a worry for some of the farmers who have gone into it because they are not used to a seven day week. One cannot set the corn and close the gate for two months and spray it when it is six inches over ground. A farmer has to be there in the morning - gach maidin agus gach oíche. I support the investment but I urge caution that we would not go overboard with investment. I am very disappointed. The former Minister, Phil Hogan, now Commissioner Hogan, announced some funding yesterday. I hope it is not like the last funding that was announced some months ago with cheap credit for farmers but it turns out that the two pillar banks got the money and the farmers must go to those pillar banks, Bank of Ireland and AIB. They are charging 6% interest. What is coming from Europe and what has been negotiated in Europe should not be given to these pillar banks who have led us down the Swanee several times and not played ball with anyone. They charge 6% interest on money coming in at 1% or 2%. They should be dealt with as well. Someone at some stage is going to have to call a halt and put manners on the bankers in this country. They are not supporting the innovative, industrious and hard-working farmers and small business people. Everything is fine and dandy until we have a bad spring and then the prices per litre do not materialise. This can happen quite easily. For example, a herd can be infected or anything can happen. I am concerned about those areas.

With regard to land eligibility, the Minister of State is from the village of Golden in the Golden Vale but I represent parts of Tipperary that are not as golden, not as luscious. I refer to hill sheep farmers and dairy farmers in the Knockmealdowns and the Galtees. This carry-on with the penalties is scandalous. They had been eligible for grant aid since they joined the scheme and now because of specialist mapping or filming they are finding a clash and a glin and a small pond or heather or whatever as Deputy Healy-Rae said and farmers are being penalised. What justice system in the world would apply a 100% penalty in the case of a misdemeanour involving 20% eligibility? In such circumstances, how could anyone be deemed to be 100% guilty? This is a flagrant violation of human and civil rights.

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I salute Deputy Healy-Rae and farmers in west Cork who are taking a case to court. The legal fund of €100,000 they have established may not go far in the justice system. Will the Government defend the case? Will it wheel out the Attorney General and all the other resources of the State to challenge farmers who signed up to a scheme in good faith? These farmers received grant aid under a scheme that included the necessary checks and balances. Why has everything suddenly changed? Did Big Brother decide to change the system? The farmers did not create culverts or streams, which are the product of an act of God and permanent features. Why is a small lake or pond no longer deemed eligible?

The cost of justice is prohibitive. The farmers in question must raise €100,000, which is a significant sum. They want to tend, rear and breed their stock, bring them to the mart and deliver milk to the creamery. They want to adhere to the guidelines and meet the strict criteria in place. They do not want to take court cases. If they turn up in court in numbers, will they be barred as occurred to those who went to a courthouse in Castlebar on Monday? This also happened in Waterford and other locations some months ago.

**Deputy Pat Deering:** What does this have to do with quotas?

**Deputy Mattie McGrath:** It is a great deal to do with quotas. The Deputy can be smug if he likes but he will know, when he meets the people in question, that justice delayed is justice denied. The farmers in question are raising money to fight a case. I am asking the Minister of State, not Deputy Deering, to state whether the Government will support them or wheel out the might of the State, including the advice of the Attorney General, to oppose them.

**Deputy Tom Hayes:** I will answer the Deputy's question when I respond.

**Deputy Mattie McGrath:** I will be surprised if the Minister of State were to oppose them. I hope the Government will not do so. Deputy Deering can laugh if he likes but the issue is related to quotas.

The courts are supposed to be free, open and transparent. Unlike me, Deputy Healy-Rae paid €100 into the fund opened by the farmers in question. He and any of the farmers who contributed to the fund are entitled to attend the court when the case comes before it, provided they listen and do not interrupt proceedings or act in a threatening or intimidating manner. If they want to say a rosary, they are entitled to do so.

People need a supply of fresh, clean water and their wastewater must be treated. My concern with regard to Uisce Éireann relates to farmers and business people because they must always pay. When I was a councillor on South Tipperary County Council with the Minister of State, Deputy Tom Hayes, 87% of water charges were recovered. Having made such a mess of Irish Water, the Government will pass on the cost of unpaid charges to farmers and businesses, which is unfair, because this money must come from somewhere. This is the reason so many farmers are sinking wells, although the Government will probably go after wells next.

**Deputy Michael Creed:** That is rubbish.

**Deputy Mattie McGrath:** The goalposts should not change. The farmers in question were eligible to claim headage payments and so forth. Their land was mapped by experts and it is unacceptable that the eligibility criteria have changed.

I am glad milk quotas are being abolished. I extend good wishes to every farmer, whether

young, middle aged or older, who has entered the scheme. The margins are tight and the estimates regarding productivity are very strong. Climactic conditions can change as we found out two years ago when we had a bad summer followed by a long, harsh spring when fodder was scarce and augmenting supplies proved expensive for farmers. I hope a sense of reality enters the equation.

I ask that the Minister address the changes that have been made. Surely a discrepancy of 20% should not result in a penalty of 100%. This approach would not stand up in any court in any justice system of a democratic country.

**Deputy Michael Healy-Rae:** I apologise for leaving in the middle of the debate. I am not being disrespectful but I must return to a committee meeting.

**Deputy Pat Deering:** I am grateful for the opportunity to contribute to this debate. While I welcome the presence of Deputies Mattie McGrath and Healy-Rae, it is disappointing that, on the eve of the abolition of milk quotas, the main Opposition spokespersons and members of their parties are nowhere to be seen.

This is an exciting time for the agriculture sector, specifically the dairy industry. I welcome this topical debate, which I suggested shortly after Christmas at the Joint Committee on Agriculture, Food and the Marine. At that time, the idea of abolishing milk quotas was starting to become a reality. It is important that we engage with all the stakeholders involved, as the joint committee did when it heard from representatives of farmers organisations, Teagasc and the banks.

My family has been involved in the dairy industry for a long time and I am not afraid to tog out and milk the cows at the weekends. I remember when my father moved on from milk churns to mobile milk tanks, which has given rise to increased production. I remember my father telling me that he built his first bucket plant milking system in 1947 and this was the main modern type of plant at the time. He was also involved in the Dublin District Milk Board at an early stage and tried to galvanise farmers to come together to ensure they received a fair price.

Restrictions have been applied to milk production since 1984. Now, for the first time in 30 years, farmers have an opportunity to increase milk production. This presents major opportunities and challenges, with production set to increase by 50% in the coming years. Some weeks ago, I attended the opening of the new Glanbia facility in Belview in south County Kilkenny. The Minister of State also attended the event. Glanbia is a forward thinking company which decided to invest €200 million in a rural area. I was taken by remarks of Mr. Jim Bergin, the chief executive office of Glanbia Ingredients Ireland Limited, on the amount of money his company's investment would inject in rural areas. He noted, for example, that the increased production of 79 milk producers in the small rural area of Ballyragget, County Kilkenny, would inject an additional €10 million in the local economy in the next five years. All of us seek jobs for rural parts of our constituencies. We hear a great deal of negativity from the Opposition benches about rural areas, for example, that they are dying and no one is doing anything about it. If a factory with a projected turnover of €10 million were to locate in a rural part of any Deputy's constituency tomorrow morning, he or she would jump up and down and shout about it. It is commendable, therefore, that the agricultural industry will result in €10 million being injected into a small area. This is a worthwhile and exciting opportunity.

The dairy industry can be the driving force for the reinvigoration of rural areas. We must

ensure the finance that becomes available as a result of the current opportunities is harnessed in a proper manner. With opportunities come challenges, however, and some of these will be serious and require addressing. The first challenge facing us the super levy, which has been in place for some years and generally affects the same farmers. Unfortunately, the milk quota had been exceeded by slightly more than 5% by the end of February. This is worrying for some farmers as it could result in the imposition of significant fines which would have a negative effect on production from a cashflow point of view. The recent decision to spread super levy liabilities over three years provides the soft landing that farmers had been seeking. It is an important and welcome step which will ensure the super levy does not have a significant effect on cashflow.

Another challenge facing milk producers is the role of the banks, about which all of us speak from time to time. Deputy Mattie McGrath or Deputy Healy-Rae may have made reference to the fact that many young farmers or farmers coming from a different enterprise into the dairy industry have invested a lot of money to make themselves efficient and practical in the dairy industry. These are the people who need to be watched and nurtured over the coming years by the banks in particular. In the event of a difficult financial time arising in respect of milk, banks must be flexible in their attitude. I welcome some attitudes shown by banks at present where they are prepared to extend the term of a loan or to have principle-only or interest-only payments for a period. Such measures must be extended and monitored over a period. While I welcome the banks' attitude in this regard, I encourage them to make sure they do not come down hard on those who are investing heavily for the future.

One of the biggest challenges will pertain to the efficiencies associated with the entire system. Twenty years ago in 1995, farmers were getting 28 cent per litre for milk while today, they are getting 32 cent per litre. In the same intervening period of 20 years, the cost of production has risen by 50%. Those who are involved in farming will be aware that in 1995, the cost of one tonne of fertiliser for grass was €155 and it now costs €330 per tonne. That is an increase of 112% over 20 years and this is where the major challenge lies, namely, the cost of inputs over that period and this must be addressed. It is something of which people must be extremely wary and it is important that the efficiencies that will be required do not push people over the line. People must be extremely conscious of this point.

In addition, the lessons people must learn are extremely important. Over the past 20 years, our competitors in New Zealand, for example, increased their milk production from five million litres per year to 20 million litres per year, which has created its own difficulties. Despite the significant increase in numbers and production, New Zealand currently is going through a difficult time and obviously, the world price is having a huge effect on its producers. The price now has fallen to a low 20 cent per litre for their milk, which is far below the cost of production and that cannot continue. They are having difficulties with animal welfare at present and despite their increased production, they have not increased the profit from their milk production, which is a serious problem and people here must be able to learn from that. As for producers in Northern Ireland, in 1996 they gained free access to milk because producers in England did not take up the same opportunity. Again, the producers there are going through a difficult time and basically for the same reason, which is they have not concentrated on the grass-based system. During the hearings held by the Joint Committee on Agriculture, Food and the Marine, its members heard a presentation from the Progressive Farmers group, which included a former editor of the *Irish Farmers' Journal*, Mr. Con Hurley, and a colleague of his who had conducted a special report on both the Northern Ireland and the New Zealand experiences. On foot of the evidence they provided, it became evident that producers there have not learned the lesson that

they were concentrating on high input costs the whole time, instead of on what we have best, that is, grass-based production. We must produce milk with grass-based production to make sure it is increasingly efficient as we go along.

I will make one further point on the area of liquid milk, about which not much has been said thus far. Huge costs arise for those who produce milk all year round, which are far above the prices producers currently receive. We must be careful because we are heading into a situation in which there will be no milk available to put on one's cornflakes on Christmas morning. People will be dependent on UHT milk, that is, those little cartons one gets in restaurants or hotels, unless this issue is addressed. While it is not a simple issue, it must pay to produce milk in the liquid sector. This is a huge issue that must be addressed and when the Minister of State is responding to the debate he might revert to this issue.

It is important that Members are having this discussion today. It also is important to have continuous engagement throughout this year in particular when quotas will be abolished immediately after the end of March. It has been important that the Oireachtas joint committee has held its hearings. The joint committee will compile a report in the next few weeks and it will be important that this report be made available. Similarly, it is important that the debate in this Chamber today and the previous day also be made public. I also welcome how the farming organisations are beginning to row in and to hold regional meetings nationwide to inform those who have entered the system or who are expanding within the system about the challenges that exist. While these challenges are important, the opportunities also are huge. This is an exciting time in which to be involved in the dairy industry but it also is important to realise there are difficulties that must be addressed in the future.

**Deputy Patrick O'Donovan:** I welcome the opportunity to speak in this positive debate. A great many of the contributions have been highly constructive. However, it speaks volumes about where lies the interest of the Opposition parties in rural Ireland, after all the bellyaching in which Opposition Members have engaged in recent weeks and months. This is the industry that probably has the potential to lift every single community in the country out of the economic mire into which Fianna Fáil and its colleagues landed it. While they claim to have the heart and soul of rural Ireland, not a single Member from Fianna Fáil, Sinn Féin, the new party or the Independents is present in the Chamber. Not for the first time, they have walked out on rural Ireland. They also walked out on it in 2008, when they pulled out the door behind the country. The fact that the Opposition benches have been left empty this evening, with no spokesperson on agriculture present for anybody, speaks volumes.

The farming organisations are actively engaged in ensuring the political representatives from rural constituencies are attuned to the needs of rural communities and should take note of this spectacle that is the interest the Opposition parties are showing in rural communities this evening. It is an absolute disgrace but it is not their first time since I came into this House. It is a growing trend that the Opposition takes an *à la carte* approach to the Dáil and it should be a matter of record that this is the level of interest the Opposition is showing in an industry I reiterate has the potential to lift us out of the mire in it landed us in 2008.

To return to the dairy sector, I come from County Limerick, where every parish contains people who still are deeply involved in active farming. Farming has been and is the backbone of the economy of County Limerick. It is no different to most other countries, in that it is a necklace of small towns and villages across wide open countryside in which the contribution of family farms is of massive importance. I did not grow up on or come from a farm but my

mother did and given my involvement as a member of Limerick County Council and in meeting people on a daily basis in my home town of Newcastle West and towns across County Limerick, I am acutely aware of the importance of the contribution the farmer plays in the local economy. Moreover, it is not only the farmer but also his or her extended family in terms of putting money back into the economy. The abolition of milk quotas has been referred to recently and given the strong affinity County Limerick has with places such as Listowel, Mitchelstown and Charleville, in which huge levels of investments have been made by the plcs that own the milk processing plants, it has a spin-off that is magnified across counties like Limerick. For instance, the workforce is derived from towns such as Dromcollogher and Ballylanders and similar places in the peripheral parts of County Limerick. In addition, it also applies to people working on farms, be it relief milking or in fixing milking machines or the provision of the basic services that are required to keep the family farm going. All of that money winds up back in the local economy and is generating real jobs in real communities for real families in which the Opposition appears to have no interest this evening.

