



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 15 Aibreán 2015

Wednesday, 15 April 2015

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2.30 p.m.

Paidir.

Prayer.

Ceisteanna - Questions

Priority Questions

Child Protection Services Provision

1. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs his plans to address continuing child protection and welfare concerns in respect of children at risk who are waiting to be allocated a social worker. [14644/15]

Deputy Robert Troy: Recently we have received further reports which provide evidence that children proved to be at severe risk are left to wait for protracted periods without a necessary social worker. Will the Minister confirm to the House how he and his Department plan to deal with the deficiencies and the reduction in number of social workers to ensure every child identified as being in need of a social worker or at high risk of harm will, at the very minimum, be guaranteed a social worker to deal with him or her and his or her family?

Minister for Children and Youth Affairs (Deputy James Reilly): I would like to correct the record of the House and the Deputy's point of view. There has been no reduction in the number of social workers.

As of January 2015, Tusla, the Child and Family Agency, has advised that a total of 19,926 children were in receipt of a dedicated social work service. A further 7,787 children who would benefit from an allocated social worker were awaiting the service. Of the 7,787 cases awaiting allocation, 2,235 were identified as being in the high priority category. These cases represent a mix of new referrals who need further assessment, as well as children known to Tusla or in care who need a continuing social work service. It is important to note that "high priority" should not simply be equated with risk. For example, children in care for less than six months are in

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stable placements and included in this category. Tusla deals immediately with emergency cases, including, for instance, a child who has been abandoned or is in immediate physical danger or at immediate risk of sexual abuse. Social work duty teams keep high priority cases under review by regular checking to ascertain risk to the child and, where necessary, will re-prioritise the case.

There were 1,397 whole-time equivalent social workers employed by Tusla at the end of February and it is recruiting an additional 218. Tusla risk-assesses the impact of vacancies on service provision on an ongoing basis so that social work team numbers do not fall below what is considered necessary to provide a safe service. These risk assessments take account of case loads and referral numbers. Where necessary, temporary staff are brought in immediately to cover vacancies.

Additional information not given on the floor of the House

As part of Tusla's business planning process for 2015, I requested that an action plan be developed setting out the proposed measures to tackle the issue of unallocated cases. Tusla has commenced a national review of cases awaiting allocation this month to determine if additional social work posts may be required to meet existing demand. I look forward to the outcome of this review.

There has been a welcome downward trend in the number waiting to be allocated a social worker, including an almost 50% reduction of high priority cases awaiting allocation for less than three months in 2014. Tusla is also committed to producing a workforce development strategy by the end of quarter 2 this year. This development presents Tusla with a significant opportunity to continue to improve its service to vulnerable children and families. The plan will consider issues relating to recruitment, retention, skill mix and turnover. I look forward to receiving the action plan and strategy and I will support Tusla in their ongoing work to deliver a safe and quality service.

Deputy Robert Troy: The Minister said there was no reduction in social workers. While that may be true, many fewer children were referred or known to the care system five years ago than today. That is because there is now a greater emphasis and sense of priority in terms of ensuring that people at risk are referred to the care system.

What research and analysis has been carried out to ensure that we have a sufficient number of social workers working in the care system? The latest figures show that more than 8,000 cases of abuse, neglect and welfare concerns in respect of children at risk are waiting to be allocated a social worker. The most recently published HIQA report on social services in Cork set out that more than 230 children assessed as being at high risk of harm did not have an allocated social worker. HIQA also found that 1,167 of 4,926 children had no allocated social worker. We have a problem with the number of social workers working in our service.

Deputy James Reilly: I am glad the Deputy accepts there is no reduction in social workers. By way of further answer to his question I note that as part of Tusla's business planning process for 2015, I requested that an action plan be developed setting out the proposed measures to tackle the issue of unallocated cases. Tusla has commenced a national review of cases awaiting allocation this month to determine if additional social work posts may be required to meet existing demand. I look forward to the outcome of this review. As I have said, a further 218 social workers are being recruited.

I am pleased to inform the House that there has been a welcome downward trend in the number of cases waiting to be allocated a social worker, including an almost 50% reduction of high priority cases awaiting allocation for less than three months during 2014. Tusla is also committed to producing a workforce development strategy by the end of quarter 2 this year. This development presents Tusla with a significant opportunity to continue to improve its service to vulnerable children and families.

Deputy Robert Troy: My question is whether, in light of the huge increase in the number of children referred to social work services, the Minister is confident that we have a sufficient number of social workers. The level of social workers to which the Minister and Department continually refer when talking about meeting capacity is based on figures from five years ago. In light of the additional children being referred to the service, is the Minister confident? Certainly, I am not. The research and evidence shows that thousands of children have not been allocated social workers.

The Minister has identified an action plan. Can he confirm today the number of children nationally who have been deemed to require a social worker but remain without one? Can he identify the number and confirm to the House when the children who have been identified as in need of a social worker will have a dedicated social worker and social plan going forward? Only when each child who has been identified as in need of a social worker gets one can the Minister come to the House and confirm that we have a sufficient number of social workers working in our service.

Deputy James Reilly: In the opening lines of my reply to the question, I confirmed the numbers for the Deputy. Measuring the pressure, which is done quarterly, there is a 48.6% drop in the number of children in the high priority category who are awaiting allocation to a social worker for less than three months from 2,046 in quarter 4, 2013, to 1,051 in quarter 4, 2014. We are making progress but we must make more. We are endeavouring to ensure that all children receive an appropriate service. Referrals have reduced as a consequence of better, more coherent co-operation between various people in the team who talk to each other. The easiest way to describe it would be to put it in medical language. A GP who might want to refer a patient because he is unsure of a problem discusses that problem on the telephone with a consultant and realises he can deal with it himself. A similar type of approach has been adopted here. This has reduced anxiety for families and the necessity for social workers to become involved where it is not appropriate. There are still too many children awaiting a social worker. We are working and endeavouring to make sure that this is addressed through a whole range of initiatives which we have taken.

Deputy Robert Troy: When will it be addressed?

Child Protection Services Provision

2. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs the actions taken to urgently address the substandard and inadequate provision of care to minors, in view of the recent report by the Health Information and Quality Authority which revealed shocking findings from a full inspection of services in County Cork in October 2014, where children have been waiting years to be allocated a social worker and are accordingly at risk. [14710/15]

Deputy Sandra McLellan: What actions have been taken to urgently address the issue

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of substandard and inadequate provision of care for minors in light of the recent HIQA report which revealed shocking findings from a full inspection of services in County Cork in October 2014, where children have been waiting years to be allocated a social worker, putting those children at risk?

Deputy James Reilly: I assure the Deputy and the House that all children who are known to be at immediate and urgent risk are seen immediately and have a social worker assigned to them by Tusla, the Child and Family Agency. Comments about the HIQA report for the Cork area may have given the impression that these most vulnerable children known to Tusla were not being cared for. The children were described by some as having been abandoned, beaten or sexually abused. I am reliably informed that this is not the case.

The HIQA inspection report found a number of positives and noted the good quality of the service provided to children and families when they had an allocated social worker. The report stated that the service had clear lines of accountability. Managers and social workers used standard business processes, together with the national guidelines in Children First, to deliver a consistent service with clear oversight.

I am concerned that there were two findings that were classed as “significant risk” but I am able to report that these were addressed immediately. The action plan published with the inspection report stated that the 21 children who were identified as having complex problems had all been allocated a social worker in the course of the inspection. Risk management and monitoring by the duty social work team ensures that any change in a child’s circumstances are dealt with during a period when a child is waiting for the allocation of a social worker.

Improvements in the delivery of Tusla’s resources and the efficient management of case loads are key priorities. Tusla is reviewing the cases awaiting allocation of a social worker to decide how best to meet existing and future service demands. Nationally, the list of high priority cases awaiting allocation for less than three months has decreased by almost 50% in 2014. In Cork alone, the total number of cases awaiting allocation has dropped by over a quarter in 2014, including a significant decrease of 66% in those listed as high priority. I am pleased to see the progress being made in this critical area since Tusla’s establishment.

Deputy Sandra McLellan: I have raised the issue of substandard and inadequate provision of care for minors with the Minister on many occasions, both in committees and in this Chamber. I have specifically highlighted issues pertaining to my constituency in Cork. The Minister has rightly agreed that the situation regarding lack of staff and social workers and the knock-on effects of lack of care, such as drugs paraphernalia being found in some homes, was hugely concerning.

The HIQA report released last month revealed even more shocking findings following a full inspection of services in the county in October of last year. The review of child protection and welfare services in County Cork by HIQA found that children were at significant risk as a result of failures by the Child and Family Agency, Tusla. It is widely known that children in the county have been waiting years to be allocated a social worker. Some cases involve children with highly complex and acute needs. Will the Minister give an update on the increase in the number of social workers for minors in Cork since our last conversation about the issue? What progress has been made, particularly for those assessed as being at high risk?

The Minister had previously stated that there was a process of recruitment under way in the

UK due to a shortage of staff in Ireland. Will the Minister give an update on the type of personnel recruited and how many have been placed? Is this recruitment drive serving its purpose?

Deputy James Reilly: Deputy McLellan has asked a lot of questions and I will try to answer some of them. The number of cases of children awaiting allocation of a social worker has decreased over 2014. Tusla's figures for Cork indicate a decrease of 26% in the overall number and, in the number of high-priority cases, a decrease of two thirds. The source for this is "Measuring the Pressure". However, people are still waiting, and we will continue to endeavour over the coming months to ensure that this does not remain the case.

The Deputy asked about the recruitment process. Many initiatives are under way to address the issue of our social worker complement. We are actively recruiting 218 this year. I do not have a further update for the Deputy but if I get it I will pass it on to her.

Deputy Sandra McLellan: We know from the authority's report that, of the 27 standards assessed, Tusla's service met six, required improvement in 19 and significant risks were identified in respect of two. The report found that the effectiveness of the service was compromised due to the length of time it took for social workers to be allocated to assess the needs of children and families, meaning that children could remain at risk while they waited. It also found that the longest a child had been waiting for a social worker to be allocated was since 2010, whereas most of the others had been waiting since 2013. Of the almost 5,000 cases referred to Tusla in Cork, more than 1,000 had no allocated social workers, including the 234 deemed high priority. Where retrospective allegations of abuse were made against adults, Tusla failed to establish the risks to all children who may have been in contact with those adults.

Is it the case that children are worse off under Tusla than under the HSE? Does the Minister agree that the Child and Family Agency, which is facing a funding crisis, will continue to reveal such findings until the lack of resources is adequately addressed? Will it be addressed in budget 2015?

Deputy James Reilly: I reject the assertion that Tusla is in any financial crisis. It is a new agency and received a substantially increased budget this year. As it develops, we will undoubtedly see where there is a need for further resources. It is undertaking work to measure this and to determine where best to put those resources.

Regarding high-priority cases, these are not children at immediate risk. Any child at immediate risk is treated as an emergency and seen immediately. To put this in perspective, if a teacher in a classroom this morning is worried about a child in that class, there will be a social worker there before the child goes home this evening. That is the nature of the service that Tusla delivers. High-priority cases include a range of situations, some of which relate to children who are in care and stable environments but have not been allocated social workers. We would prefer it if they had social workers, but they are not in any immediate risk or danger. We want to minimise risk and would like to see no child at risk where possible.

An Leas-Cheann Comhairle: Deputy Healy is not present, so we will move on to Question No. 4.

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Preschool Services

4. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs his views on concerns that the inspection system for preschools is not robust enough to identify centres that pose risks to the health and welfare of children in their care. [14716/15]

Deputy James Reilly: I thank the Deputy for his question. A key priority for the Government is to ensure that quality early years services are available to preschool children. My Department is progressing the early years quality agenda, which represents a programme of measures to support, monitor and regulate the improvement of quality standards in preschool services. A key element of the agenda is strengthening the national early years regulatory regime. This will result in a change in practice in a number of areas relating to early years inspections.

Responsibility for the inspection of early years services transferred from the HSE to the Child and Family Agency in January 2014. Legislative amendments under the Child and Family Agency Act 2013 strengthened the inspection regime and provided a statutory basis for the registration of early years services. The new registration system, which will be introduced by the Child and Family Agency, requires that anyone seeking to open an early years service must register with the agency prior to the facility being opened. The proposed service will then be inspected to ensure it meets all the necessary criteria before registration is granted. A similar inspection will be carried out at three yearly intervals. Ongoing inspections will be carried out after the service has become operational and children are attending. The legislation also provides for increased sanctions for service providers that do not comply with the regulations. The agency will also be in a position to refuse to register a service provider, remove a provider from the register, or attach conditions to the registration of a provider.

The Child and Family Agency is working to make the inspection system more consistent and robust. Reports on all inspections conducted since the middle of 2013 are published online and the agency is in the process of publishing retrospective inspection reports. The early years inspectorate is now managed by the agency on a national basis and working to common standards. The inspection tools and report format have been reviewed and new inspection arrangements will accompany the new regulations later this year. The regulations will incorporate new national quality standards which will provide the basis against which services will be inspected and reported on. Services will be supported to work towards higher standards of quality based on clearer criteria for measuring levels of compliance.

Deputy Robert Troy: I am pleased the Minister has acknowledged that he did announce a programme of measures. He said a key element under the new system would be the registration process. That process was announced following the “Prime Time” exposé and placed on a statutory basis in January 2014. Fifteen months later, however, it is not yet in operation. No new service has been registered and no existing service has been re-registered, even though the legislation requires that this be done within three years. What is the reason for this delay in registrations? When will we see the registration process that the Minister is heralding as a key element of reforms in this area actually in operation? There is no point in having it on a statutory basis if it is not being operated by Tusla.

Deputy James Reilly: Under the legislation we introduced, this is an operational matter for Tusla as it sets about putting these inspections in place. One of the issues revealed in the report was the need for information technology and communications, ICT, infrastructure to support

Tusla's national preschool inspectorate. I was pleased to provide €350,000 to fund development of ICT infrastructure for that purpose. The work will be undertaken by Pobal and the new system is expected to be fully operational from January next year.

Deputy Robert Troy: The Minister did not answer my question. All he will say is that this is an operational matter for Tusla. Why is it that having brought forward legislation to put the process on a statutory basis, it is yet to kick into action 15 months later? The Minister should know the answer to that question. He referred to the new standards to guide the inspection process. The process to reform these standards started in 2010. After the "Prime Time" exposé, the Minister's predecessor committed to prioritising the publication of new standards. Almost two years later, the new standards have yet to be published. What is the reason for the delay?

We have a situation where Tusla is charged with responsibility for inspecting the preschool regulations and Pobal is responsible for inspection from a compliance and funding perspective. Meanwhile, the most recent announcement refers to inspections by the Department of Education and Skills. Again, this latest measure was introduced without any consultation with Tusla. The chief executive officer of the agency recently said he was embarrassed to learn that it was, in fact, the Department of Children and Youth Affairs which had requested the Department of Education and Skills to carry out the new inspections. Why is the new registration process not in operation 15 months after it was put on a statutory basis? Why have the standards promised more than two years ago not been published? Why has a situation developed where the chief executive officer of Tusla is embarrassed that the Department of Children and Youth Affairs requested the Department of Education and Skills to start a new inspections process?

Deputy James Reilly: Clearly, the Deputy is confusing two inspection regimes. Under the early years programme the Department of Education and Skills will inspect the educational aspect, inspection of the overall regime will be the responsibility of the Child and Family Agency. In fairness to it, while it is studying how to go about this, it is awaiting the revised regulations.

Deputy Robert Troy: Why?

Deputy James Reilly: Because the provisions are being developed in association with the Office of the Parliamentary Counsel. In the drafting of the new regulations a review of the draft national quality standards was required, as well as of the 2006 child care regulations and the associated guidance document, with an input from the Child and Family Agency which will have responsibility for implementing the new regulations. This work means that it has taken longer to finalise the regulations than originally anticipated. It is important to point out to the Deputy that the regulations will be a serious improvement on what was in place before.

Deputy Robert Troy: When will they be introduced? They have been promised for two years.

Visit of New Zealand Delegation

An Leas-Cheann Comhairle: Before I move to the next question, on my own behalf and that of the Members of Dáil Éireann, I offer a céad míle fáilte, a most sincere welcome, to the Right Honorable David Carter, Speaker of the New Zealand Parliament, and his delegation. I express the hope he will find his visit to Ireland enjoyable, successful and to our mutual benefit.