One point on which the Minister of State should deal when responding to the debate concerns the future of farming from the perspective of the young farmer. I have mentioned this in the Chamber previously but I refer in particular to the pressures under which the agricultural colleges are operating. As the Minister of State is aware, one of them is situated in my constituency, in Cosewood College, Pallaskenry, which for many generations has provided a top-quality education to young farmers and those taking on the family farm at home. More investment is needed in respect of teaching staff, which never have been busier and the colleges have never had such numbers or the clamour to get into them as exists at present. This is a good thing because it ensures the next generation of young people will stay at home and will play an active role in their communities socially, culturally or politically. However, the agricultural colleges must be resourced and assisted. I appreciate there are resource constraints within the Department of Agriculture, Food and the Marine and Teagasc but the agricultural colleges around the country should be acknowledged. My colleague, Deputy Connaughton, is in a similar situation and these colleges have provided a terrific level of service and should be acknowledged.

Members of the Opposition sought an opportunity to play politics regarding what the Minister might or might not be able to do in respect of agriculture. We need to bear in mind, however, that in recent budgets the Minister for Finance, Deputy Noonan, has been to the fore in ensuring that Irish agriculture takes a central role in Government policy on rebuilding the country's recovery, together with industries like tourism.

It is not that long ago that Ministers for Finance stood up in this House, before the last general election, and if agriculture got mentioned at all it was very lucky. More often than not, however, agriculture never received a mention. One had to check an appendix in the back of the book to find any such reference, and if it was referred to it was in terms of what the government would cut from the agriculture budget.

The difference now is that the Government acknowledges the agriculture sector has played a major role in our recovery. One only has to look at the St. Patrick's Day festivities around the world to see the proof of this. Wherever our Ministers went during St. Patrick's week, Irish food brands were centre stage.

In my own constituency, there is a plant in Askeaton, County Limerick, that is close to being the number one producer of infant formula derived from Irish milk. That is the future for the dairy sector and family farms that can produce added-value products for the emerging popula-

tions of China, India and Africa. In the latter continent, we are inclined to overlook the fact that there is a burgeoning middle class with large incomes who want to consume good quality food. Where better to source it than from Ireland? Some people may moan about the cost of sending Ministers abroad, but it should be recognised that such visits are a prerequisite for marketing and selling Irish food products.

The Minister of State, Deputy Tom Hayes, is very active in that role. He recently visited my constituency where he promoted an important food fair to take place this summer in Croagh. I was delighted to be able to invite him there to perform that task.

My constituency is predominantly rural and dependent on farm incomes, so yesterday's announcement by the European Commission on easing access to credit is fundamental. The abolition of milk quotas is all very well but unless farmers can invest in their yards, buy machinery and deliver products in the required volumes, it will mean nothing.

Banks have been slow to release credit to farmers and other small businesses. In that context, therefore, I welcome yesterday's initiative launched by the European Commission. We are lucky that Ireland has the Commissionership for agriculture. I know we are not supposed to say that Ireland has it, but Commissioner Phil Hogan was a Member of this House for long enough and he knows the value of Irish agriculture. That is why I believe yesterday's announcement by the European Commission was no accident. Commissioner Hogan knows that releasing credit will generate jobs in communities such as in County Limerick which will make a real difference to people's lives.

I will not repeat what other speakers have said, but I am disappointed with the level of engagement by the Opposition in this debate on the dairy sector. We need to build an economic recovery based on agriculture, tourism, services and construction. The previous Government built an economy on one leg, which was totally founded on construction. If we can spread the recovery on multiple legs, then if one of them sustains an unforeseen shock, the remainder should be able to sustain it. That is why the old reliables of agriculture and tourism are hugely important.

This debate is also important in terms of where we want to take agriculture and the dairy sector in particular. As I said at the outset, however, the lack of any engagement by the Opposition is disappointing, to put it mildly.

**Deputy James Bannon:** I agree with the two previous speakers in expressing my great disappointment that there is not a single Opposition Deputy in the House for this important debate. There are no representatives of Fianna Fáil, Sinn Féin or the Independents. It shows what they think of rural areas and the people who live there. The Opposition often cries wolf about rural services being taken away, yet they will not attend the House to support the agricultural industry, which is the backbone of rural Ireland.

The agricultural sector has the capacity to lead the economic recovery now that it is being given proper supports. This Government will invest well over €12 billion in agriculture over the next few years, which is a record figure in the history of the State. It is hugely important for the industry.

I am pleased to contribute to today's statements on the dairy sector. As a farmer myself, I know all too well the importance of agriculture, and in particular the dairy sector, to farming families across our country. The biggest news story in the dairy sector in recent months

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is the abolition of milk quotas. The abolition of quotas is perhaps one of the most significant developments for Irish agriculture since our entry into the EEC in 1973. At present, Ireland has over 18,000 dairy farms which produce around 5.4 billion litres of milk annually. This, in turn, generates a farm-gate value of more than €1.8 billion and an export value of €3 billion each year. Ireland ranks among the world's top ten dairy exporting nations. The fact that the sector employs 34,000 people shows how vital dairy farming is, not only to Irish agriculture but also to the economy as a whole. When agriculture is going well, the economy is thriving.

In anticipation of the abolition of milk quotas in a few days' time, there has been significant engagement and activity by farmers, industry and policy makers to position Ireland to take full advantage of the increased production opportunities. As a result of such detailed preparation, Irish farmers will be well prepared for the abolition of quotas and well placed to take advantage of the huge opportunities it presents. The ending of quotas will create a much more level playing field, thus making it easier for sheep or cattle farming families to enter the dairy sector if they so wish. That same point was raised almost ten years ago by the Irish Cattle and Sheep Farmers' Association when it called for a loosening of milk quotas.

I commend the Minister for his forward planning on the matter. The State has rightly invested significantly in the dairy sector in order to support the expected expansion. This type of detailed preparation is evident when we see that €60 million has been invested over the past number of years through capital investment grants and, in addition, 7,000 dairy farmers have participated in knowledge transfer programmes.

The Government's food strategy, Harvest 2020, is another clear example of forward planning. Harvest 2020 has an ambitious target to grow dairy output by 50% in the five years after the ending of quotas next week. Emerging markets will be key to this and the recent Government trade mission to China was intended to significantly grow our potential market for dairy products in that country. There is a rapidly expanding market of over 1.3 billion people in China and they are increasingly seeking high quality food and drink imports. Irish farmers can capitalise on this and dairy farmers are currently preparing themselves to ensure that they do so successfully.

A number of key issues must be tackled if dairy farmers are to realise the full potential presented by the abolition of milk quotas. We must consider what actions we need to take in order to develop tax-based risk management measures. We also need to ensure the development of a robust wholesale price reporting mechanism to underpin price hedging options. Incentives must also be provided to increase participation in milk recording.

I would like to mention the approval of the phased repayment of the superlevy fine. This recent announcement was a huge boost to farmers and will certainly ease financial concerns, particularly in my own constituency of Longford-Westmeath. Paying the full superlevy has in the past been a huge financial burden for farmers and for co-operatives. This year in particular farmers are preparing for the abolition of milk quotas so the surplus is even more of an issue. Farmers are keeping calves or buying more calves in an attempt to use up the milk but despite these measures, there is still a significant surplus.

These proposals will allow farmers a level of flexibility in making their payments. There is an option to pay the levy in instalments and the Minister is examining the practicalities of how this will work. The Department of Agriculture, Food and the Marine will still be required to pay the superlevy fine in full to the European Commission by the usual deadline of 31 Novem-

ber 2015 and farmers will repay a minimum of one third this year, the same in 2016 and the remainder in 2017.

The dairy sector in Ireland is about to go through a major period of growth. There is huge potential for Irish farmers. Now is the time for dairy farmers throughout the country to start planning for the future. Cash flow is always an issue and I am delighted that Commissioner Phil Hogan brought in easing measures yesterday regarding availability of finances for the farming sector. It is also important at this juncture that the milk quota surplus is addressed.

I commend the Minister and the Commissioner for all their work on the dairy sector. My good friend, the Minister of State, Deputy Tom Hayes is a farmer himself and knows the ins and outs of farming like the back of his hand. I compliment him on the good work he is doing as Minister of State with responsibility for forestry and thank him for his help and assistance to me in my constituency work.

**Deputy Paul J. Connaughton:** I welcome the fact that this forum is being set up and that the Minister himself is chairing it. I imagine it is going to run along the lines of the beef forum or beef discussion groups, working with the relevant stakeholders in an attempt to make sure that when crises arise or issues come up within the industry, there is a way of fixing them quite quickly. I compliment Deputies Deasy and Creed, who left earlier, on the work they have done to bring this through to fruition. It is hugely important that before the milk quotas go, we have a plan. In any industry, things go up and down. As the Minister of State is well aware, six months ago the beef industry was on its knees and now all of a sudden we see beef prices are quite high. That is the cyclical nature of this industry and it is no different on the dairy side. We started this year with huge concerns over the price of milk. It has not come through just yet but there is a slight pressure on it so it is important that any forum set up to work with stakeholders has an ability to react quickly to those concerns.

There are two areas I would like to raise. One of them concerns what was discussed in the House earlier today, namely climate change. Whether we like to believe it or not, we have a commitment to addressing the issue of climate change in a serious way. That means impacting on the agricultural sector as well - it is a double edged sword. We cannot afford to let climate change get out of hand. One of the main reasons we are a successful country is our mild climate and grass growth many months of the year. We need to protect that - we do not need long droughts or excessive flooding. On the other hand, in reaching our commitments, we cannot shackle the agricultural sector. We have many farmers preparing to ramp up production, and we have to balance the two factors quite sensitively. If farmers want to invest money in their agricultural systems, their sheds and milking parlours, there is no point in then clamping down again on them. The reason for getting rid of the quotas was to allow those who had an ability to produce more to do so. In County Tipperary and all over the country there are people with the ability to ramp up production quickly and significantly. We have to be somewhat concerned about the climate change issue. It exists and needs to be addressed and it is to our eternal benefit if we do address it. However, we also have to be sure we do not shackle the farmers.

The second area concerns the fact that there is no point in producing more dairy unless we have a place to sell it. Our exports are at an all-time high, which is most welcome. However, we need to continue to be vigilant on where we are selling our product to. I recently returned from a trip to Vietnam with the Committee of Public Accounts to see how Irish aid is being spent. The Dáil and the people of Ireland would be very proud to know how their aid is being spent on the humanitarian side, but another area was trade. Vietnam is a country of some 91

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million people with an economy that is starting to pick up, whose middle class is beginning to boom. They do not really have a taste for dairy just yet, but it is beginning to increase. This is a market we have to invest in. When one talks about Asia, it is very easy to think of China as it is by far the most populated country in the world and is growing all the time, and that is where most dairy products are going. However, Vietnam is in a region of 600 million people and we have to put more emphasis there.

We know Bord Bia is doing great work on behalf of the State in exporting our product abroad but is it properly resourced? I can stand corrected on this but I understand we only have one person in China. The one thing that definitely came over when we were in south east Asia was that they do not want to do business through e-mail or Skype. They want a presence on the ground and for people to familiarise themselves with the country and the products it wants. It takes time to build up that level of relationship. I want to see a situation where Bord Bia is staffed to the maximum level so that it has the potential to invest in these markets. When we start to do that we will be able to sell a lot more. We have some of the best food production companies here that are doing an outstanding job. While we can produce all the milk we want, we have to make sure we have a market for it.

As Deputy Deering suggested earlier, a small country like Ireland that is producing a lot of milk is completely contingent on exports and open to world prices. The one area we have to attempt to control is the input cost. If the price of fertiliser becomes excessive - it is becoming so - the margin at the bottom, which can keep a farmer inside the industry, is getting tighter and tighter. We are part of the European Union and the European Commission will have to take cognisance of this. We are losing all control of our input costs and it is going to have a huge impact on the way we sell our products abroad if there is no margin. It has the potential to put people out of business quite quickly.

Deputy O'Donovan referred to agricultural colleges, which are booming at the moment. Mountbellew is no different, and it shows where the agriculture sector is going. Mountbellew is going to start offering a diploma in dairy farming because of the demand for it. While the west might not have as many dairy farmers as the rest of the country, it shows that many young farmers see a future in the industry. We have the issue in Mountbellew Agricultural College - I will never fail to raise it during any agricultural debate we have - that it is not being properly staffed. It needs a long-term future.

This is a very welcome opportunity for the dairy sector. The abolition of quotas is something many farmers have been looking for and is a huge opportunity to build and promote rural Ireland in a serious way. We must be cognisant of the challenges and I would pray caution, particularly for younger farmers who are investing quite heavily, to make sure they have a very firm business plan, know exactly where they are investing and are not taking risks beyond their control.

We will increase production by nearly 50% and that is welcome, but we must work on where we are selling the product. We are doing very well on exports, food and drink are going very well, but let us invest in our semi-State bodies and Bord Bia and put people into all these emerging markets. There will be large dividends if we establish ourselves in those markets. Countries such as New Zealand will say they will produce milk as well as us, but they will not. However, there is no point in Ireland talking about our great product unless the rest of the world knows about it. We need to invest in people on the ground. I can assure the Minister of State that if we do so, we will make the money back tenfold.

**Deputy Tom Barry:** It is good to recognise the contribution of our dairy sector to our economy. It is a pity to have to do so tonight with no Opposition member in the House. I find that galling because we frequently hear about how the rural economy is failing and how it has problems. Certainly, there are problems but it would be nice to be part of this debate because the expansion of the dairy industry will mark the return to an indigenous industry that will operate for many decades and which will bring back prosperity and employment and keep family farms alive and people in rural areas. It is critical. I grew up on a dairy farm and am proud to have done so. Dairy farming is a fabulous way of life and a dairy farm is a good place to rear children and grow old. In a sense, there is a lost generation of people.

Quotas were introduced in 1983. For young farmers at the time, this spelled disaster. One cannot move ahead while having one's hands tied behind one's back. The quotas are gone now, and I am glad of that. However, we must recognise that as we move ahead.

There is a great urge to expand in the industry. Our own local co-operative, Dairygold, serves as an example. A member of its board is in Leinster House tonight. While there is a great urge to move ahead, with a 57% increase in Cork, there is no prize for being first. I do not want to see considerable sums of money borrowed in very volatile markets. We have volatile prices and inputs, and food prices and weather crises must be borne in mind. Therefore, we must be very careful, although there is a great opportunity.

I spoke earlier about the superlevy fines. Apparently, for every 1% we go over quota, it will cost the country 1%. Therefore, if we go over by 7%, which is a possibility, it will result in a cost of €100 million, which is a lot of money. However, this is the last time this will occur. I am glad there are measures in place that will lessen the effect of the fine. Certainly, this is the last time we will be facing it.

Great progress has been made on infrastructural projects. In my locality, Dairygold is investing heavily in both Mitchelstown and Mallow. The Minister and Taoiseach visited to see the opening of the plant. The Irish Dairy Board is to start work in Mitchelstown very soon. Every block of Kerrygold butter in the world will be manufactured there. Is that not a terrific scenario? The produce will be exported all over the world.

With the help of the Government, we have discovered once more what indigenous industry is all about. Let us face it: this country had lost its way. We were getting rid of all our manufacturing industries, such as our beet industry. It was incredible. However, we have gone back to basics and that is what creates employment. Today in the town of Mallow, there are 350 people building the plant, not to mention those who will be working there for decades.

The abolition of milk quotas will see approximately 10,000 extra jobs, at least, because the amount of work upstream and downstream of the huge industries in rural areas is phenomenal. That will be our legacy. It is very important because this is building Ireland, jobs and business. The diversification that will follow is also significant.

Farmers spend money, and so do the associated co-operatives and processors. When the pollution scheme was in operation a few years ago, €2 billion was spent. There will be an increase in expenditure but there will be volatility. I attended an event yesterday in Cork called Get Financially Fit. The event, which is going around the country, was run by Teagasc, which is to be commended for it. One must plan one's expansion. I am not a great fan of the pulse debt that is evident at present whereby people borrow a lot of money and try to sweat the asset

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for many years. We should consider putting a plan in place according to which so much is spent annually and facilities are built up over the years without risking too much exposure to debt. In a volatile market with high input prices and low product prices, farmers could face a difficulty. We do not want to land them in unduly stressful circumstances. Cash flow is very important. I encourage people to examine their cash flow really seriously.

Farming needs to improve on its office work. Many small businesses outside farming have dedicated office staff. We need to ensure farmers become very much aware of the importance of an office. I said yesterday that my business was turned around when we put people into an office and took the office out of our house. I do not believe the house is the place for an office. People need to remove offices from their homes. If one is audited at some stage, one will realise the house is certainly not the place to conduct it.

When discussing the dairy industry, it is important to mention the tillage industry. The latter is going through a very difficult time. It contributes over 2 million tonnes of animal feedstuffs to our dairy industry and is highly valuable. Although we have a grass-based system, we need to ensure we continue to supply home-grown, fully traceable feed. A lot of indigenous protein will be produced through our beans. This market is being stimulated and the Minister negotiated extra payments. It is important that the tillage industry be recognised. Prices for tillage commodities today are the same as they were 20 years ago. That is not sustainable so it is important, therefore, that the Minister pay attention to the industry. We cannot afford to lose an industry because of the current fluctuation in prices. Many tillage farmers have spoken to me about this. It is a very serious matter.

If we lose the tillage industry or decrease the volume produced at present, we will become completely reliant on imports. Only one thing happens when one is fully reliant on imports: prices are out of one's control and one becomes a price taker for inputs. That happened to us in the fertiliser industry. When IFI closed in Cobh, we lost a huge State asset. It was another one of our industries that were shut down. The previous Government should hang its head in shame. One would swear it almost set out to shut down our indigenous industries. It was unbelievable. It could not wait to shut them down and let the products be manufactured somewhere else. This caught us and hurt us so badly, and that is why we are having a problem with our input prices. However, we cannot change that immediately.

The primary point on milk is that farmers need to make a living. I said yesterday that when people are examining inputs and producing profitability monitors, the first figure they should include is how much it costs to feed and educate the family and have a standard of living that is reasonable. That is hugely important because producing milk of high quality involves a 24-hour day throughout much of the year. There is an incredible workload. I grew up on such a farm. To do what must be done, there needs to be reasonable compensation and one cannot be worried that one cannot pay one's bills. That is really important. From time to time, with fluctuating prices, we will need to support the industry. I note that the Ministers are very conscious of this. We cannot avoid it.

Earlier today I spoke about the climate change legislation. It will have implications for our industry. We need to ensure it will be worded and implemented in such a way that it will be practical. We need to ensure a climate change Bill does not have the aspirations of the Green Party, which is now long gone. I remind the Green Party that there was a fabulous environment before it and that there will be a fabulous environment after it. To a great extent, it is the farmers who have protected our environment. However, we must be careful that we do not sign up

to a measure that will damage our industry and that is impractical.

We need to market what is good about our industry. The dairy industry is bringing prosperity we knew it could deliver. We must also remember that we must promote diversification. It was only last week that I met a young couple who are setting up a cheese manufacturing facility on their farms. Following the taxation review, off-farm income is now going to be allowed to be included in income, averaging over five years. This is important.

I wish to recognise the huge and positive impact the dairy industry is having in our country. We must look at the challenges not as something we cannot overcome but as something we will achieve. We will move on and we will make this country a manufacturing country once more, with employment in rural areas for a long time to come.

*7 o'clock*

**Deputy Bernard J. Durkan:** I am glad to have an opportunity to speak for a short time on this issue. I concur completely with the last speaker in every respect. One of the things we have learned from the era of the so-called Celtic tiger is that we can do things if we are pressed. We learned to recognise that we could achieve greatness if we applied ourselves. Of course, we learned a few other things we should not have learned at all. We learned to overlook some of the things that were under our noses and which were possible of great appreciation and benefit to the national cause, our economy and the people of this country. We seemed to ignore them.

We all recall how the agri-sector, the agrifood sector and the dairy sector were regarded as poor relations which we only tolerated. There were other brighter and better things and greater and more exciting places in which to invest and apply ourselves. We were wrong in that presumption. When the time came to call on the country to rally to the cause, to rise up and to drag ourselves back up on to dry and level land, it was the agrifood sector which was first in the line and it did its job extremely well. All credit to those involved in that industry. Along that same line was the pharmaceutical sector and the IT sector. These were three vital areas of investment which were essential and fundamental to the economic recovery which has been achieved in a very short time.

I listened to the criticisms of the future of the agrifood industry, in particular the dairy industry, in the aftermath of the abolition of quotas. George Bernard Shaw coined the phrase that there are some people who see things as they are and ask why and then there are those who see things as they might be and ask why not. We need to look again at the latter. One thing is certain. In the aftermath of the abolition of quotas, opportunities will abound in abundance. We need to have the opportunities in the first instance. If we have the opportunities, it is then up to ourselves to market our produce, to hustle and to be aggressive in the marketplace and to recognise that people worldwide are not likely to be able to go without food for too long. We have a product that everyone will want. We now have the technology, ability, knowledge and commitment to develop niche industries as well as major industries and to utilise the availability of and access to world markets in a way that has not been done before.

Time has moved on and developments have made it possible for this industry to achieve greater heights than it has ever done before. There are those who say there are pitfalls and that there will be a glut of produce on the market. There may well be a huge increase of produce on the market but there will also be an awful lot more people seeking to acquire and purchase those products. There is also the possibility of variations and adding further enhanced value.

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There are huge opportunities opening up as a result of the changes taking place in the dairy sector which will benefit the entire economy and not just this one sector. It will be of benefit to the younger generation because it will give them an opportunity to access this industry and the marketplace at a different level to that previously achieved. It will give them an opportunity to interact in the world marketplace in a way that was not done before and which is beneficial to the Irish economy. The benefit of the Celtic tiger has been that we are able to see how much we can achieve if we put ourselves to it. This is the opportunity now presenting.

I congratulate the Minister of State and his colleagues in government for the tremendous turn around in this economy in the past short space of time. Those on the empty benches opposite have denigrated, criticised and been negative about everything in the past four years. They could not say a positive word if they were paid. Needless to say, they are not here, because they do not indulge in such debate. I am not referring to the Acting Chairman, Deputy Troy, of course because I know he would not do that under any circumstance.

**Acting Chairman (Deputy Robert Troy):** I have to remain impartial now.

**Deputy Bernard J. Durkan:** I compliment the Acting Chairman for being present at this moment in order to hear what will be said during this debate.

**Acting Chairman (Deputy Robert Troy):** I will have an opportunity to reply.

**Deputy Bernard J. Durkan:** I do not know how this country survived given the amount of negative input from some quarters. Every single issue was negative. For those who suggested that they put the country on the right road before they left office, I have bad news. They did not. They made three attempts to do so and three times they failed. Three times they fell back again having been re-elected in 2007. Three times they came up to the wire and shied away from it. They failed and wilted, so they did not do it.

Without the leadership of Government over the past four years, nothing would have happened. We would have fallen back by the wayside again. To those who said this country will not survive, they were wrong. There were huge sacrifices. These were massive sacrifices made by the people of this country. Every aspect of human life was affected. It could not have been done otherwise. It is not true to say that only one sector of society carried the burden. Every sector of our society carried the burden, including those who are poor, those on middle incomes and the so-called rich. Everyone paid a huge price.

We have also learned a lesson. I hope we have now learned never to allow these things to happen again, never to be indiscreet in the way we handle our economy, to take every opportunity as it arises, to do the best we can, to be honest with ourselves and, instead of putting party allegiances and the future of political parties ahead of everything else, to put the good of the country ahead of everything else. This is hugely important now and always has been. For far too long, opportunities have opened up, it is alleged, for the benefit of a particular party or parties. There has not been the openings for such nonsensical-----

**Acting Chairman (Deputy Robert Troy):** Will the Deputy keep to the tenor of the debate, which is statements on the dairy sector?

**Deputy Bernard J. Durkan:** This is on the dairy sector. It is permissible, as Deputy Troy, as an incumbent of the Chair, knows, to make passing references to the whole economic situation.

**Acting Chairman (Deputy Robert Troy):** The Deputy has strayed off.

**Deputy Bernard J. Durkan:** I stand by the Acting Chairman's superior knowledge in these areas and I will not go into it too much further, but it is not permissible for the Acting Chairman to keep interrupting a Member either.

When the time comes to recognise the benefit of the opportunities that have opened up in the dairy sector, which have been provided by the current Government, I hope that all of the people who have been critics and who have been totally cynical in their criticism over the past number of years will come out and say that the Government has done well and that this has been an exercise to behold. The Government has served the country well by producing the opportunities in the dairy and beef sectors and in the economy in general.

**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Tom Hayes):** I sincerely thank, on my behalf and on behalf of the Minister, Deputy Simon Coveney, each and every one of the Members who contributed in this House three weeks ago and tonight. The importance of the dairy sector for Ireland is huge. For the country as a whole and for rural Ireland in particular, the opportunities are phenomenal. Based on Deputies' contributions, there is a broad consensus evident that a significant opportunity is presenting for the country. There is an unambiguous wish to embrace it fully across the spectrum. This opportunity has phenomenal potential for every farmer, in particular dairy farmers. Various Deputies have touched on how it presents an opportunity for young farmers. For 30 years or more, people in Ireland were hampered by the dairy quota. Young farmers were trained but when they returned to family farms that did not have quotas they could not expand their businesses. After many difficult years for the economy, a new horizon has opened. It came about following the decision of the European Commission, at a time when Ireland held the Presidency, to abolish dairy quotas. The Minister for Agriculture, Food and the Marine, Deputy Coveney, headed up the argument and achieved agreement across the EU on abolishing the quotas. Hence, the opportunity for Ireland.

In recent years, we tried to find new ways of creating jobs. There was growth in the pharmaceutical sector and the IT sector has been mentioned, but the current opportunity for agriculture is considerable, be it at farm or co-operative level. Two weeks ago, we visited the new Glanbia plant that was being opened in Waterford. It is probably one of the best plants in the world. Once milk is unloaded there, the next human being to touch it does so when it is put on a forklift to be loaded onto a truck for export. This type of efficiency and modernisation is not only found in the Waterford plant, but also in the Dairygold, Kerry Group and other large plants around the country. This opens up significant opportunities to sell into many markets globally. In terms of China's market, we need to produce high quality infant formula.

The recent debate on water and its cost has been mentioned. If we are to expand the dairy industry, we need many things, one of which is clean and good quality water. This issue is of significant importance to everyone involved in the industry, not just farmers.

Several issues have been raised. The training of young farmers at agricultural colleges must be addressed. As the economy exits its difficulties, extra resources to train more young farmers will undoubtedly be made available. The issue of banks making credit available was mentioned. That the Commissioner, Mr. Phil Hogan, made extra money available at a cheap rate this week to allow farmers to expand their businesses was important. I hope this will not lead to extra costs and that the banks will fulfil their promises. When they are making money available to farmers, processors and so on, their interest rates should be kept low. We must be

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careful regarding many other important issues in terms of banking, for example, prudent lending. Deputy Barry hit the nail on the head when he stated that we could not overborrow. That was an important point.

There are other issues, but the one on which I would like to spend more time than I have is the actual idea behind this debate, namely, the proposal by Deputies Creed and Deasy to put a system in place so that we might have a new way of discussing milk quality, financial management and the other issues facing the dairy industry. Deputy Deering referred to problems in terms of liquid milk. Issues will arise as milk production and farming expand and develop. This is why I am delighted that the forum chaired by the Minister and proposed by Deputies Creed and Deasy will form part of the way forward.

I thank Deputies for their many excellent contributions. I listened to Deputy Connaughton's comments on the environment. He was 100% right. Forestry has a role to play. We have many other issues to discuss. We have an industry that is capable of making this country No. 1 in the world. In the years ahead, the dairy industry will expand significantly and we will have a quality product. If we keep standards high at all times, our industry will have a great future. The people involved must be complimented. I thank them for giving the House this opportunity to explain about a good industry instead of being negative about rural Ireland. Rural Ireland is doing well and is undoubtedly changing.

**Acting Chairman (Deputy Robert Troy):** I thank the Minister of State.

**Deputy Tom Hayes:** I must make this final point. I do not want to revert to rolling churns, the old way of life of many years ago, the slavery and the drudgery. Dairy farming is a new and modern phenomenon. I want the people living in villages and towns in rural Ireland to progress, be educated and have a better quality of life. This is what modern rural Ireland is about. This is the change that will be brought by the new programme.