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Ceisteanna - Questions (Resumed)

Priority Questions (Resumed)

An Leas-Cheann Comhairle: We will go back to Question No. 3 because Deputy Seamus Healy has arrived.

Child Care Services Provision

3. **Deputy Seamus Healy** asked the Minister for Children and Youth Affairs if, in view of the fact that, effective from 2 July 2015, single parents of children over seven years of age will be required to participate in activation measures outside the home in order to receive the full jobseeker's transition payment, he will provide free child care outside school hours and in school holiday periods for the children affected as a matter of urgency; and if he will make a statement on the matter. [14646/15]

Deputy James Reilly: This question relates to the one-parent family payment. As the Deputy knows, this is, in the first instance, a matter for the Department of Social Protection. However, my Department has been working closely with that Department to develop a range of targeted child care support programmes for low-income families, parents returning to the workforce and parents engaging in training and-or employment initiatives. Among these targeted child care support programmes is the after-school childcare programme which provides after-school care for primary school children of eligible parents for a period of 52 weeks. The programme contributes €40 per week for an after-school place or €80 per week in situations where a pick-up service is provided to take the child from school to the child care provider. The programme also provides a full day care rate of €105 per week, for a maximum of ten weeks, to cater for school holiday periods. In all cases, the maximum fee payable by parents is €15 per week per child. The community child care subvention programme and child care education and training support programme also provide a range of child care supports for eligible parents, including after-school care.

These targeted child care support programmes, together with the universal early childhood care and education programme which provides a free preschool year for all children in the age category three years and two months to four years and seven months, represent an overall annual investment of €260 million and support more than 100,000 children each year. This level of investment has been maintained, despite the difficult budgetary position in recent years. To ensure all of the benefits of this and future investment are fully realised, it must be evidence-based and strategically co-ordinated. Accordingly, I have established an interdepartmental group to develop a coherent whole-of-government approach to investment in early years and after-school care and education.

3 o'clock

This group is considering the needs of children in their early years as well as the needs of school-going children. The group, which is still in the early stages of its deliberations, will submit its final report to Government in June 2015.

Deputy Seamus Healy: Question No. 3 relates to the one-parent family payment and the situation after 2 July next when the payment is lost once the youngest child reaches seven years of age. Prior to any such change being introduced, the Government promised that Scandinavian style child care would be available but that has not happened. Single parents will be required to be available for work after 2 July this year, once their youngest child is over seven years of age. Child care services will need to be put in place on a full-time basis, including after-school services. What plans does the Department have to do that?

Deputy James Reilly: The short answer to the question is that I am awaiting the outcome of the interdepartmental group's deliberations and it would be premature to make any statement about it before then. This is a broadly based group of interdepartmental individuals who have engaged in a number of open consultation days with many of the stakeholders in the area. Shortly, an online questionnaire will be issued for both parents and providers to feed into this process.

I will now outline to the House several child care schemes that are currently in place. The child care education and training support scheme programme offers €145 per week towards the cost of a full day child care place. It also provides part-time and after-school places. The programme has a budget of €17 million per year and caters for approximately 8,000 children annually.

Deputy Seamus Healy: The Government is putting the cart before the horse. As I said already, the Government promised child care services comparable to those available in Scandinavia prior to this change taking effect. However, from 2 July next, single parents will be required to be available for job activation measures with no child care services being made available to them. This is definitely putting the cart before the horse. Will the change due to take effect from 2 July be deferred, given that the services are not in place to support it?

Deputy James Reilly: I respectfully disagree with the Deputy's contention that the Government is putting the cart before the horse. I have already described the child care education and training support programme and the Deputy's contention that there are no services available is simply not true. There is also the after school child care programme, which is designed to support low-income and unemployed people to take up a job, increase their days of employment or take up a place on a Department of Social Protection employment programme. It provides after school care for primary school children of eligible parents for a period of 52 weeks. The programme contributes €40 per week for an after-school place or €80 per week in situations where a pick-up service is available to take the child from school to the child care provider. The programme also provides a full day care rate of €105 per week for a maximum of ten weeks to cater for school holiday periods. In all cases the maximum fee payable by parents is €15 per week. I do not have time to go into detail on all of the other services available, but there is also a community employment child care programme and a community child care subvention programme.

Deputy Healy would have to agree that in the past we saw ample examples of Government throwing money at problems but not fixing them. In this instance, we want a properly costed and analysed plan that will give the Government access to a range of options that will allow it to provide the greatest benefits for parents and children from the money it collects from taxpayers and spends in this area.

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Early Childhood Care Education

5. **Deputy Seamus Healy** asked the Minister for Children and Youth Affairs if he will increase the capitation fee payable under the early childhood care and education scheme to the level required to provide the service; if he will reinstate the 2011 level of capitation as an interim measure; and if he will make a statement on the matter. [14647/15]

Deputy Seamus Healy: This question relates to the level of funding available to child care facilities, particularly those which are community based. The level of such funding is simply not adequate to allow such facilities to provide services.

Deputy James Reilly: The early childhood care and education programme, ECCE, provides a free preschool year to all eligible children in the age range three years and two months to four years and seven months before they commence primary school. A standard capitation fee of €62.50 per week per eligible child is paid to participating child care services. A higher capitation fee of €73 per week is paid per eligible child to services with more highly qualified staff. In 2012 it was necessary to reduce the level of capitation provided under the ECCE programme in order to ensure that the Department's spending remained within the restricted limits set by Government following the severe downturn in the economy. The Government succeeded, despite the difficult budgetary situation, in maintaining the preschool year on a universal and free basis. Annual funding of more than €170 million continues to be provided and some 67,000 children benefit each year from the programme.

Restoring capitation payments to pre-2012 levels would cost in the region of €5 million annually. While we have made considerable progress in correcting the overall budgetary situation, the funding available to my Department does not allow me to increase capitation payments at present. I have indicated that if resources become available to my Department, I will consider the scope for increasing the level of payments. However, I want to consider the question of appropriate supports for child care in a wider context. It is crucial that we develop a coherent whole-of-government approach to investment in child care services. To ensure that all the benefits of our complete range of child care investments are fully realised, future public investment in child care must be evidence based and strategically co-ordinated. I have established an interdepartmental group to examine the provision right across the zero to six age group, as well as to consider the after-school needs of older school-going children. I have asked the group to report to me before the end of June.

Deputy Seamus Healy: Anybody currently involved with child care facilities, particularly those which are community based, knows that the funding available is simply not adequate in order to facilitate the provision of services. Many not-for-profit community child care facilities throughout the country are in serious financial difficulty and require additional funding. A nod towards the existence of this problem would be the reinstatement of capitation payments to the previous level. In light of the recovery about which we have been hearing every hour of every day in recent months, surely this area is the one in which we should start reinstating what previously obtained. The Minister referred to the need for future investment to be evidence based. There is clear evidence to show that investing money in educating young children gives rise to huge payback. Will the Minister reinstate the capitation rate which obtained in 2011?

Deputy James Reilly: I am pleased the Deputy and I agree on one matter, namely, that the ECCE programme offers good value for money and is critically important. I also agree with him that the investment of money, resources and personnel in educating children in the early

years brings about the greatest return for such children and for society in general. There is no doubt about that. I further agree with the Deputy that the area to which he refers should be afforded greater priority as more funds become available. I refer here to child care, particularly that which relates to the early years. I am also concerned with supporting parents. If we do not support parents, then we cannot support children.

On funding, I have a budget for the year. Much and all though I might like it to be the case, I do not have additional funds available to allow me to increase the rate of capitation. I have made it clear on numerous occasions that it is a priority for me.

Deputy Seamus Healy: Will the Minister indicate whether he and the Minister for Finance will set the date by which the capitation rate will be increased in the context of the famous spring statement that is supposed to issue shortly? Anybody involved in this area, particularly at community or not-for-profit level, knows that there is now a serious crisis. Many of these centres are experiencing severe financial difficulties.

Deputy James Reilly: I will actually be having that chat with the Minister for Public Expenditure and Reform and look forward to speaking with him as we approach the budget. I know that he is interested in this issue and that he is as concerned as I am about the well-being of children who are our future.