*Sitting suspended at 7.17 p.m. and resumed at 7.30 p.m.*

### **Water Charges: Motion (Resumed) [Private Members]**

The following motion was moved by Deputy Ruth Coppinger on Tuesday, 24 March 2015:

“That Dáil Éireann:

notes:

— that from 1 April, one week from now, the first bills for water charges will start to be sent out to householders around the country;

— that water charges are another austerity tax arising from the bailout of major banks, bondholders, developers and the European financial markets system from their disastrous gambling in the property bubble in pursuit of super profits;

— that the imposition of water charges is the beginning of a process of the market commodification of water that would, if accepted, lead to the privatisation of water distribution and supply;

— that the Labour Party was elected on a platform of opposing the imposition of water charges;

— the massive opposition to the imposition of the water charges and to any steps toward privatisation of water supply;

— that opposition to the water charges has been graphically manifested since 11 October last year in the massive national and local demonstrations calling for the abolition of the charges and of Irish Water-Uisce Éireann;

— that this opposition was forcefully manifested in the result of the Dublin South-West by-election when candidates opposed to the water charges won 60% of the vote and the candidate advocating a mass boycott of the charges was elected to Dáil Éireann;

— that widespread protests are ongoing against the installation of unwanted water meters around the country; and

— that hundreds of local campaigns against water charges have been established the length and breadth of the country;

strongly condemns:

— the arrests following an anti-water charges protest in Tallaght in November 2014; and notes the jailing of four anti-water charges activists for peaceful protests against the installation of water meters and the widespread use of the Garda Síochána against residents opposed to water meters in their communities; and

— any move by the Government to make private landlords, local authorities or voluntary housing associations into collectors of water charges for Irish Water by obliging them to deduct the charges from tenants' deposits or increase rents in cases where tenants are boycotting the charges;

demands:

— the immediate abolition of water charges;

— progressive taxation, including on wealth, corporate profits and financial markets' transactions, to fund the upgrading of the water supply services including remediation of the leaking national infrastructure (for example, based on an effective corporation tax rate of 11 per cent in 2013, every 1 per cent increase would yield €388 million while the European Commission estimates a financial transaction tax would yield in Ireland between €490 million and €730 million per year);

— the abolition of Irish Water-Uisce Éireann, with responsibility for water services to be vested in democratic local authority structures involving national co-ordination, and unlike previously, adequate investment in water infrastructure to meet society's needs; and

— a major grants scheme to retrofit homes with water saving devices and technology that would save billions of litres of quality drinking water being discharged needlessly into the wastewater systems each year; and

calls for:

— mass non-payment by householders of the water charges bills when they are

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delivered in April and May since the Government will have proved it is not prepared to abide by the clear wish of a majority to abolish the charges;

— water charges, and the demand for water to be in public ownership, to be made central issues in the forthcoming general election if not resolved pre-election; and

— local anti-water charges campaigns to discuss standing candidates in the general election opposing the charges and austerity and based on an advocacy of mass non-payment, of actively mobilising the opposition to these charges and for a real alternative to the parties of austerity.”

Debate resumed on amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“supports:

— the establishment of Irish Water as a long-term strategic investment project to deliver the necessary water services infrastructure and quality of services required to meet statutory compliance and demographic needs;

— the management of our water resources effectively to ensure Ireland can continue to attract major overseas investment and employment; and

— the view that metered charging is the fairest form of water charging with benefits in proper management of this vital resource;

notes:

— that the Programme for Government provides for the introduction of a fair funding model to deliver a clean and reliable water supply which will involve the installation of water meters in all households;

— the introduction of water meters for households promotes the sustainable use of water and has been recognised by the OECD as the fairest way to charge for water services;

— the new funding model based on domestic tariffs and metered usage will allow for expanded investment and is aligned with the requirements of the Water Framework Directive;

— that the Government has introduced measures, which include the capping of annual charges at a maximum of €160 for single adult households and €260 for all other households until the end of 2018, that will provide clarity and certainty and ensure that water charges are affordable for customers;

— the announcement of the water conservation grant as a means of addressing water issues for all households on equal terms and which will reduce households’ outlay on water services;

— the prioritisation by Irish Water of the elimination of boil water notices and the fact that by April of this year over 17,000 people will no longer be subject to boil water notices;

— the Government’s intention to bring forward further legislative proposals to underpin the collection of charges; and

— that well over 200,000 jobs in Ireland are dependent on water-intensive processes including the agri-food, pharma-chem, ICT and tourism sectors, and therefore need a secure water supply; and

welcomes:

— the fact that the number of customers that registered with Irish Water is 990,000 out of a total of 1.237 million households that have responded;

— the progress with the roll-out of the domestic metering programme being delivered by Irish Water, with over 625,000 meters installed to date;

— the achievement of greater economies of scale in running water services by Irish Water, with €12 million in procurement savings alone achieved in the company's first year of operations, in the context of an annual operating costs efficiency target of 7 per cent per annum set by the Commission for Energy Regulation;

— the increased capital investment in water and waste water services by Irish Water, with investment in the period 2014-2016 to amount to almost €1.4 billion, excluding metering and establishment costs; and

— the clear commitment given by the Government that Irish Water will remain in public ownership and the provision in the Water Services Act 2014 that will require any future proposal to change public ownership of Irish Water to be put to the people via a plebiscite.”

- Minister for the Environment, Community and Local Government (Deputy Alan Kelly)

**Acting Chairman (Deputy Robert Troy):** Deputies Mary Lou McDonald, Caoimhghín Ó Caoláin, Dessie Ellis and Brian Stanley will share ten minutes. Is that agreed? Agreed.

**Deputy Mary Lou McDonald:** I welcome the motion brought forward by colleagues in the Technical Group and I extend my party's support for it. If those in Government imagined that the campaign against domestic water charges had been holed below the watermark or was on the wane, they would have got the message last Saturday when people came onto the streets of Dublin in their tens of thousands to say emphatically to Government that we demand the abolition of domestic water charges. We do not want their reduction or mitigation but their abolition. We wish to see water secured as a human right and the provision of water services to be a public good, secured within the Constitution, while the monster that is Irish Water has to go.

These are not new messages but they have been reiterated time and again. The Government has sought to give the impression that it has listened to the people. It has not. I had wondered for a long time how the Government could be so astray on this issue but last night and yesterday the Minister, Deputy Alan Kelly, and colleagues from the Labour Party answered that question for me. The Minister described those of us who argued against water charges and, by extension, every person who stands against water charges as enjoying failure, wallowing in victimhood, imagining that there is a utopia in which everything is free. He categorised us all as people who believe we can have everything we want for absolutely nothing. The absolute cheek of him. What a cheap and nasty depiction of working people and their families the length and breadth of this country.

The Minister, Deputy Alan Kelly, and his colleagues have demonstrated just how craven and cheap the Labour Party has become and the contempt in which they hold working peo-

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ple who know the value of €650,000 squandered on an advertising campaign and €85 million squandered on consultants and, furthermore, who know the value of more than €500 million on water meters. That was their money, their money.

I say again, in support of this motion, that abolition of these charges is what is needed and demanded, and that demand has not gone away.

**Deputy Caoimhghín Ó Caoláin:** Anyone looking at this State from the outside must be incredulous that the Government is pushing ahead with its intrinsically unfair and deeply flawed introduction of water charges despite the mobilisation of large swathes of the country in opposition. The Government seems unable to comprehend that these charges are unfair and that many ordinary citizens cannot pay them and certainly cannot pay for them twice.

This motion by Deputy Joe Higgins and others recognises water charges for what they are, another austerity tax. The motion focuses on the fact that Uisce Éireann is just a first step in the privatisation of one of the basic necessities of life and I, as a Dáil Deputy, believe that is the truth. In recent months we have witnessed the vilification of those who disagree with the Government's privatisation agenda and the jailing of water protestors. We have also heard the Government's threats to deduct water bills directly from wages and welfare payments, although I ask whether this would be either legal or feasible.

The Minister, Deputy Alan Kelly, is anxious to sell the idea that there are those who will not and those who cannot pay. Minister, the overwhelming number of people who have not registered, whatever their previous economic circumstances, simply cannot pay. There can be no distinction based on assumptions. People are hurting today as never before and across all previous experiences, including the one-time self-employed with no entitlement to social protection.

What have we got? We have Uisce Éireann which seems to think it can function in an entirely opaque manner. There were no minutes from any high-level meetings with the former Minister, Phil Hogan. What kind of organisation, never mind a so-called accountable Government Minister, has the audacity to carry out its business in such a way? I call on the Government to finally listen to the people, drop these unfair charges and let us provide water and conserve it in a properly planned and progressively funded manner.

Having played my part in opposing the last water charge and holding then to a no-pay position, having watched and supported my mother, who was one of those targeted for prosecution for a non-payment stance at that time, I can tell the House this evening for absolute clarity that I have not registered and I will not pay. It is my view that it is time for people and for leaders in particular to take a stand on this most fundamental issue in the clearest way possible.

**Deputy Brian Stanley:** As Deputy Ellis is not present I will have five minutes. I want to be clear about our position on water. The first thing we need to do is to secure water services in public ownership. I brought a Bill before the Dáil recently to ensure that the control of water services into the future be kept in the hands of the Irish people, not whoever may be elected to this House, because the people are sovereign. Irish Water needs to be abolished as it is not fit for purpose and should be replaced with a slimmed down public body which is accountable to the Dáil, the Committee of Public Accounts and the Comptroller and Auditor General. The main functions of this body would be to oversee and co-ordinate capital investment in water services and to ensure water quality is improved and that there is compliance with the relevant environmental legislation. It could also work closely with local authorities who would be

given back an enhanced role in developing and implementing water services plans in their local areas. All of that could have been accomplished by spending less than what the Government has squandered on Irish Water, its consultants, its metering programmes, legal advisers and PR.

Hardly a day passes without more scandal and more information coming into the public domain regarding the waste and incompetence that are the hallmark of the monstrosity called “Irish Water”. The most recent one is that extra money is now needed for the meters. The Government has made a series of U-turns on registration dates and on the billing system as it dawns on them that hundreds of thousands of people will not pay their water charges. However, alongside those U-turns, they continue to hold a threat over people that unpaid bills will be taken from people’s wages or social welfare payment. One thing that is certain is the electorate will be unforgiving in particular to the Labour Party, which seems intent on committing political kamikaze by ripping up its pre-election promises not to introduce water charges.

The Government is also attempting to be clever about the issue of penalties and it is to be left hanging over people until after the election. That also means that people have the opportunity in the meantime to vote for a Government that will abolish water charges. If members of our party are re-elected to this House in numbers and we are part of the formation of the next Government, we are committed to abolishing water charges, as we have done in the Six Counties. We have also provided in our prebudget submission for this year from where the shortfall in terms of the collection of water charges would come. The Government has stated that it hopes to bring in €270 million. That is the billed amount. This is based on figures for domestic water charges from the Minister, Deputy Alan Kelly. However, if there is a 40% non-payment, that amount would be reduced to €162 million. If we subtract from that the cost of the collection of water charges, which is €22 million, and the so-called water conservation grant costing €130 million, the net gain would be between €10 million and €20 million, which is fantasy economics. It does not make economic sense. Even the economic basis of the Government’s demand is proving to be nonsense.

In regard to the delivery of Irish Water, to take the example of County Laois, improvement schemes that were prioritised by the local authorities have now been either pushed off or pushed to the back end of the list of capital works in terms of the pecking order. The Mountmellick network extension has been sidelined. The wastewater treatment plant in the town has been pushed off the list. The Portarlinton network extension is no longer a priority. The Abbeyleix network extension to take in the Portlaoise Road area of the town has been eliminated. The wastewater treatment plant in Castletown, which is urgently needed, is not even on Irish Water’s radar. Irish Water’s plans for counties such as County Laois show that important capital projects are not even a priority. Irish Water is not delivering in County Laois or in any other county. As for the spurious claims that the meters will encourage conservation, as things stand, one can use a million litres of water a day or a week and still get charged the same as someone using a kettle full of water.

The Government may lose face by stopping this now but it still has the opportunity to do the right thing. It should go back to the drawing board. With regard to Phil Hogan and the other people who dreamt up this, this is a mess and it is a mess for the Labour Party in particular. The Government should abolish the water charges, stop this now, start again, put a better system in place and invest the money that is being squandered in fixing leaking pipes and in water mains rehabilitation.

**Acting Chairman (Deputy Robert Troy):** The next speaker is Deputy Catherine Bryne

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who is sharing time with Deputies Twomey, Rabbitte and O'Donovan.

**Deputy Catherine Byrne:** I thank the Ceann Comhairle for the opportunity to speak on this motion tabled by members of the Opposition.

I want to begin by acknowledging how privileged I am to be one of the 166 Members of this House, elected by people of Dublin South Central, working as a legislator with a single goal in mind, namely, to make this little country of ours a better place to live in, now and into the future. I get very annoyed when I hear Opposition Deputies say they will not pay the water charge, supposedly in solidarity with their constituents. It is not because of the cost that these Deputies say they will not pay, they just do not want to pay, but they can well afford it. Have they forgotten that the duty of legislators is to abide by the law of the land and that this is the law of the land? They are undermining democracy.

They refer in their motion to a “majority” wanting to abolish water charges. I do not believe for a moment that they speak for, or represent, the majority. Some 990,000 out of a total of 1.237 million households have registered with Irish Water. What about the constituents who want to pay? An old age pensioner stopped me the other day to say that she believes it is her duty as a citizen to pay the water charge. A parent of a disabled child who wants to pay told me that she wants clean running water, a proper system and for her country to be the envy of other countries in that children in this country would be treated well and would have access to clean water.

I am often reminded of how precious water is when I switch on the television at home and see children in African countries dancing around a newly installed clean water pump in their village and the stark contrast of a young girl walking five miles to the nearest stream to get water-----

**Deputy Brian Stanley:** The desert is here.

**Deputy Catherine Byrne:** -----and carry it back to her family in a plastic container with water that is not always suitable for drinking. This girl and her family know the true value of water. It is precious and gives life, but only if it is clean.

Here in our little country, most of us are privileged to turn on the tap in our kitchens and fill our glass with clean purified water. We do not even think of the journey and the process that water goes through before it comes out of the tap. I am fully aware that still today some people in this country do not have this privilege and cannot drink their tap water due to contamination.

The Environmental Protection Agency's report in 2013 clearly stated that more than 23,000 people, on 20 public supplies, were on boil water instructions; there were 121 “at risk” supplies out of 978 affecting almost 940,000 people; and in 44 urban areas, sewage was being discharged untreated, causing a major risk of pollution in our rivers and lakes. Those were shocking figures but they will be addressed by Irish Water. Irish Water is committed to removing the boil water notices through new and better water treatment plants in the affected areas. Many of the Deputies know where those areas are and I do not have to announce them. The bottom line is that serious investment is required to carry out the necessary repairs and water treatment processes right across the country. This has been ignored for many years. We are the only country in the OECD with no domestic water charges.

Fianna Fáil under Jack Lynch abolished water rates in 1977, and today we have more than

800 km of pipes in Dublin city alone which are 100 years old or more and they are in a deplorable state. The rest of the country's network is in a similar state. The national leakage rate of water into our soil, rivers and gardens is more than 49%. That is a shocking figure in this day and age. I am amazed when I go to the supermarket to see people buying crates of bottles of water and some of those people, whom I know, refuse to pay their water bill.

Our attitude to water has to change in this country. It is not free. There are many people who understand why water charges are necessary and they want to comply. The Government's revised water charges package, which was announced last November, provided clarity on this issue. Customers will pay fixed charges until the end of 2018. There is a simple and more affordable charging structure in place of two capped charges with a charge of €160 for a single person household or €260 for a household of two or more persons. Water conservation is also encouraged, and households have the opportunity to pay less than the capped bill. They can also avail of a €100 water conservation grant. Those who want to pay but are in financial difficulty will be able to avail of an easy-pay option and instalment plan, as is available for many other utility bills we pay on a regular basis. Those who do not register and do not pay will not be able to avail of the €100 water conservation grant and will be liable for a late payment fee.

Furthermore, the Government has given a clear commitment that Irish Water will remain in public ownership. I will repeat that as it is very important: the Government has given a clear commitment that Irish Water will remain in public ownership. It included a provision in the Water Services Act 2014 that will require any future proposal to change public ownership of Irish Water to be put to the people. That is an important provision.

As for the demands laid down in tonight's motion by Members of the Opposition, and their calls for mass non-payment, I do not accept they are representative of the majority of Irish people. Irish people have never been found wanting when it comes to paying their way. I hear that on the doorsteps on a daily basis particularly from old age pensioners. They say to me that they are citizens of the country and it is time they paid for water. I will not support this motion.

**Deputy Liam Twomey:** Ireland has the cheapest water prices in Europe, cheaper than Bulgaria, Latvia and Greece. Every country in Europe, rich or poor, right or left, charges for water. Water charges stop waste and protect access to clean water. Sinn Féin must stop misleading the Irish people and stop saying it does not support water charges. Sinn Féin supports water charges in Northern Ireland.

**Deputy Mary Lou McDonald:** No.

**Deputy Liam Twomey:** It supports the installation of water meters in Northern Ireland and pays bonuses to Northern Ireland water bosses. By saying it does not, it is saying it is part of a pretend Government in Northern Ireland and that, when Mother Goose in Westminster stops laying the golden eggs, Sinn Féin fails to govern properly. It is happy to put the economic future of people in Northern Ireland at risk when it perceives that things are not going its way. That is a poor negotiating pathway and does not show much credibility in what it is trying to sell, a message to the people of all of the island. Sinn Féin Members should be honest and say they support water charges, because they do. Anything else is hypocrisy.

**Deputy Caoimhghín Ó Caoláin:** Because we do not.

**Deputy Liam Twomey:** They are installing water meters in Northern Ireland. Sinn Féin supports the legislation in that regard and is supposed to be in government in Northern Ireland.

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Sinn Féin should stop misleading the people of the country by saying it does differently.

**Deputy Caoimhghín Ó Caoláin:** We will be in government on this island and there is no doubt about it.

**Deputy Liam Twomey:** The difference with being in government in the Republic is that there is no Mother Goose to send us £4 billion a year to sort us out.

**Deputy Mary Lou McDonald:** That is outrageous.

**Deputy Liam Twomey:** We must live within our means and be responsible in what we say to the people of Ireland. We must be responsible in how we act in government.

**Deputy Caoimhghín Ó Caoláin:** Deputy Liam Twomey must think the people are his Mother Goose.

**Deputy Liam Twomey:** With regard to the nine Deputies who have signed the motion, I do not know what they have to offer to the Irish people apart from demonising the Garda Síochána. This surprises me when it comes from Deputies Finian McGrath and Tom Fleming. Why would they support the claptrap in this motion? I am all for candidates standing in the next general election but we must consider what they will stand for. Will they stand for increasing taxes, getting rid of jobs in SMEs, family businesses and multinationals and cutting funding for schools and hospitals? From where will the money come?

The motion suggests they want to send back responsibility to local authorities, where there were problems with crumbling infrastructure and leaks and the management of water. Then, these Members suggest they will come up with mythical millions but have no idea about the consequences of their actions, nor are they prepared to say so. These Deputies stand for nothing because all they offer the Irish people is to send the responsibility back to the local authorities and repeat the past seven years. That is all that is on offer.

It is becoming clear the Irish people do not have an alternative Government in the Opposition. What it is successfully doing is exploiting people's anger about what happened over the past seven years and the hardship they are going through. The Independent Deputies offer nothing to the Irish people in the line of an alternative Government; there is nothing to show what they would do. The motion offers nothing but fantasy economics. I will not blame the ideology of the Deputies because what is worse is that they are trying to mislead people. We can cope with different ideologies but I have been hearing that the Independent Deputies would have burned the bondholders and that the €200 million was borrowed for the banks. I am not using exact figures so that Members can understand what I am saying. Approximately €50 billion of the €200 billion relates to the banks and the other €150 billion relates to paying pensions, social welfare payments, and the salaries of gardaí and nurses. What alternative do the Deputies opposite offer?

They are lying to the people of Ireland about what they say they will do. They want to put people through what they went through over the past seven years once again. I want the Independent Deputies to answer this question. What will they do if it all goes wrong in the coalition of the hard left, Syriza if people speak Greek?

**Deputy Richard Boyd Barrett:** It is in the motion.

**Deputy Liam Twomey:** The only alternative is cuts to old-age pensions and social welfare

payments. How will they fund schools and hospitals? It is not in the motion if that is what Deputy Paul Murphy is pointing at. That is for discussion on another day as soon as the Independent Deputies start talking the truth and stop misleading people.

**Deputy Pat Rabbitte:** The manner in which the far left and Sinn Féin are exploiting the austerity fatigue of ordinary people on the water issue is disgraceful and contrary to the public interest. The fact that, for over a year now, their humbug and hypocrisy is being stimulated by the public service broadcaster requires examination. Mischief-making for the Government of the day is a time-honoured indulgence of the media and is part of a healthy democracy. However, under section 114 of the Broadcasting Act 2009, the public service broadcaster has a duty to “entertain, inform and educate”. RTE’s coverage may well have entertained but no sensible taxpayer or citizen could argue that it has informed or educated on the water issue. Where, over the past 18 months, were the programmes explaining why the public water system is on a knife edge, why our rivers are being polluted, why public health is threatened and our capacity to attract industry undermined, and the options available to source the enormous investment needed to make it fit for purpose? RTE has acted as a recruiting sergeant for those who have taken control of, and are manipulating, the water protests. There must be people in RTE who know that Ireland, alone in the EU, does not have water charges. They must know that our water system is derelict and, in some places, a hazard to public health. They must know that raw sewage from 44 towns is spewing into our rivers. They must know that modern-day economic development often relies on a secure supply of water. They must know how damaging it is for business and jobs if a tourism hub like Galway cannot serve safe quality water. After three decades of neglect, they must know that we can no longer continue with 34 different authorities. Above all, they must know that, to access the huge investment needed, we need a state-owned commercial utility to source the money necessary without undermining the State’s finances.

It is clear that RTE relies on a source inside the water company, who seeks to ground a natural bias with distorted information, half-truths, bits of e-mails and internal papers. Last Sunday’s earth-shattering, highly promoted, press stopping revelation was that there were unminuted meetings between the former Minister and the company chairperson. If RTE were to broadcast similar exposés on every time a State company chairperson had an unminuted meeting with the Minister, myself included, over the past 30 years it would fill the schedule until the end of the year. If I did not know better, one might conclude that the lopsided coverage of the water issue derives from a decision of the RTE board to strangle Irish Water at birth. We can all carry a chip on our shoulders for what has happened to our country.

*8 o’clock*

We are all entitled to an opinion as to why it happened and we can all be bitter about the erosion of living standards. However, that does not justify abandoning the usually high standards practised by the public service broadcaster.

Following the pied pipers of the Anti-Austerity Alliance will only leave people with debts they need not have incurred. As was the case with bin charges, the pied pipers in question will move on to their next campaign. In the former instance, of course, they left homeowners with accumulating debts and a privatised bin collection system. The Minister, Deputy Kelly, has gone a long way towards meeting the concerns of homeowners whose living standards have been eroded since the financial crash. The average charge for water on the neighbouring island is £540 per household. Fianna Fáil previously committed to a charge of €400 per household. I hope the Minister can come up with a mechanism which will enforce compliance and permit

a distinction to be made between those who genuinely cannot pay and those who will not pay.

All my political life, I have defended public service broadcasting and argued that it is a public good. The treatment of the water issue has regrettably fallen short of what licence-paying citizens should reasonably expect.

**Deputy Patrick O'Donovan:** I welcome the opportunity to contribute to the debate on the motion. I agree with the previous speaker with regard to coverage of this issue. At this morning's meeting of the Joint Committee on Transport and Communications, the issue of bias on the part of the public sector broadcaster was raised by members on all sides who have concerns with regard to that matter. The House would do well to heed the words of the former Minister for Communications, Energy and Natural Resources to the effect that this is a very serious issue and that it should be treated as such. I expect that the incumbent Minister will examine the issue in the context in which Deputy Rabbitte has raised it.

Having served on a local authority from 2003 to 2011 and having witnessed the condition of our water infrastructure following years of under-investment, I am glad that a programme of works and capital investment has finally been put in place. Such a programme is badly needed throughout the country, particularly in the context of facilitating the recovery that is already well under way.

Prior to this debate, the House engaged in a discussion on the future of the dairy industry and the importance the latter will have in terms of the recovery in rural areas. It is noticeable that not a single Member of the Opposition, either from a political party or an Independent, was present for that debate. Following on from that, it must be noted that the motion before the House was drafted by Members who represent Dublin constituencies. It is in the names of Deputies Higgins, Coppinger, Paul Murphy, Clare Daly, Boyd Barrett and Finian McGrath. Not one rural Deputy signed up to it.

**Deputy Richard Boyd Barrett:** What about Deputy Tom Fleming?

**Deputy Patrick O'Donovan:** His name is not attached to the motion.

**Deputy Patrick O'Donovan:** This strikes to the heart of what this matter is all about. I am not surprised that the rural Deputies who are members of the Technical Group-----

**Deputy Richard Boyd Barrett:** What about Deputy Wallace? With those two Members on board, both Wexford and Kerry are represented.

**Deputy Patrick O'Donovan:** -----decided to distance themselves from the motion. It will be interesting to see how many of them turn up to vote.

**Deputy Richard Boyd Barrett:** The Deputy should check the latest version of the motion.

**Deputy Patrick O'Donovan:** As I stated on previous occasions, this Administration is doing something for people who have provided their own water for generations in the absence of any help from either central or local government. They will receive a small conservation grant and this will go towards paying for the cost of maintaining group water schemes or private wells. In the rush to get rid of Irish Water, the Opposition is also trying to remove the only assistance that remains for many people in rural communities. I refer to the water conservation grant, which will be used by those to whom I refer to replace lamps, service their pumps or as part of their contribution to their group water scheme charges. Of course, they have paid those

charges for generations. It is at this point that those in opposition seem to fall asunder in respect of this matter. They come at this matter from an urban perspective and they fail to recognise that people who live in rural areas, including those in my constituency, have paid for their own water for decades. These individuals know the value of water in the context of how it is used for domestic and industrial purposes. They pay for water because if they did not do so, they would not have access to any supply. That is the reality in which those to whom I refer operate.

Most people, including those in Sinn Féin, know that water must be paid for and that is why, as Deputy Twomey correctly pointed out, 35,000 water meters were installed, at a cost of £13 million, north of the Border at the behest of the Northern Ireland Executive. Did anyone from Sinn Féin raise a clamour in this House to the effect that the latter was a waste of money? The answer is “No”. Up until the Dublin West by-election, Sinn Féin was actually in favour of the consumer paying for water. However, those in Sinn Féin were outflanked by the candidate who was eventually elected, Deputy Paul Murphy, and so they reversed engines and decided to jump onto the anti-Irish Water bandwagon quickly because they were of the view that there were votes in it for them.

**Deputy Caoimhghín Ó Caoláin:** Not at all. The consumer always pays for water.

**Deputy Patrick O’Donovan:** That was a completely cynical reversal of Sinn Féin’s policies. It was fine for the party to be involved in establishing Northern Ireland Water, paying executives and putting in place a charging system. As I have stated on previous occasions, it is also fine for Sinn Féin to pay for septic tanks in Northern Ireland to be desludged but it does not want to pay for the desludging of such tanks in Cavan or Monaghan. Those in Sinn Féin will charge for water services in Fermanagh but they will not charge for them in Cavan.

It will be very interesting to see what those in Fianna Fáil are going to do later. After all, it was they who gave us water charges in the first instance. Fianna Fáil settled on a charge of €400 per year and it was responsible for creating the economic mire out of which we are still trying to drag ourselves. It will be interesting to see what the party which signed us up to water charges is going to do. Then there are the Independents. Obviously, some of them did not sign up to the motion. A number of them wanted to amend the Constitution in order that provision might be made in it in respect of Irish Water. The names of those Members are also absent from the motion.

The Opposition construct that is the motion before the House is nothing other than an example of absolute and blatant naked political opportunism.

**Deputy Liam Twomey:** It is a fantasy.

**Deputy Patrick O’Donovan:** I do not know whether it is the season of “Darby O’Gill and the Little People” but it seems the leprechauns are hoping that there is a crock of gold at the end of the rainbow and that if they dig big enough holes in their back gardens they might discover something.