In respect of the scheme, the Deputy must accept that during the worst recession and darkest fiscal fiasco the country had ever endured we maintained the programmes and supported many of these providers through that difficult period. Had the Government not provided that support, many of the providers would not now be in business.

Deputy Seamus Healy: If something is not done soon, they will not be in business much longer.

Deputy James Reilly: I did not interrupt the Deputy. The work they do is invaluable and they are trained to a high standard. We want to continue supporting that work. One of the ways we provided support was through putting in place a learner fund to support and fund people in attaining a higher level of training. All of these matters will be considered by the interdepartmental group and the Government will be given a menu of options that will be properly analysed, evidence based and costed.

Other Questions

Mother and Baby Homes Inquiries

6. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the role of the mother and baby homes commission of investigation in relation to its powers to order exhumations and excavations of graves. [14403/15]

Deputy Clare Daly: My question relates to the commission of investigation into mother and baby homes. Earlier this year the Minister stated the commission would have the power to order exhumations where appropriate, but its terms of reference contain nothing specific in this regard. Will it be ordering exhumations and, if not, why not? Do the families concerned not de-

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serve the opportunity to know with certainty whether their relatives are buried in these graves?

Deputy James Reilly: The Commissions of Investigation Act 2004 provides an effective, prompt and transparent mechanism to investigate complex and sensitive matters, while also respecting fair procedures and natural justice. The Act gives the commission robust powers to conduct investigations within its terms of reference in the manner it considers appropriate, while adhering to the rules and procedures contained within the legislation.

While the terms of reference attached to the Commission of Investigation (Mother and Baby Homes and certain related Matters) Order 2015 provide for a comprehensive investigative framework, the commission is independent in the performance of its investigations and deciding how best to approach its work. The reports on mass graves in Tuam rightly gave rise to significant public concern. The commission's terms of reference provide for an examination of mortality among mothers and children residing in mother and baby homes and certain other institutions in the period from 1922 to 1998. The terms of reference also require the commission to investigate post mortem practices and procedures in respect of the mothers and children who died while resident in these institutions, including the reporting of deaths and burial arrangements. Although the legislation does not confer specific powers to order exhumations, it is ultimately a matter for the commission to consider whether it requires exhumations or excavations of graves. It would be required to comply with the regulations and procedures in place for the conduct of exhumations.

It would be wrong to dictate to the commission how it should carry out its work. If it considers it necessary to take a certain course of action, it has the power to do so. I have met various groups, some of which want remains to be respected by leaving them undisturbed, while others want exhumations to take place. I have to leave it to the wisdom of the commission.

Deputy Clare Daly: There is a certain logic to the Minister's reply. I raise this question on behalf of a resident whose two brothers were in Tuam, who is trying to get as much information as possible about what happened to them as she does not know for sure whether they are buried there. She is one of those who wants the graves exhumed and wants DNA testing. She wants to bury her brothers if they are there. I appreciate that people have different views on this issue and that the commission is being given the power to make its own decisions. However, it must make those decisions based on the terms of reference laid down.

In the context of the investigation and the information being sought by the commission and in terms of potential criminal investigations afterwards, section 19 of the Commissions of Investigation Act would seem to suggest that any information gathered as part of the commission's investigations could not be used in criminal proceedings. However, the Minister is on record as saying the commission could pass on evidence it had. There seems to be a contradiction between the two. Will the Minister clarify that? Obviously, there is independence within the bounds of the commission, but that independence is rooted in the inquiry itself.

Deputy James Reilly: I absolutely respect the feelings of the individual the Deputy referred to regarding her two brothers. The terms of reference laid down for the commission of investigation allow it to order exhumations if that is what it decides is appropriate in certain instances. This is right and proper, but I do not wish to prejudge what the commission may find. I understand, notwithstanding section 19, that the commission's information will be available for people to act upon if criminal proceedings arise from it. If there is further information on that, I will furnish it to the Deputy.

Deputy Clare Daly: Everyone welcomes the independence of the commission. I was impressed by the manner in which the Minister set it up and am glad it places an emphasis on the historical context of what went on at that time. However, within that we must be very careful that this is not used as an excuse. No matter what the historical context, I cannot believe neglecting and abusing children and leaving their emaciated bodies in shoe boxes or unmarked graves was ever deemed acceptable by anybody. Therefore, the relatives and the victims have a right to have their history and their remains treated respectfully. I am glad the Minister is stating clearly that the commission can decide on that.

However, I am still a little unclear in regard to criminal investigations, because the section that set up the investigation seems to suggest information gathered cannot be used in a criminal proceeding. It would be a little ridiculous if this means there is to be duplication afterwards, because most of the victims want to see criminal prosecutions at the end of this investigation as part of the bigger picture.

Deputy James Reilly: The commission has enormous powers as is only proper and right. I welcome the Deputy's support for the social history element of the investigation because context is important. It is equally important that people have an opportunity to tell their story. Many of the stories I have heard have been particularly harrowing. It is important also they have the right to tell their story in public or in private and in confidence. This right will be respected by the commission.

The commission will proceed in tandem on both lines of work, the history being very important in this regard. This is a social history that will be like no other. This will be the first time a history has been collected with the power of a commission to compel witnesses and documents supporting it. Therefore, the investigation will not be depending upon the good offices or goodwill of people, but will have the power of the law and the commission behind it.

Child Protection

7. **Deputy Richard Boyd Barrett** asked the Minister for Children and Youth Affairs his views on the recent report by the Health Information and Quality Authority into services provided by Tusla - Child and Family Agency - in County Cork, which saw 234 high risk children still waiting to be allocated a social worker; his plans to address this; and if he will make a statement on the matter. [14401/15]

Deputy Richard Boyd Barrett: In the aftermath of the Ryan report and the appalling history of this State in terms of the history of child abuse and the failure to protect children, Tusla was set up with a great stated commitment to child protection. The HIQA report on just one administrative area details a chronic failure to adequately protect children in need of support and particularly 234 high priority cases who have not even been allocated a social worker and another 500 medium priority cases who have not been allocated a social worker. I ask the Minister to provide the figures but if this is replicated at national level that represents a chronic failure on the part of Tusla to provide the child protection services that the children need.

Deputy James Reilly: We touched on this matter when dealing with Deputy McLellan's question. I mean no disrespect to Deputy Boyd Barrett but Deputy McLellan asked whether I believed that child care services were worse under Tusla than they had been under the HSE.

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Deputy Richard Boyd Barrett: I heard the answer.

Deputy James Reilly: I state categorically that they are far improved and continue to improve.

The inspection of the Cork child protection services was carried out by HIQA in October 2014. Overall, the report noted the good quality of the service provided to children and families when they had an allocated social worker. Two areas of significant risk were found and were addressed immediately. An action plan to address the remaining findings has been put in place.

Where a child does not have an allocated social worker assigned to his or her case there is a system of oversight by social workers to ensure that any change in the child's circumstances is addressed. It is important to note that high priority should not simply be equated with risk. For instance, children in care for less than six months who do not have an allocated social worker but who are in stable placements are included in this category. Tusla, the Child and Family Agency, has informed HIQA that all children identified during the inspection as having complex and acute needs were assigned a social worker at that time.

I am happy to say that there has been downward trend in the numbers waiting to be allocated a social worker. At a national level Tusla reports show an almost 50% reduction in high priority cases awaiting allocation for less than three months in 2014. This has been achieved at the current level of resources and staffing. To improve this further, the agency is carrying out a review of cases waiting for the allocation of a social worker to determine the level of resources required. I am aware that Tusla is pressing to fill its social work vacancies which will improve the effectiveness of the services being provided. Tusla has informed me that at the end of February 2015, there were 159.75 whole time equivalent social workers and 15 agency social workers, giving a total of 174.75 social workers in the Cork area. This represents approximately 50% of all social workers in the south region. It is one of my key priorities to ensure their workforce development plan addresses both current and future service needs for our most vulnerable children.

Deputy Richard Boyd Barrett: The somewhat rosy picture painted by the Minister of an improving situation does not reflect the language in the report, which stated that the service was not sufficiently resourced to deliver a child centred, safe and effective service that met the needs of children and families. It further stated that there were long waiting lists at point of receipt of referral and following the completion of the initial assessment. It found that staffing numbers were not sufficient to cope with the level of demand for the service and that some offices were in poor condition and not a suitable place for children and families to meet their social worker.