**Deputy Joan Collins:** Deputy O’Donovan should keep digging.

**Deputy Patrick O’Donovan:** The reality is that every commodity one uses must be paid for. Up until now, the water consumed by Irish people was provided in a very haphazard way by local authorities. We all know this to be the case because many of us were members of those authorities in the past. We are aware that sewage was pumped into surface water and that wells

were contaminated. God only knows the amount of fuel and other chemicals that have seeped into lands and affected surface water in Deputy Ó Caoláin's constituency as a result of diesel laundering taking place across the Border. People in the area could possibly be consuming water that has been tainted. Now we have in place an entity that will be able to deal with this matter once and for all.

What is wrong with giving people who dug their own wells or developed their own group water schemes €100 each year to defray some of the costs involved? Why are those on the benches opposite so anti rural Ireland? This is the first time an Irish Government has done something to provide potable water for people who live on family farms or whose dwellings are located on the sides of mountains or in other isolated areas. These individuals are obliged to dig their own wells and sometimes the water supply from them can be contaminated with iron or be full of lime. As a result, they must put in place a treatment system or use a water softener. The Deputies opposite want to take the €100 a year to which I refer away from them. They want to dismantle the one contribution that has ever been afforded to these people by the Government. It is no wonder that not a single Deputy who represents a rural constituency would put his or her name to this motion.

I am sure Deputy Healy will encourage people in south Tipperary and those in Borrisoleigh and Roscrea to claim the €100 when the time comes to do so. I am also sure farmers in west Wicklow and east Carlow have already contacted Deputy Donnelly's office in order to discover how they might obtain the €100 conservation grant. Are those opposite seriously stating that they are going to tell people not to claim the grant because it is Government money? It is easy for Deputy Joan Collins and the other Members who represent constituencies in the capital to tell people in Dublin, who have services coming out of their ears, not to claim the grant. Deputy Pringle might well laugh but he represents a constituency in what, in geographical terms, is one of the largest counties in the country. He is aware of how difficult it is for a homeowner in County Donegal to ensure his or her property passes a percolation test. He may laugh but people need to desludge their septic tanks and they will welcome the €100 the Government is going to provide to them. I do not think the staff in the Deputy's office are going to send out letters to people in Donegal not to claim the €100 being provided by the Minister, Deputy Kelly. Perhaps he will do so, however.

**Deputy Thomas Pringle:** We sent them out last night.

**Deputy Patrick O'Donovan:** If he does, perhaps he might supply us with a copy of the letter. I am sure it will state "Stand your ground and do not claim Alan Kelly's €100". I will believe that when I see it.

Irish Water was probably established ten years too late. The pollution of surface water and underground aquifers has placed Ireland in a very vulnerable position. Investment is coming into the country at a very steady rate at present. We know better than any other country the extent of our reliance on foreign direct investment for jobs. However, the people opposite who brought forward this motion want to put us in with Greece. They want us to be in the same position as a country that is trying to negotiate its way out of an even worse crisis than we faced and which is now realising it is not all about kicking the table and turning it over. Syriza is not anti-water. It has not announced plans to burn water bills outside Greece's national Parliament. If anything, it is probably going to increase charges further.

**Deputy Richard Boyd Barrett:** Free electricity.

**Deputy Patrick O'Donovan:** I do not see the new Prime Minister of Greece saying to Chancellor Angela Merkel that on top of his country's existing economic problems, he plans to give everyone free water. If no other country in the European Union is doing it, why should we be any different? Country people who have provided their own water for generations know its value and they welcome that they are finally getting some recognition for their efforts. Sinn Féin can install 35,000 meters north of the Border at a cost of £13 million, put water charges into a deep freeze until after the Northern Ireland Executive elections, get rid of 20,000 public servants, cut welfare and bring down the Northern Ireland Executive just to avoid being unpopular. Fianna Fáil are trying to forget that it wanted to levy €400 on every household. The reality is that most people know water has to be paid for. While it falls out of the sky freely, it has to be pumped and treated. It has to be chlorinated and fluoridated, and people have to work in those treatment plants. It also has to be treated at the other end. The Government has gone a long way towards meeting people's concerns. We are in a far better situation than heretofore but that bears no resemblance to the scenario that a couple of Deputies opposite, who could not even bring their own with them, would have us face.

**Deputy Caoimhghín Ó Caoláin:** Rabbitting on twice in a row.

**Deputy Stephen S. Donnelly:** There is a lot of politics in the Chamber this evening, as well as a lot of emotion, as one would expect in a debate on water charges. It is clearly going to be a key issue in the next election. However, I would like to revisit some of the facts because the numbers tell us pretty much everything we need to know about Irish Water.

The money raised from water charges will at most cover the cost of raising that money. According to my calculations, it will not even cover those costs. The net amount that will be raised from Irish households is approximately €90 million, and the cost of getting that amount of money will be more than €90 million. Irish households are being charged to cover the cost of charging them. Not one cent paid by any household in Ireland will pay for one drop of water, one replacement for a lead pipe or one brick in a new reservoir. The money the Government is seeking to take from us will cover the cost of getting that money. All the talk about people needing to understand that water is not free and that we have to upgrade the system is well and good but not a euro of the money raised will be invested in the system.

Even if it cost nothing to charge people for water because all the water meters were installed by volunteers with donations of concrete and shovels, all the people in the call centres worked for nothing in buildings constructed by philanthropists and An Post agreed to send the letters for free, it still would not be necessary to charge anybody for water. We know from the Irish Water capital expenditure programme that the only investment is an extra €200 million being invested in the system. These are Irish Water and Government numbers. This entire exercise is about investing an extra €200 million per year in water. Prior to this nonsense, Irish water cost approximately €1.2 billion to deliver. When Scotland brought its dispersed systems together, it managed to reduce operating costs by 40%. Let us be conservative and say we are only capable of achieving half of what Scotland saved. Even if we only reduced the cost base by 20% after bringing the dispersed utilities together and running it properly with new technology, we could pay for the entire additional investment in water with €40 million left over.

Not a single penny raised from an Irish household will be used to upgrade the infrastructure. Even if that money could be raised for free, it would not be necessary to raise it because all we have to do is reduce the operating costs by €200 million and invest that money in the system. That would solve the problem. There would be no water meters, protests or people coming

into my office to ask me how they will manage to pay for water. There would be no threats about turning people's water down to a trickle or taking money out of people's wages or social welfare payments. None of that would be necessary had this project been managed properly.

Deputy Rabbitte suggested that the lack of minutes in numerous meetings between the then Minister, Phil Hogan, and Bord Gáis are not relevant. Of course they are relevant. This entire exercise has been pursued in secrecy. The Joint Committee on Finance, Public Expenditure and Reform still cannot get evidence for the implications of off-balance sheet borrowing.

**Deputy Mick Wallace:** Last year most rational people in Ireland realised that Irish Water was a disaster. That has not changed. Yesterday the Taoiseach stated to the House that having high quality water and sewerage schemes requires investment on a major scale and cannot be done under the discredited system we have had for the last 40 years. If this Government is so concerned about how sewerage is managed or the state of our water table, perhaps it should have done something about it. During its four years in power it has done less than any other Administration for at least the last 20 years.

Last year I asked about 13 different towns and villages in County Wexford from which raw sewage was flowing into the sea or to rivers. These were Arthurstown, Ballyhack, Duncannon, Wellington Bridge, Clonroche, Ballycanew, Campile, Kilmore, Duncormick, Curraghcloe, Oylegate and Ferns-Camolin. I was told to write to Irish Water to ascertain its plans. The company told me it was considering and planning for these places, and expressed the hope that I was happy with its answer. Yesterday the Minister, Deputy Kelly, stated that 385 major capital projects are underway nationally. Perhaps he can clarify whether "underway" means they are at design stage, planning stage or under construction. Under no circumstances are 385 projects under construction. The Minister phrased his comment in a deceptive manner. In Wexford it has been decided to work on one project soon. There are no plans for the other towns and villages even though raw sewage continues to flow into rivers and the sea.

We were made aware of the huge problems that existed with sewage treatment in Ireland even before this Government came to power. The Europeans were drumming from the hilltops about it. Why did the Government not ask them if it could borrow money at 1.7% and put a few billion euro into our water and sewerage system? The sewerage system is archaic and does not function very well and our water table is severely damaged and under pressure. How many septic tanks have been tested and what has been done about septic tanks that are polluting the water table, poisoning us and increasing cancer rates here? That is the truth of what is happening. The Government has done bugger all about that. How many septic tanks in Ireland have been tested? Most septic tanks do not work properly, but the Government has done bugger all about them. I challenged the former Minister, Phil Hogan, about that here, but he was more or less just coddling the Europeans on the issue.

**An Ceann Comhairle:** The Deputy should not use inappropriate language in the House.

**Deputy Mick Wallace:** I am sorry, but it is hard to keep a cool head sometimes. One of the Deputies on the Government side said that rural Deputies did not sign this motion. I am from Wexford and I did. We do not have good drinking water in Wexford and there is significant raw sewage going into our rivers and the sea and we are not happy about that. The situation has not improved in the slightest in the past four years.

There are huge problems between Irish Water and the Wexford local authority. The local

authority has refused to give Irish Water the data it has asked for because it believes the transfer may not comply with data protection rules. Irish Water has asked for the names and addresses of all the tenants in local authority property and the local authority has refused to provide that information because the Data Protection Commissioner could not confirm that the handing over of this information is within the regulations.

Another major problem in Wexford is that some 120 estates have applied to be taken over, but Irish Water is blocking this deliberately because this does not suit it. Irish Water is a disaster and the sooner it is scrapped, the more money the State will save.

**Deputy Tom Fleming:** The mishandling of the setting up of Irish Water is affecting the whole economy, particularly over the past 12 months. Consumer confidence has taken a battering, due to the prospect of additional charges and taxes following a raft of financial burdens over the past six years. Many people just cannot afford more pressure on their household budgets.

The revelation made in the early stages of the setting up of Irish Water regarding huge bonuses for Irish Water staff angered and enraged almost all consumers. There is no benchmarking system in place and that is an oversight that should have been rectified at the start. Irish Water is an overstaffed super quango and it appears it has up to 2,000 additional staff for whom there is no need. This inefficiency will raise the cost of water for householders. On top of all this, we hear weekly of exorbitant fees being paid out to consultancy bodies.

Rather than being concerned with conservation, the establishment of Irish Water is purely a revenue raising exercise. At the end of 2014, the consumer confidence index fell. The catalyst for this fall in confidence seems to have been the prospect of water bills in the new year and the significant uncertainty regarding the future and medium-term to long-term charges for water. Due to this uncertainty, fewer people are saving. They are discouraged by the thought that water charges will eat up their savings. They see a bleak outlook for the future and envisage higher and increasing additional taxes. A study carried out by the Irish League of Credit Unions stated that eight out of ten families feel their household budgets will face pressure and strain in the coming years due to the initiation of water charges.

Water metering is the main priority of Irish Water, to the exclusion of the required emergency work to deal with contaminated water supplies and the replacement of deficient pipelines that leak millions of gallons of water daily. For example, Kerry County Council has several miles of faulty pipelines in several areas of the county. These intermittent supplies are a nuisance and an inconvenience to householders. They also bring financial demands, as in many cases consumers must seek an alternative supply of domestic water. Many of them must buy bottled water from their local shops. There is an immediate need of an investment of at least €20 million to carry out the required upgrading.

I commend the replacement of lead pipes in certain estates throughout the country. Piping in a huge estate in Tralee, St. Brendan's Park, has been replaced in the recent past. However, there is a need to renew plumbing in housing following the replacement of the piping and people need assistance to help with that. This applies all over the country. People have been drinking polluted water for the past 50 or 60 years and the system is not right yet.

**Deputy Joan Collins:** I was amused to hear the Labour Party Deputy, Deputy Eric Byrne, refer to Deputy Adams as a "sponger" in the Chamber yesterday. Just last weekend, I spent a day clearing out years and decades of political and council papers that had built up in the par-

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lour of my house and happened to come across an election leaflet from the early noughties from the bold Deputy Byrne. I read it and under the bold heading, You Know Where I Stand, Deputy Byrne pledged to oppose not just water charges, but all service charges. This raises a question in regard to his political position. We know where he stands now. I should, perhaps, put his election leaflet on Facebook so that people can see clearly the change he and many Labour Party Deputies have made on this issue.

Calling someone a “sponger” is mild compared to what Labour Party councillor, Dermot Lacey, called water charges protesters at a recent Dublin City Council meeting. He referred to them as “fascists”, a charge he refused to retract when challenged. Connolly and Larkin must be spinning in their graves at the antics of some of those who have usurped the honourable traditions of the Labour Party. They are nothing short of a disgrace.

Now we have the spectacle of a Labour Party Minister, Deputy Alan Kelly, threatening those who cannot and will not pay the charge with a hell and high water attitude. We now see the Government retreat of last year clearly as what we said it was, a tactical step back in the hope that mass opposition to Irish Water and the charges would weaken. We said at the time that the Government could not be trusted. We know it has lowered the charge as a tactic, as a Trojan horse. We also know, as the man under the bridge knows, that once charges for water have come into effect, the only way they will go is up, whether that is in 2019, 2020 or 2021. The Government cannot be trusted either on the issue of privatisation. Its promises on this issue are about as trustworthy as Deputy Byrne’s campaign pledges.

Some Members on the Government side of the House may be in denial regarding the scale of the opposition to water charges and Irish Water, even after last Saturday’s magnificent Right-2Water demonstration of unity, solidarity and determination. However, I believe the majority of those on the Government side are well aware that the Government will face ongoing mass demonstrations, ongoing protests against metering and massive non-payment of the charge. I state clearly that I will not pay the charge. The Minister, Deputy Kelly, is heading up a campaign of misinformation, intimidation and fear. That will not work. A charge is not a tax and Irish Water does not have the draconian powers given to Revenue on the property tax. Irish Water is a utility. Also, the Government cannot take hundreds of thousands of people to court in order to get attachment orders. It would be impossible to carry out such a task. Threats will be counter-productive although there is no doubt that they may scare some people. However, I believe the only thing they will achieve will be to make people more angry, more united and more determined to smash these unjust and unfair water austerity charges.

I thank the Socialist Party for bringing this motion to the House and I will be voting in support of it.

**Deputy Thomas Pringle:** I will paraphrase Martin Luther King when he said that if a law is unjust then citizens have a duty to oppose it. That is the case with the imposition of water taxes on the citizens of Ireland. It is not only that the tax is unjust *per se*, in that it is a double taxation, but it is also the view held by very many of the protesters that the policies pursued by the Government are also unjust. The campaign against water taxes is a culmination of the widespread opposition to the household charge, the property taxes and the insistence by the Government that the Irish people must pay and be responsible for the financial crisis that has engulfed them over the past seven years.