This is a damning statement. I refer to the two categories where the report identified significant risk. The Minister said earlier that children who were high priority or at significant risk would be dealt with immediately. However, the report identified significant risk with regard to the specific circumstances and needs of children subjected to organisational and-or institutional abuse and how children who are deemed to be especially vulnerable are identified and responded to. In that category the report finds a significant risk identified. That is in one administrative area and it is damning. Can the Minister tell the House what are the similar figures and breakdown for the country as a whole? If it is as bad as Cork it is not a rosy picture.

Deputy James Reilly: I supplied those figures in reply to the earlier question. High priority does not constitute immediate risk. I made that clear in response to the previous question also.

Any child who is in immediate danger or at immediate risk is seen as an emergency and is seen immediately. That is the reality. As I read out in the response, the category of “high priority” also includes children who are in care in a stable placement but who have not yet been allocated a social worker. That is not an ideal situation and I do not by any means wish to imply that it is, but I wish to provide clarity to those who might be worried that there are children in this country who are in immediate danger, who have not been seen by a social worker because that is simply not the case. Anytime a child becomes a cause of immediate concern the problem is dealt with immediately as an emergency.

Deputy Richard Boyd Barrett: I simply point out to the Minister that in the category of the HIQA report where significant risk is identified, it is precisely in the area of children who are particularly vulnerable and who have been subjected to organisational and-or institutional abuse. That is what the report says. That is pretty worrying. If those figures are replicated in the other 16 administrative areas of the country, that indicates an adequate service is not being provided to thousands of children at significant risk.

I wonder how all this relates to the crisis in child mental health services for which the Children’s Alliance gave the Government an E grade - a fail grade - in its recent report, due to lack of beds, resources and staff, which seem to be evident in both of those areas. When I tabled questions on child mental health services to the Department they were transferred to the Department of Health. I have tried to raise the matter as a Topical Issue debate. I submitted the matter approximately 25 times in recent months. I believe the relevant Departments do not want to talk about the issue. There may well be a connection between the allocation of a social worker and child mental health services. If children initially identified as needing support do not have a social worker allocated, how many of them end up with mental health problems and then face the inadequate crisis ridden situation in the child mental health services? One cannot get answers about the area.

Deputy James Reilly: I reiterate what I said in response to the earlier question from Deputy McLellan, that all children who are known to be at immediate and urgent risk are seen immediately and have a social worker assigned to them by Tusla, the Child and Family Agency. Comments about the Health Information and Quality Authority, HIQA, report for the Cork area may have given the impression that these most vulnerable children known to Tusla were not being cared for, but that is not the case. The children were described by some as having been abandoned, beaten or sexually abused. That is not the case. The point cannot be repeated often enough. That is not to say there is no need for huge improvements in the area, and more investment, but as I said previously to Deputy Healy, we wish to ensure that the money we spend now and in the future will result in the best outcome for children. That is the reason an interdepartmental group has been set up to examine child care and why Tusla is doing further work on those who do not have an allocated social worker to ensure that the required resources can be identified and that we can apply for them.

Child Protection Services Provision

8. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs the number of children deemed at risk who have not been allocated a social worker, particularly in view of the recent Health Information and Quality Authority report on child welfare services in County Cork, which highlighted long waiting times for the allocation of social workers for vulnerable

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children, resulting in these children remaining at risk for prolonged periods of time; and if he will make a statement on the matter. [14398/15]

Deputy Mick Wallace: I heard the Minister's responses to Deputies Troy, McLellan and Boyd Barrett. He said there has been a downward trend in the number of high priority cases awaiting a social worker. If that is true, it is certainly to be welcomed. I wish to ask the Minister about medium and low-priority cases. According to the recent HIQA report there were more than 760 non-priority cases in Cork alone. One would almost be afraid to ask about the national figure. What measures are being taken to deal with what are viewed as non-priority cases?

Deputy James Reilly: My Department works closely with Tusla, the Child and Family Agency, to ensure that all children identified as needing a social worker service receive one.

Tusla figures indicate there were 27,710 open cases at the end of January 2015. These provisional figures show that 7,787 of these were waiting to be allocated a social worker. Around 30% of these were deemed to be high priority. Children in the high priority category include those needing further assessment of their situation, children who have recently come into care or some whose placement is at risk of breaking down. All cases awaiting allocation are monitored and reviewed regularly by the duty social work teams. Tusla is also undertaking a national review of open cases to determine how best to address service demands.

While this offers some assurance, work is continuing to ensure that all children who need an allocated social worker have one. Tusla has reported that the number of children waiting for a social worker decreased over 2014. Nationally, high priority cases waiting less than three months to be allocated a social worker almost halved over the course of the year, and in Cork the reduction in all high priority cases awaiting allocation was 66%. This reduction suggests that quality assurance and national standards are helping to deliver service improvements.

Tusla is also working to improve staffing complements and has introduced schemes for maternity cover and support for new entrants. We have previously discussed the turnover of social workers during Question Time in the House. Thankfully in this country the turnover of social workers is much lower than in many other Western countries. That is a credit to our social workers. The nature of the work is extremely demanding and challenging and Tusla's work to improve the schemes to support new entrants is very important.

Reducing the number of children waiting to be allocated a social worker is one of the core objectives for Tusla in meeting the current and future needs of our most vulnerable children.

Deputy Mick Wallace: I do not presume for a second that this is an easy area to deal with. In his reply the Minister referred to the high priority cases. While they are of major concern, I asked about those of a medium or lower priority. How many of them are there?

There is little doubt that there are significant challenges in this area and there is not quite enough allocation. Deputy Boyd Barrett linked this area with mental health. In a place like Wexford, where there is no residential institution for people with mental health challenges, the lack of help in this area is glaring. People in Wexford are told to go either to Newcastle or Waterford although the centres there have not improved, a fact the Minister would be familiar with from having been in the Department of Health.

Does the Minister agree that if social workers do not deal with problems at an early stage that will move the burden to the mental health services? They need to deal not only with the

high priority cases but also the low and medium priority ones. This must be a challenge for the Government. It needs to deal with the problem at source. I know there is not a bottomless pot of money to deal with these cases but the Government is sowing financial and social problems for the future by not dealing with them at an early stage.

Deputy James Reilly: I could not agree more with the Deputy. The issues need to be dealt with before referral to social workers. That is the point of the Child and Family Agency and of all the non-governmental organisations, NGOs, the Department interacts with. On Monday we launched an excellent programme Tusla is introducing around far earlier intervention. We are moving away from crisis intervention and late intervention to early intervention and prevention. Many of the issues that arise can be prevented from ever escalating if parents get support from the Child and Family Agency and the other agencies that abound to help them prevent a situation escalating to the sort of problem that does require referral to social workers.

The Deputy asked me a specific question about the lower priority cases. I have the figures for Cork: in the 12 months prior to the inspection the service received 4,926 referrals. Figures supplied to HIQA indicated that there were 4,071 open cases in the area. Of these 1,167 were unallocated and 2,904 were allocated a social worker.

Deputy Mick Wallace: The Minister would probably agree that the need is still a lot greater than what the facility can provide due to a lack of resources. The Minister mentioned that the turnover in Ireland was impressive by comparison with European standards. I am not familiar with what they are at European level. I noted, however, that in January the HSE data showed that between 2010 and 2013, 326 social workers left their positions, which is a rate of one per week. Of these, 208 resigned. HSE data show that social workers are almost twice as likely to resign their position compared to managerial or administration staff in the HSE. Perhaps we should pay social workers more than we pay those in administration, given that they do not seem to be leaving administration jobs. We probably have too many of them in Ireland, yet we do not have enough front-line staff who are paid well enough. Would the Minister agree with that?

Deputy James Reilly: There has been quite a reduction in the number of administrators right across the HSE in what was the predecessor of the Child and Family Agency. It is a considerable reduction because that issue was exercising many people on that side of the House before this Government took office.

The Deputy asked about numbers. Of the cases awaiting social workers, 234 were assessed as high priority, 790 medium priority and 143 low priority status. The area had 93 children on the child protection notification system at the time of the inspection, all of whom had an allocated social worker.