What enrages people even more is that the Government insists on trying to intimidate them

into complying with this tax. The Government may have been successful with the property tax but I believe it will not get away with its campaign of intimidation about the water taxes.

The people have seen through the Government's lies and diversions about the need for Irish Water and the imposition of charges and they know that in years to come, the tax will only increase, leading to bills of many hundreds of euro for citizens across the State. The announcement in the past days by a Minister that he intends to bring forward legislation to fast-track court appearances for people who refuse to pay the tax, sounds very much like a Minister who knows that he will not be around when that comes to pass. It shows what this Government is about when it wants to set up special courts to deal with citizens who do not pay the water tax in comparison to how quickly it moves to remove the loophole to facilitate banks in repossessing houses and how it took four years to bring any of the bankers before the courts. They still end up getting away with causing this crash. When we look around us we see very many of the same people moving into positions of power again on the boards of banks and developers being funded by NAMA to get back into business again in order to benefit from this recovery.

The Government amendment refers to meter charging being the fairest form of charging. The Government claps itself on the back for having capped the charge to ensure, as it says, that the charges are affordable. This is an acknowledgment that when it ultimately moves to metered charges, they will not be affordable for very many people. This is the point we who are opposed to this tax have been making all along, that there is a question of affordability and a question of fairness.

The Government likes to give the impression that Irish Water is a panacea for all those feckless county councils who did not invest in infrastructure and that this is what has left our water system the way it is. The fact is that the Department of the Environment, Community and Local Government controlled the expenditure of county councils at every step along the way. The reason for the infrastructural problems is because the Department ensured that projects could not progress.

Before being elected to this House I worked in the water services in Donegal County Council in the Killybegs treatment plant. The plant was opened in 1994, designed to meet 1990 requirements for water production and where the investigations on the provision of a new plant started in 1973. At every step of the way the Department delayed and slowed down the process. The fact that there are problems with infrastructure is not the responsibility of local authorities but rather it is the responsibility of governments, this and previous governments.

The Government amendment makes much of the fact that there has been procurement savings as a result of the establishment of Irish Water. I know for a fact that in Donegal since the arrival of Irish Water, the cost of hiring in jet cleaners for sewer problems has doubled since the national procurement process came in. Where are the cost savings?

The Government makes much of the fact that the metering will highlight the leaks in the system. Irish Water has identified savings of 6% in accounted-for water from domestic metering. When the metering programme is finished and when all the leaks identified have been fixed, there will still be more than 40% of unaccounted-for water in the system. This is an extremely expensive non-solution to a problem, where they are looking in the wrong place for the leaks.

The introduction of Irish Water has been a fiasco and citizens are right to oppose the Government and the introduction of the tax. The only way they can oppose this unfair tax is by

refusing to pay it.

**Deputy Seamus Healy:** Those whom the gods seek to destroy they first turn mad. That sentiment comes to mind with regard to the bizarre contribution of a former Minister this evening. His story seems to be that it is all RTE's fault. Whether that is an acknowledgment that former Workers' Party people are no longer running RTE or whether it is more sinister, a blatant attempt to intimidate RTE to stop reporting the truth, I am not quite sure, but it certainly is bizarre. It is something that has arisen tonight and in line with something we heard last night from his colleague, the Minister, Deputy Kelly, who told us that those opposed to these water charges want everything but do not want to pay for anything. How dare the Minister say any such thing.

This is the same Deputy Alan Kelly who stood in the general election in 2011 in Tipperary North. He knocked on every door in that constituency and asked every voter to give him their number one vote so that he could make sure that Fine Gael would not impose water charges on this country and on the people of this country. This is the same Deputy Kelly, now deputy leader of the Labour Party, who stood in that election on a manifesto which opposed the introduction of water charges. It is the same Deputy Kelly who supported the infamous - or famous, whichever one wants to call it - Tesco advertisement which warned the people that Fine Gael had water charges in store for them. Fine Gael were going to impose water charges on this country while he and the Labour Party were going to stop it. This is the type of hypocrisy from people like the Minister, Deputy Kelly and former Minister, Deputy Pat Rabbitte and others in the Labour Party. It is the type of hypocrisy that has brought politics and politicians into disrepute over the years.

I say to Deputy Patrick O'Donovan, who spoke about rural Deputies, I certainly have not registered, I will not register and I will not be paying this unfair, unjust double tax. This is an attempt to make ordinary people, ordinary families, pay for a recession in which they had no hand, act or part in creating and it is a method of ensuring that very wealthy people who have earned huge incomes, assets and profits during the course of this recession, have been allowed to get off scot-free.

Last night the Minister, Deputy Kelly, also indicated - perhaps inadvertently - where these water charges are going. He said that England and Wales have charges of €540. That is where these charges are going - up, not down. They will be going up in the very same way as the refuse charges. In my county the refuse charges were introduced at £5 pints and they are now €350.

**Deputy Richard Boyd Barrett:** It says everything about this issue and the water charges debacle that the Minister, who was the chief architect of this complete fiasco, the former Minister, Phil Hogan, was then rewarded by getting what is probably the most senior political position in Europe that this State can confer on an individual. Before he left office this Minister who was rewarded for that fiasco, was busy having secret unminuted meetings with Irish Water to plan the debacle and the fiasco that has ensued. The Government is not concerned, apparently, about these unminuted meetings when they led, by anybody's definition, to a disaster and a fiasco. That says it all. Why were the meetings not minuted? What were they discussing? What they were discussing was how they could obfuscate, spin and lie about the reality of water charges and Irish Water to undermine, defeat and divide the opposition that was already developing and has since assumed massive proportions. They were discussing how they could undermine the opposition, mass protests and boycott that were coming down the line as people took to the streets in unprecedented numbers. We also saw what the meetings were about in the

bizarre contribution made by Deputy Rabbitte in which he attempted to intimidate RTE. It was interesting that the Minister for Public Expenditure and Reform, Deputy Howlin, made a special appearance for Deputy Rabbitte's contribution and two journalists miraculously appeared in an otherwise empty Press Gallery, having clearly been tipped off by Deputy Rabbitte that he was about to make a statement on RTE. His speech was a deliberate attempt to intimidate the public broadcaster. Similarly, Deputy O'Donovan played the rural-urban divide in his effort to obfuscate and blur the key issue.

Attempts have been made to tarnish the anti-water charges protest movement through associations with violence. The Government is doing everything to obfuscate but the issue is simple - it is not fair to charge a millionaire, a pensioner, a person in receipt of a welfare payment of €188 per week and a worker on the minimum wage the same amount to access a basic human right. Under United Nations conventions, water is a basic human right and it is unfair and fundamentally unjust to charge everyone the same to access it. People know it is wrong that the amount of money a person has should dictate whether he or she has access to a basic human right. They also know from their experience of bin charges and so forth that the Government is lying when it states the charges will stay low. The charge will rocket and any waivers or concessions given now will disappear, just as happened in the past. People know, as Fianna Fáil, Fine Gael and the Labour Party knew at the time, that when charges are introduced, privatisation follows, as it did in the case of bin charges.

Rather than acknowledging the legitimate right of people to oppose water charges, the Government wants to distract from the substantive issues and instead divide, undermine and besmirch the overwhelming opposition to water charges. All its plans and spin will not succeed because the rebellion against water charges will continue and the nationwide boycott will prevail.

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan):** I acknowledge the robust and challenging contributions to the debate from Deputies on both sides in the past two days. While we may disagree on many issues regarding water sector reform, it is important to recognise the passion displayed on this key issue across the floor. This is encouraging as it demonstrates the strategic importance of water to the proper functioning of a modern economy and society. I have been deeply impressed by the ability of most Deputies on the benches opposite to foretell the future and I hope they will continue to use their crystal ball theories.

Unfortunately the passion of the debate has not been matched by solutions or constructive ideas from the Opposition. We have heard much bluster about non-payment, resistance, protests, court cases and imprisonment. This type of messaging will not rectify the problems with our public water and wastewater systems, nor will it address the high levels of leakage, inadequate wastewater treatment levels or problems with water quality and supply in certain areas.

Consolidating and building on the reforms made to date is the only viable path to lifting restrictions on drinking water, ensuring people in 44 towns and villages no longer see raw sewage discharged into local rivers and lakes and preventing towns and cities from running out of water or becoming dependent on water treatment plants in breach of drinking water regulations. Deputies should imagine the demonstrations that would take place if demand for drinking water in Dublin were not met in future. Hoteliers, representatives of the tourism and retail industries and householders would protest on the streets about the lack of adequate drinking water.

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As Irish Water continues to make progress under the various initiatives outlined in detail by the Minister for the Environment, Community and Local Government, Deputy Alan Kelly, last night and a more sustainable funding model which includes domestic water charges is implemented, we will create a more resilient, quality public water system of which we can all be proud.

Many Deputies raised the issue of unpaid water charges and the pursuit of arrears. I will comment on this issue up front. The Minister will soon bring proposals to Government on this matter to expand upon existing provisions in water services legislation. It is not tenable that those who pay should be disadvantaged in any way by those who can pay but refuse to do so. This would also place the burden of the cost of upgrading and improving a deficient water system on the next generation.

The Minister has always insisted that Irish Water distinguish between those who want to pay but are unable to do so and those who refuse to pay. Those who want to pay but are in financial difficulty will be able to avail of easy pay options and instalment plans, as is the case with all other utilities. Those who do not register or pay will not be able to avail of the €100 water conservation grant and will be liable for a late payment fee.

I will outline some of the benefits accruing from Irish Water's new approach to the provision of water services. Irish Water's asset management approach that underpins infrastructural investment is already realising considerable benefits in project costs and timeliness of delivery. Examples of projects where the company's approach to capital investment will make real savings compared to previous local authority plans include the Ringsend waste water treatment plant which will generate a saving of €170 million; the greater Dublin area drainage project which will save €30 million; the Cork city water supply scheme which will generate a saving of almost €22 million; the Navan and mid-Meath water supply scheme which will create a saving of almost €10 million; and the Kerry central water supply which will generate a saving of almost €9 million.

**An Ceann Comhairle:** The Minister of State's time has concluded.

**Deputy Clare Daly:** I am sorry I was late for the debate. I was visiting Coolock, one of the communities at the heart of the resistance to water charges. Having returned to the House, I am sorry I did not stay because the reality of life in working class communities in Dublin, districts and towns and villages of this country is a million miles away from some of the nonsense that has spewed from the Government benches. It does not give me any pleasure to point out that most of this nonsense has emanated from the mouths of Deputies from the Labour Party, which has become the whipping boy of the Government. Where are their Blueshirt Fine Gael colleagues?

The Minister for the Environment, Community and Local Government led the charge last night, while other Labour Party Ministers who are not even in that Department took up the challenge today. I did not hear Deputy Rabbitte's contribution but I am aware that his stunt has successfully grabbed the headlines in the media coverage of this debate. The Deputy will rue the day he made his comments. While he may believe he can compare people to rats following a pied piper, his statement belies a lack of understanding of the real battle that is taking place in communities around the country. People are not following anybody but listening to their own instincts and an understanding born of direct experience that unless they make a stand on this issue, they will be faced with monstrous bills in future and the real prospect of the public water

supply being privatised.

I refer to the conduct last night of the Minister when he got up and lectured people. He talked about how people had to understand the need to pay for things. How dare he propose to put that message to people? Irish people know that. They have paid for public services through the central taxation system. They have paid through the highest form of indirect taxation in Europe, which means the poorest people pay the most. That the Government has decided to embark on being Robin Hood in reverse by using people's taxes to pay the debts of others that never were the responsibility of ordinary people is an absolute and utter disgrace. Where does the Government think the public water supply came from in the first place? It came off the backs of taxpayers. Where does the Government think the reduction in leakages in areas such as South Dublin, which council was able to implement double-figure reductions, came from? It came from investment by the State. The Government talks about savings being made, but is it not aware that savings being made in Ringsend are being made not because of efficiencies but because the plant is cutting out best practice environmental considerations and is doing only half the job promised? The Government's figures and information do not stack up.

It is not the only point on which the Government is contradicting itself because, on the one hand, one is supposed to believe everybody is coming over to its point of view and that people are happily signing up and see the logic in this scenario. On the other, the Government is moving into vicious forms of threats and intimidation because it knows that it has lost the battle for the hearts and minds of ordinary people in this regard. Threatening letters are being sent to warn people in the voluntary housing sector in organisations such as Clúid, for example. I was contacted by a group of tenants from Drogheda this morning, including a family of six in a two-bedroom apartment, a Vietnamese woman in a basement and a family in another dwelling in between, who had received letters telling them the terms of their tenancy meant they had to pay this charge. How, when local authorities are facing challenges in Europe over the condition of local authority houses, are they meant to go into the business of collecting and be water charges collectors also? It is an absolute impossibility.

The reality is the Government cannot rule against the will of the people and that it does not have the will of the people in this regard. I believe it knows this-----

**Deputy Ann Phelan:** We have 65% of it.

**Deputy Clare Daly:** Perhaps the Labour Party has given up the ghost and in the belief it will have none of its Members returned, it might as well throw in the towel because if the Government continues in this way, they certainly will not.

**Deputy Ann Phelan:** We have 65% of it.

**Deputy Colm Keaveney:** Minus the group water schemes.

**Deputy Ann Phelan:** It is a question of equality.

**Deputy Clare Daly:** A constituent rang me this morning who had rung the Minister's office this morning, had been told by his staff to eff off and had had the telephone hung up on him.

**Deputy Ann Phelan:** People in rural Ireland pay for water.

**An Ceann Comhairle:** Please, Minister.

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**Deputy Clare Daly:** Methinks the poor Minister doth protest too much.

**Deputy Ann Phelan:** Go on out of that.

**An Ceann Comhairle:** I am sorry; watch the clock, please.

**Deputy Clare Daly:** The reality is that the people are off their-----

**Deputy Ann Phelan:** Go and talk to people in rural areas where they have water schemes.

**An Ceann Comhairle:** Please, Minister.

**Deputy Clare Daly:** She should note that talking people down does not impress anybody and is akin to the antics of the office of the Minister, Deputy Alan Kelly.

**Deputy Ann Phelan:** The Deputy is-----

**An Ceann Comhairle:** Will the Minister, please, stop?

**Deputy Ann Phelan:** Yes, a Cheann Comhairle.

**Deputy Clare Daly:** I do not need to say anything. The Minister of State has made the point for me.

**An Ceann Comhairle:** The Deputy's time has expired.

**Deputy Clare Daly:** People are off their knees on this issue. They are loving it and Government Members will be the ones who will lose out.

**Deputy Joe Higgins:** The former Minister for Communications, Energy and Natural Resources, Deputy Pat Rabbitte, decided to come into the Dáil tonight, having alerted the media that he was going to make an important statement on Irish Water. In his long career we have seen him hawk himself around the political world from Official Sinn Féin to Sinn Féin The Workers' Party to the Workers' Party to New Agenda and to the Labour Party.

**Deputy Mary Lou McDonald:** And Democratic Left.

**A Deputy:** And Fine Gael.

**Deputy Joe Higgins:** Did I leave anyone out?

**Deputy Caoimhghín Ó Caoláin:** God knows.

**Deputy Joe Higgins:** With each new move, he shed whatever bits of left principles he might once have had, to be replaced with a sneering cynicism which Members saw oozing from him tonight as he decided to divert attention from the hatred of ordinary people in society for the Labour Party because of its continuing imposition of this hated water tax with a cynical attack on RTE. The reality is that in recent years RTE has provided an ongoing platform for the Revenue Commissioners, various Ministers for the Environment, Community and Local Government, Government spokespeople and latterly Irish Water for every move they have made to try to impose one unacceptable austerity tax after another, from the household tax to the property tax and now the water tax, as the record will show. The people of Dublin South-West will not be impressed by the former Minister's antics, as they showed devastatingly clearly in the result of the Dublin South-West by-election last October.

The Christian feast of Easter approaches. It is a movable feast set for the first Sunday after the first full moon after the vernal equinox. The Government's deadline for householder registration with Irish Water is also a movable feast. It is much more movable than Easter, however, and last night, with some puffing of his chest, the Minister for the Environment, Community and Local Government came into the Dáil Chamber and announced no less than the fifth registration deadline of 30 June. At first sight, it appears to have something to do more with the sun than the moon because the first deadline was around the autumnal equinox. It was then moved to around the winter solstice, but that deadline then disappeared like the weak rays of the winter sun at Newgrange and we moved in the direction of the spring equinox. Lo and behold, we now have a date somewhere beyond the summer solstice. Is there any logic to this? I have worked out that there is a law governing the movable feast that is Irish Water registration and it runs something like this. It is the first occasion on which the Minister with responsibility for Irish Water gets to speak after the latest registration figures showing stubborn resistance to registration by householders after tens of thousands of the same householders have poured onto the streets of Dublin and elsewhere in Ireland to demand the abolition of water charges. In passing, some might say that in the case of the Labour Party persisting with water charges, it might have something to do with the full moon, but being a scientific socialist, I will not really comment on that.

The most recent flexible registration date is 30 June. It, of course, is another attempt to try to frighten householders into registration. The Government is playing fast and loose with figures and the truth. The Minister claimed on Monday's edition of RTE's "Morning Ireland" that 1,230,000 householders had registered. Moreover, he claimed that 130,000 of these had done so in the previous four weeks. However, we checked and Irish Water stated that on 27 February, 229,389 had registered by then. According to these figures, 600 or 700 people have registered in the past month, not 130,000, but why should the truth get between a Minister and his propaganda?

The water charge is utterly rejected because it is a bondholder tax and part of the odious bailout of the banking system, the bondholder system and the European financial markets system that puts the burden on working-class people, ordinary middle and low-income workers and poor people. In the motion we have tabled we have laid out examples of where, if there was a different political complexion to the Government, it could look to the very wealthy, the major corporations and a financial transactions tax to obtain strong funding for investment in Irish Water and infrastructure in general, recreate and reboot the economy, generate employment for the people and so forth.

*9 o'clock*

The IMF seems to be the only ally that the Labour Party and Fine Gael have for the water charges. It has the audacity to suggest that the political situation has settled down and that the water charges issue appears to be becoming less heated with the November 2014 steps to lower fees and the setting of a cap.

We can see what exploded onto the streets of Dublin last Saturday, however. The Government will face a mass boycott because people are not fooled. They know that water charges will go towards €1,000 for a family of four or five as soon as the pressure is off. It is odious to hear Government Deputies trying to set ordinary people in rural Ireland against their urban counterparts. The reality is that Dingle and Lispolé, which I know well, are on the public water system, as is Donegal. Tens of thousands of people have been on the streets in every corner of

rural and urban Ireland.

The call that resounds is, “We won’t pay”. That is the sentiment of millions of ordinary people. Those seeking the abolition of water charges should support that boycott. In 1994, 1995 and 1996 there was a people-power campaign of which I was the chairman. Based on a mass refusal to pay, mobilisation and political pressure, it forced the abolition of the hated tax at that time. It was the only time since the land annuities of the 1920s that a mass boycott - in the earlier case it was by small farmers - forced out an unjust tax.

The Sinn Féin rank and file members support the idea of a boycott. Deputy Adams is wrong-headed to attack the so-called ultra left, which in reality is the anti-austerity alliance. He says that Sinn Féin will not call for a boycott. Picture this - in April, May and June the bills will start to arrive. Well over 50% of our people oppose this tax and do not want to pay it. Their strongest weapon is the mass boycott, so that is what those seeking the abolition of water charges should say. That is their strongest weapon so they should exercise it. In that way we can force out this hated tax in a short period of time. That is what we did in the 1990s and one can imagine what level they would be at now if we had not won then.

This matter will haunt the Government right up to the election if it persists on its present course. If some 35% or 40% of householders are boycotting, it means the water charges will not survive the general election. That is because at four out of every ten doors Government candidates will be greeted with enormous anger since the occupants will be part of the boycott. Many others may have paid reluctantly but they will also be angry.

The Labour Party should remember what happened to Fianna Fáil and the remnants of that party who were clinging to whatever was left after the last general election. There will not even be remnants if they persist. If the Government moves to try to bring in repressive measures, as the Minister of State has warned us about tonight, I can tell her that Labour will not even have a remnant of a parliamentary party to cling to.

**Deputy Ann Phelan:** We will see.

**An Ceann Comhairle:** I am sorry Deputy but I must put the amendment now. Please re-sume your seat.

**Deputy Joe Higgins:** The Government is utterly betraying the aspirations and opposition of ordinary people.

**An Ceann Comhairle:** As 90 minutes have expired, I must now put amendment No. 1 in the name of the Minister for the Environment, Community and Local Government.

Amendment put:

<i>The Dáil divided: Tá, 60; Níl, 38.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Bannon, James.</i>	<i>Boyd Barrett, Richard.</i>
<i>Barry, Tom.</i>	<i>Broughan, Thomas P.</i>
<i>Breen, Pat.</i>	<i>Collins, Joan.</i>
<i>Buttimer, Jerry.</i>	<i>Colreavy, Michael.</i>
<i>Byrne, Catherine.</i>	<i>Coppinger, Ruth.</i>

<i>Byrne, Eric.</i>	<i>Daly, Clare.</i>
<i>Cannon, Ciarán.</i>	<i>Donnelly, Stephen S.</i>
<i>Carey, Joe.</i>	<i>Dooley, Timmy.</i>
<i>Conlan, Seán.</i>	<i>Ellis, Dessie.</i>
<i>Connaughton, Paul J.</i>	<i>Ferris, Martin.</i>
<i>Coonan, Noel.</i>	<i>Fleming, Tom.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Halligan, John.</i>
<i>Costello, Joe.</i>	<i>Healy, Seamus.</i>
<i>Coveney, Simon.</i>	<i>Healy-Rae, Michael.</i>
<i>Creed, Michael.</i>	<i>Higgins, Joe.</i>
<i>Deasy, John.</i>	<i>Keaveney, Colm.</i>
<i>Deenihan, Jimmy.</i>	<i>Kitt, Michael P.</i>
<i>Doherty, Regina.</i>	<i>Lowry, Michael.</i>
<i>Durkan, Bernard J.</i>	<i>McConalogue, Charlie.</i>
<i>Feighan, Frank.</i>	<i>McDonald, Mary Lou.</i>
<i>Fitzgerald, Frances.</i>	<i>McGrath, Finian.</i>
<i>Fitzpatrick, Peter.</i>	<i>McGrath, Mattie.</i>
<i>Flanagan, Charles.</i>	<i>McGrath, Michael.</i>
<i>Gilmore, Eamon.</i>	<i>McLellan, Sandra.</i>
<i>Griffin, Brendan.</i>	<i>Martin, Micheál.</i>
<i>Hannigan, Dominic.</i>	<i>Murphy, Catherine.</i>
<i>Hayes, Tom.</i>	<i>Murphy, Paul.</i>
<i>Heydon, Martin.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Humphreys, Kevin.</i>	<i>Ó Fearghail, Seán.</i>
<i>Keating, Derek.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Kenny, Seán.</i>	<i>O'Sullivan, Maureen.</i>
<i>Kyne, Seán.</i>	<i>Pringle, Thomas.</i>
<i>Lawlor, Anthony.</i>	<i>Shortall, Róisín.</i>
<i>Lynch, Ciarán.</i>	<i>Smith, Brendan.</i>
<i>McCarthy, Michael.</i>	<i>Stanley, Brian.</i>
<i>McGinley, Dinny.</i>	<i>Tóibín, Peadar.</i>
<i>McNamara, Michael.</i>	<i>Troy, Robert.</i>
<i>Maloney, Eamonn.</i>	<i>Wallace, Mick.</i>
<i>Mitchell, Olivia.</i>	
<i>Mitchell O'Connor, Mary.</i>	
<i>Murphy, Dara.</i>	
<i>Nash, Gerald.</i>	
<i>Neville, Dan.</i>	
<i>Nolan, Derek.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Dowd, Fergus.</i>	
<i>O'Mahony, John.</i>	
<i>Phelan, Ann.</i>	

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<i>Phelan, John Paul.</i>	
<i>Rabbitte, Pat.</i>	
<i>Ring, Michael.</i>	
<i>Ryan, Brendan.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Twomey, Liam.</i>	
<i>Varadkar, Leo.</i>	
<i>Wall, Jack.</i>	
<i>Walsh, Brian.</i>	
<i>White, Alex.</i>	

Tellers: Tá, Deputies Joe Carey and Emmet Stagg; Níl, Deputies Ruth Coppinger and Paul Murphy.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

<i>The Dáil divided: Tá, 60; Níl, 38.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Bannon, James.</i>	<i>Boyd Barrett, Richard.</i>
<i>Barry, Tom.</i>	<i>Broughan, Thomas P.</i>
<i>Breen, Pat.</i>	<i>Collins, Joan.</i>
<i>Buttimer, Jerry.</i>	<i>Colreavy, Michael.</i>
<i>Byrne, Catherine.</i>	<i>Coppinger, Ruth.</i>
<i>Byrne, Eric.</i>	<i>Daly, Clare.</i>
<i>Cannon, Ciarán.</i>	<i>Donnelly, Stephen S.</i>
<i>Carey, Joe.</i>	<i>Dooley, Timmy.</i>
<i>Conlan, Seán.</i>	<i>Ellis, Dessie.</i>
<i>Connaughton, Paul J.</i>	<i>Ferris, Martin.</i>
<i>Coonan, Noel.</i>	<i>Fleming, Tom.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Halligan, John.</i>
<i>Costello, Joe.</i>	<i>Healy, Seamus.</i>
<i>Coveney, Simon.</i>	<i>Healy-Rae, Michael.</i>
<i>Creed, Michael.</i>	<i>Higgins, Joe.</i>
<i>Deasy, John.</i>	<i>Keaveney, Colm.</i>
<i>Doherty, Regina.</i>	<i>Kitt, Michael P.</i>
<i>Durkan, Bernard J.</i>	<i>Lowry, Michael.</i>

<i>English, Damien.</i>	<i>Martin, Micheál.</i>
<i>Feighan, Frank.</i>	<i>McConalogue, Charlie.</i>
<i>Fitzgerald, Frances.</i>	<i>McDonald, Mary Lou.</i>
<i>Fitzpatrick, Peter.</i>	<i>McGrath, Finian.</i>
<i>Flanagan, Charles.</i>	<i>McGrath, Mattie.</i>
<i>Gilmore, Eamon.</i>	<i>McGrath, Michael.</i>
<i>Griffin, Brendan.</i>	<i>McLellan, Sandra.</i>
<i>Hannigan, Dominic.</i>	<i>Murphy, Catherine.</i>
<i>Hayes, Tom.</i>	<i>Murphy, Paul.</i>
<i>Heydon, Martin.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Humphreys, Kevin.</i>	<i>Ó Feargháil, Seán.</i>
<i>Keating, Derek.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Kenny, Seán.</i>	<i>O'Sullivan, Maureen.</i>
<i>Kyne, Seán.</i>	<i>Pringle, Thomas.</i>
<i>Lawlor, Anthony.</i>	<i>Shortall, Róisín.</i>
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<i>Maloney, Eamonn.</i>	<i>Stanley, Brian.</i>
<i>McCarthy, Michael.</i>	<i>Tóibín, Peadar.</i>
<i>McGinley, Dinny.</i>	<i>Troy, Robert.</i>
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<i>Mitchell O'Connor, Mary.</i>	
<i>Murphy, Dara.</i>	
<i>Nash, Gerald.</i>	
<i>Neville, Dan.</i>	
<i>Nolan, Derek.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Dowd, Fergus.</i>	
<i>O'Mahony, John.</i>	
<i>Phelan, Ann.</i>	
<i>Phelan, John Paul.</i>	
<i>Rabbitte, Pat.</i>	
<i>Ring, Michael.</i>	
<i>Ryan, Brendan.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Twomey, Liam.</i>	
<i>Varadkar, Leo.</i>	
<i>Wall, Jack.</i>	
<i>Walsh, Brian.</i>	
<i>White, Alex.</i>	

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Tellers: Tá, Deputies Joe Carey and Emmet Stagg; Níl, Deputies Ruth Coppinger and Paul Murphy.

Question declared carried.

The Dáil adjourned at 9.25 p.m. until 9.30 a.m. on Thursday, 26 March 2015.