To revert to the Deputy's earlier point, we certainly want to get into the area of prevention and early intervention. We also want to ensure that social workers are doing the work that they alone can do, and that their time is not being taken up by using outmoded IT or having no IT, and filing reports that clerical staff could be doing. When we talk about administrators, let us always bear in mind that we get much better bang for our buck if we have clerical staff supporting the professionals, especially social workers.

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Child and Family Agency Services

9. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs the number of children's services committees; the local authority areas which have such a committee; if it is envisaged that all counties would have a committee; and if he will report on the way the committees interact with the local community development committees. [14468/15]

Deputy Seán Kyne: My question concerns the number of children's services committees, the local authority areas which have such committees, and what engagement they have with the local community development committees.

Deputy James Reilly: I thank the Deputy for his question. Children and young people's services committees or CYPSCs - God knows, there are a huge amount of acronyms in my Department - are being put in place to develop and implement a local planning model for inter-agency working to improve outcomes for children and young people. The age remit of the committees has been extended to include 18 to 24 year olds. The earlier children's services committees, or CSCs, applied from 0-18 years only. The CYPSCs will cover 0-24 years and are aimed at aligning with Better Outcomes, Brighter Futures to ensure a more connected and co-ordinated response to the needs and aspirations of children and young people.

At present, there are 22 CYPSCs established in Ireland across 22 counties and 25 local authority areas. Three CYPSCs are yet to be established in Clare, Laois-Offaly and Dún Laoghaire-Rathdown. The CYPSC boundaries generally match those of the local authority, but in some areas a CYPSC covers two local authority areas or counties. By the end of 2015, when all children and young people's services committees are in place, there will be full coverage across the State.

Local authority engagement with the committees has always been strong with local authority managers and directors chairing or co-chairing committees in the past. This engagement with local authority structures will continue to be strengthened as the programme achieves full roll-out.

Staff within my Department are currently engaging with counterparts in the Department of the Environment, Community and Local Government on the form and structure of interaction between the children and young people's services committee and the local community development committee in any given area. There are clear opportunities for closely working together as both committees work towards collaborative and coherent cross-sectoral and inter-agency responses to locally identified needs.

Deputy Seán Kyne: I thank the Minister for the reply. I appreciate that the original children's services committees were to bring together a diverse group of agencies in the local counties to engage in service planning for children. Regarding the local community development committees, is the Minister confident that they have a strong interaction with the children's services committees or with the new children's and young people's services committees? What links are there between the child care committees and Tusla? Do they have any links with the local community development committees? Is there full engagement within all these groups or is there a lack of engagement?

Deputy James Reilly: It would vary around the country but of the ones I have met there is very strong coherence, connectivity and interaction between the various committees. They

have the same interests at heart.

I was at the opening of an all-weather pitch in Balbriggan today where I could see all that coherence coming together, with Fingal County Council management, the councillors themselves, the local GAA club, the local soccer club, the president of the GAA and the vice-chair of the FAI and many other community people present to support this initiative, which is basically about sport but is helping children be active, physically exercised and well. There are also the night leagues, which the Garda run in conjunction with the youth service in my Department. They are aimed at keeping youngsters out of trouble. The league is run from 9 p.m. to 11 p.m. on a Friday night because that is the night when they are most likely to become involved in criminal activity and where they have been in operation they have been very successful. The results show that there has been a 20% reduction in minor crimes. That is another example of co-operating right across the various committees and the community.

Foster Care

10. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs the provision this Government made for survivors of child abuse, who lived under State-paid foster care during the period 1953 to 1967, which abuse was reported by social workers and the National Society for the Prevention of Cruelty to Children to the Government of the day; and if he will make a statement on the matter. [14465/15]

Deputy Sandra McLellan: I wish to ask the Minister what provision this Government has made for survivors of child abuse who lived under State-paid foster care during the period 1953 to 1967, which was reported by social workers and the National Society for the Prevention of Cruelty to Children, NSPCC, to the Government of the day.

Deputy James Reilly: The report of the Commission to Inquire into Child Abuse - the Ryan report - was published on 20 May, 2009 and was one of a range of measures which were put in place following the formal apology by the State to the victims of abuse. The Residential Institutions Redress Board was also established in order to make payments to persons who, as children, were abused while residents in industrial schools, reformatories and other institutions subject to State regulation or inspection.

While the inclusion of children abused in foster care was raised during the passage of the legislation setting up the redress board, foster care settings were not included within the scope of the scheme. Following the publication of the Ryan report in 2009, there were a range of requests for the redress scheme to be extended, including requests to include foster care settings. Having considered these requests, the previous Government announced its decision not to revise those arrangements in April 2010.

The Deputy will be aware that the Commission of Investigation into Mother and Baby Homes and Certain Related Matters has been established by the Government and will thoroughly examine the experiences of the many mothers and children who were resident in a mother and baby home over the period 1922 to 1998. Linked to this examination, the commission will consider the practices and procedures relating to the placement of children outside of mother and baby homes.

The Government has no plans currently to carry out any further systemic historical reviews

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at this time. If an allegation of historical abuse is made, the Child and Family Agency, under its statutory responsibility under section 3 of the Child Care Act, 1991, is required to investigate such allegations. This would include establishing whether the alleged perpetrator presents a current risk to children. If the allegation is made by a child, the agency would also be required to take the steps it considers necessary to protect the child in question. An Garda Síochána also has a role regarding historical abuse in the context of investigating any criminal aspects involved. It is of course always open to any individual to have recourse to the courts in respect of any allegation of a crime, including historical abuse.

Additional information not given on the floor of the House

The Deputy will be aware that survivors of child abuse can access the services of the national counselling service which is a professional, confidential counselling and psychotherapy service available free of charge in all regions of the country.

Deputy Sandra McLellan: The Government cannot ignore the fact that there is a large number of victims of child abuse who suffered terribly while in State-paid and -sponsored foster care in the past. There are many cases we know of where children faced horrific abuse while in foster care with little or no monitoring of their welfare. In one specific case, an individual suffered 14 years of abuse between 1953 and 1967. Physical, mental and sexual abuse while in foster care is evidenced by reports from social workers and the NSPCC. These reports were made to the Government of the day and were ignored. My office has been approached with specific cases that are devastating.

These victims have approached both this and the previous Government for support. The previous Fianna Fáil-led Government did nothing to address the issue. The current Government now appears to be equally reluctant to look into it or give any type of support to these victims. These children in foster care were failed by the State for years with no protection from abuse. What will the Minister do to afford these victims of abuse redress or justice? As convenor of the mother and baby homes commission, can the Minister give a commitment to investigate these cases of abuse under State care? If so, when will he look into it? These victims have been failed for decades and have been fighting for their voices to be heard. It is the least they deserve.

Deputy James Reilly: There have been a number of positive developments regarding foster care that have taken place in recent times. The primary legislation governing child care policy is the Child Care Act, 1991, and the Child and Family Agency Act, 2013. The report of the working group on foster care published in 2001 addresses meeting the needs of children in foster care, meeting the needs of children with additional needs in foster care, helping foster carers meet the children's needs, placement of children with relative foster carers, providing safe care for children in foster care and future organisation and management of the foster care service.

I am aware that there have been many terrible stories of people in foster care in the past.

Deputy Sandra McLellan: Terrible.

Deputy James Reilly: The focus to date has been on ensuring there is no repeat of that and that the children in foster care today are safe from any such abuse.

Written Answers follow Adjournment.

Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy John Deasy -

the extension of the Wild Atlantic Way to east Cork and Waterford;

(2) Deputy Seamus Healy -

the need to protect 160 jobs at risk at the Intellicom contact centre at Clonmel, County Tipperary;

(3) Deputy Mattie McGrath - the need to protect 160 jobs at risk at the Intellicom contact centre at Clonmel, County Tipperary;

(4) Deputy Brian Stanley - issues arising from recent media reports regarding Portlaoise Regional Hospital and HIQA;

(5) Deputy Billy Timmins - the criteria used to allocate funding to local authorities, under the recently announced social housing programme;

(6) Deputies Martin Ferris and Jonathan O'Brien - funding of the link school completion programme, Listowel, County Kerry;

(7) Deputy Brian Walsh - the need for funding to support vital home care services provided by Galway Hospice;

(8) Deputies Michael Lowry and Noel Coonan - employment conditions and threats to jobs at Bord na Móna, specifically at the Littleton factory, Thurles, County Tipperary;

(9) Deputy Lucinda Creighton - the need to secure the future of the school completion programme and to oversee its expansion by ring fencing funding in future years;

(10) Deputy Thomas P. Broughan - the need to address concerns regarding the proposed privatisation of 10% of the Dublin city and national public bus routes;

(11) Deputy Dara Calleary - the impact of the selling of loans in Irish small and medium sized enterprises to foreign investors and concerns regarding protection of employment in those SMEs;

(12) Deputy Clare Daly - the operation of the symphysiotomy redress scheme, particularly in respect of the refusal of applicants and the awarding of the minimum amount in a majority of cases;

(13) Deputy Fergus O'Dowd -

Fáilte Ireland's programme, Ireland's Ancient East, and its relevance to County Louth;

(14) Deputy Gabrielle McFadden - the need to ensure that persons with neurological conditions will not face the loss of vital services after June 2015, and that charity funding scheme issues are resolved before then;

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(15) Deputy Mick Wallace - the ongoing crisis in Yemen;

(16) Deputy Charlie McConalogue - healthy eating and nutrition in schools in the context of recent findings by the Healthy Food for All charity that one in eight DEIS schools is not offering the school meals programme; (17) Deputy Dessie Ellis - the need to encourage and promote private housing construction; and (18) Deputy Áine Collins - road tax rates here and in comparison with Northern Ireland and the rest of the UK in respect of trucks.

The matters raised by Deputies John Deasy, Martin Ferris and Jonathan O'Brien, Dara Calleary and Michael Lowry and Noel Coonan have been selected for discussion.

Topical Issue Debate

Wild Atlantic Way Project

Deputy John Deasy: This is an issue that has been discussed actively within Fáilte Ireland and the Department for some time. Over the last nine months we have discussed the facilitation of a presentation to be given by Waterford council and the people dealing with tourism in Waterford to expand the Wild Atlantic Way along east Cork and Waterford's Atlantic coastline. Since I met Shaun Quinn, the head of Fáilte Ireland, in July of last year a couple of developments have occurred when it comes specifically to Waterford. The air route from Waterford Airport to London has been restored with flights to Luton beginning on Monday week. Second, Waterford is at an advanced stage of planning and construction in respect of a range of major tourism related infrastructure projects along the coast, including the greenway from Dungarvan to Waterford. There are similar projects going ahead in east Cork. The timing of any presentation is important. We are probably ready now, more so than six months ago, to give this presentation if accepted. I stress in the House something I have mentioned on a couple of occasions to the Minister of State, Deputy Michael Ring. We are really only interested in one thing and consider that we can make the case for inclusion in the Wild Atlantic Way based on merit. Adding the Waterford and east Cork coastlines to the Wild Atlantic Way will increase the saleability of the concept, not detract from it. That is the key thing. Before anyone puts up a hand and says we cannot do this as it might dilute the essence of the existing product, we think we can provide different elements to the Wild Atlantic Way that do not currently exist and which will add to the product being marketed as is.

The new tourism initiative unveiled yesterday could be a very useful product. I appreciate the work the Minister of State and his colleagues, including the Minister, Deputy Paschal Donohoe, have put into it. If marketed correctly, it is something that could work and which we will try to make successful in Waterford. It will obviously need a budget, which is a matter that will be discussed by the Cabinet. It is fair to say that there remains a strong belief in my county that the Wild Atlantic Way has more potential and is still of greater interest to businesses along our coastline. I am not dismissing in any way Ireland's Ancient East, the product that was announced yesterday, but for us the priority is our coastline and the way it is marketed. That remains the case. The product announced yesterday in no way, shape or form addresses that, which is its nature and that is fine. The focus for us must remain on the extension of the Wild Atlantic Way for that particular reason right now. That is in no way to dismiss the potential for the other product.

It is for me and some others slightly incongruous that when one goes on the Wild Atlantic Way website, the causeway coastal route is advertised. That is slightly unusual when the Waterford and east Cork coastlines are nowhere to be seen. I stress that we are not looking for a handout here. I would not be standing here if I thought the addition of east Cork and Waterford would not benefit tourism numbers for everyone concerned nationally. Obviously, an argument that makes sense to those involved in tourism in west Cork must be made and we are prepared to do that. All we need is an opportunity to make that case to them specifically as well as to others. I look forward to hearing from the Minister of State, Deputy Michael Ring, as to whether our request for a presentation can be accommodated.

Minister of State at the Department of Tourism, Culture and Sport (Deputy Michael Ring): I thank Deputy John Deasy for raising this issue. I am glad to hear him refer to the initiative that was announced yesterday. It is very important for the east and south and I hope the community will buy into it. Deputy John Deasy is quite correct about the success of the Wild Atlantic Way. It has been a great success and as with any great success, people want to be part of it. However, what was announced yesterday can also be a success, but people have to buy into it. We do not need negativity on it, rather we need positivity. The community must buy in, which it has an opportunity now to do. I will respond to the Deputy on his other request after I read my reply into the record.

The role of the Department of Transport, Tourism and Sport in relation to tourism lies primarily in the area of national policy. The development of the Wild Atlantic Way is an operational matter for Fáilte Ireland and the Department is not directly involved in its development or management. That said, I can tell the Deputy that the route of the Wild Atlantic Way was developed with the assistance of consultants, the Paul Hogarth Company. A unified approach was taken in which regional steering groups were convened to inform route development. The steering groups included Fáilte Ireland, local authorities, local LEADER and development companies and other key agencies such as Údarás na Gaeltachta, the Western Development Commission and others as relevant to each particular region. The process involved an extensive study of the coast, a review of existing driving routes, the establishment of route selection criteria, an evaluation of various route options, the identification of the route spine and a comprehensive process of stakeholder, community and public consultation. In total, 366 feedback submissions were made containing 862 individual comments. Following this wide-ranging process, I launched the Wild Atlantic Way just over a year ago. It is already proving very popular and will be a great international success.

The Deputy should note that the Wild Atlantic Way is an international tourism proposition for the west coast of Ireland. The project was born out of the need to address the dramatic decline in international visitors to the west of Ireland over the last decade. The route itself is designed to bring scale and singularity to the tourism offering of the west of Ireland in terms of overseas promotion and marketing. The main objective of the Wild Atlantic Way project is to motivate more overseas visitors to visit the west of Ireland, to give them reasons to linger longer in terms of tourism experiences and to encourage them to engage with the landscape and communities along the route. It is about encouraging international visitors to choose the west of Ireland as a holiday destination. The Wild Atlantic Way initiative was never intended to be defined by the extent of Ireland's Atlantic coast, but was broadly to follow the routing of the Malin to Mizen geography and those west coast counties that share a common unifying tourism proposition. As a visitor experience, the Wild Atlantic Way is about experiencing where the land meets the sea and how the sea has shaped and influenced what happens on the land. As the

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design of the route was about wildness, the overarching principles of the route require a focus on the wild Atlantic. The route is designed to hug the coast wherever possible and avoids dilution of the concept by straying inland.

Given our limited resources, it was not possible to do everything at once. As the Wild Atlantic Way gained momentum, however, we were able to look at tourism propositions that would match the tourism assets in the south and east of the country. What we provide must be distinctive and always match what customers are seeking. Our research has informed us that we need to highlight better the tourism assets we have to match the interests and requirements of the consumers identified in our most promising market segments. For that reason, the Minister, Deputy Paschal Donohoe, and I launched this week a new brand proposition that groups the cultural and heritage tourism assets and experiences of Ireland's east and south into a new tourism experience via a network of routes, trails and journeys. Ireland's Ancient East is a customer-oriented tourism initiative for the south, east and midlands majoring on the abundance of cultural and heritage assets to be found in these areas. All of these areas share a common richness in their histories such as Viking Waterford, medieval Kilkenny and the Boyne Valley.

Deputy John Deasy: I thank the Minister of State for his comments and I take his point on positivity not negativity regarding the product announced yesterday. The case I have been making to officials in the past few weeks revolves in large part around the future of Waterford Airport. I spent the last four years bending the ears of officials and politicians with regard to the future of Waterford Airport and continuing its funding until we resecured the London air route. That worked. We managed to keep the funding going long enough for the board to find an airline. We had a couple of close shaves, but we now have a carrier and bookings are very good according to the airport managers I met last week. Over the years, the State has invested tens of millions of euro into the airport through operational and capital funding. Improvements were made to the road to the airport which alone cost in the region of €10 million. It is now critical for the Government to consider the airport's future and not simply to say "Job done". It must now start to connect projects like the Wild Atlantic Way with the airport, which is a piece of infrastructure in which the State has invested heavily and which is critical to our regional economic recovery.

For years, the Government has been repeating that Waterford Airport must become self-sustaining. Extending the Wild Atlantic Way to the east of Waterford is how that can be helped to happen.

4 o'clock

I will repeat what I said. We want the opportunity to make this presentation, notwithstanding everything announced yesterday, and hope we will be given it.

Deputy Michael Ring: I will respond to the Deputy in a very positive manner. I will set up that opportunity for him and arrange a meeting with Fáilte Ireland. I will revert to him tomorrow with a date and a time and will attend the meeting. He will have the opportunity to make the presentation to Fáilte Ireland. I see nothing wrong with this.

The Deputy mentioned Waterford Airport and I agree with him. The Government has been pro-tourism and proactive in developing it. We got rid of the travel tax which went from 3% to 0%. The VAT rate was reduced from 13.5% to 9%. We sometimes forget that more than 200,000 people are employed in the industry, in respect of which we announced a new strategy

recently. We had 7.5 million visits to the country last year, which brought in €3.5 billion in revenue. We want to bring these figures up to 10 million visits and €5 billion in revenue and increase the number employed in the sector. Sometimes because it is our own industry, an industry within the country, it does not get the credit it deserves for the number of jobs created. Some 16,000 jobs were created last year and many more could be created. Let me give a very simple example. There are three bicycle operators that employ more than 40 people along the Great Western Greenway. Last Tuesday there was not a bike to be had in the area. People were coming to the area, cycling and enjoying their stay. The Wild Atlantic Way has been a tremendous success and a great initiative. More international buyers are coming this year and more people are talking about it. It is going to be another great year in tourism. The figures look good, as does the sentiment.

I have no doubt that what was announced yesterday will be every bit as good, but the communities in the area will have to buy into it, like communities bought into the Wild Atlantic Way in the west, including Donegal, Cork and everywhere else. It is like The Gathering. Communities bought into it, which is why it was a success.

Acting Chairman (Deputy Brian Walsh): As in the case of the bicycles, there is no time left. The Minister of State was just on the button.

School Completion Programme

Deputy Martin Ferris: In the last few budgets there were cuts to the LINK school completion programme. The Minister for Children and Youth Affairs will be aware that the service provided under the programme is for the most vulnerable children in the care of schools. It is invaluable for so many young people - young children, in particular - who come from deprived backgrounds, the Travelling community and so forth. The programme should be continued as it allows children aged eight to 15 years an opportunity to complete their education. In some cases, they go on to third level education.

The early school leaving initiative was expanded in 2002 under the school completion programme to include four to 18 year olds. In 2006 the DEIS programme further expanded the school completion programme. The north Kerry school completion programme employs a full-time co-ordinator, two full-time outreach workers and engages the services of third level students to deliver in school, after school, out of school and holiday supports to increase the level of student attendance. The amount of work they have done and the number of children they have saved are very well illustrated in the 2009-14 figures covering a five year school cycle. Some 406 children went through this cycle and the dropout figure was eight. Of these eight students, two were home-schooled, one took up an apprenticeship, two engaged with outreach services, two did nothing, while one left the country. In respect of the 2014 figures, covering a five year period, there were 333 students and the dropout number was 31, two of whom ended up in prison. As a result of the services they had received under the school completion programme, the rest found a meaningful way to contribute to society. Will the Minister continue to fund the programme and assure the House that there will be no cut in the next budget?

Deputy Jonathan O'Brien: The school completion programme has been one of the successes in the past few years. Retention rates among students from disadvantaged backgrounds are on the increase all the time, mainly due to the support staff in place. However, it is due not only to the teachers in communities but also the funding put in place. The programme has been

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directed at communities which traditionally have had high school dropout rates. It interacts not only with students but also includes home visits to parents, engages with students during school breaks and includes a number of after-school programmes. School is made more welcoming for students at risk of dropping out.

An examination of the figures shows that higher educational disadvantage levels and school dropout rates have huge social and economic consequences for communities. The number of children living in poverty is on the increase. Approximately 750,000 children live in poverty. The school completion programme is one of the supports which has been put in place to help students to achieve their educational potential and has been a success to date. However, it can only continue to be a success if funding is put in place and maintained. Schools are working on a year-to-year basis; they do not have multi-annual funding, which has an impact on schools.

I implore the Minister to examine the school completion programme which has been moved to his portfolio. It has been a success and has the potential to keep more students in school and give them the tools they need to achieve their educational potential.

Minister for Children and Youth Affairs (Deputy James Reilly): I thank the Deputies for raising this issue. I can assure them that the Minister of State, Deputy Jimmy Deenihan, and Deputy Brendan Griffin do not let the opportunity slip by to remind me about the importance of the school completion programme. I am pleased that everyone agrees that the programme operates very well and has been very successful. All of the statistics support that conclusion.

The school completion programme aims to retain young people in the formal education system to completion of senior cycle and improve the school attendance, participation and retention of its target cohort. It is a targeted intervention aimed at school communities identified through the DEIS action plan of the Department of Education and Skills. It involves 124 projects and related initiatives operating in 470 primary and 224 post-primary schools. These projects provide a range of supports and interventions designed to support approximately 36,000 children identified by local management committees as being at risk of educational disadvantage. Typically, projects offer homework clubs, breakfast clubs, mentoring programmes, learning support, social and personal development programmes, out of school supports, including music, art and sports, and a range of activities during school holidays.

Since 1 January 2014, the Child and Family Agency has operational responsibility for the school completion programme, including the allocation of funds to local projects. In 2014 an allocation of €24.756 million was provided for the programme. The agency has indicated a similar allocation for the programme in 2015. It has approved local projects' school retention plans for the 2014-15 academic year. The first two instalments of 2014-15 funding have issued to local projects, with a third instalment planned for May.

The school completion project in the area mentioned by the Deputies comprises three primary and four post-primary schools. I am advised that an amount of €181,959 was allocated by the agency to the project for the school year 2014-15. The amount provided for the 2014-15 period takes account of the savings requirements in the comprehensive review of expenditure 2012-14. The allocation of funding across the range of interventions planned for young people and between the local schools and the school completion project for the area is a matter for the local management committee.

The Deputies may be aware that a review of the school completion programme by the ESRI

is almost complete. The review is an important initiative in planning the programme's future development. It will assist in identifying the reforms necessary to consolidate the programme on a sustainable footing and is being overseen by a steering committee involving officials from the Child and Family Agency, my Department and the Department of Education and Skills. Among other matters, the review will examine the school completion programme's structures and their fitness for purpose to support an integrated approach to addressing early school leaving. It will analyse the interventions provided and make recommendations on evidence-informed supports designed to secure the best educational outcomes for young children. It is envisaged that the review's final report will be delivered shortly.

Recently, the Minister for Education and Skills published an evaluation of Delivering Equality of Opportunity in Schools, DEIS, which was prepared by the ESRI and referred to the school completion programme as an integral support within DEIS for improving attendance and engagement in education.

I have advised the agency of my commitment to ensuring that there is no diminution of the school completion programme, which is an important element of the agency's educational welfare services. It is highly regarded as a key response in securing improved educational outcomes for young people at risk of early school leaving.

Deputy Martin Ferris: Go raibh maith agat. In particular, the school completion programme provides a service to areas and sectors in society that are less well off, for example, the Traveller community. In north Kerry in my constituency, there are 210 Traveller families. A sizeable number of their children would not be in school were it not for the availability of this programme. It has added benefits for society. For example, after-school services try to help people to keep up with other students. Young people starting out in life are given a great foundation because they can not only compete, but believe that they can compete and be just as good.

The Minister mentioned a figure of €182,000 for the programme in north Kerry. This follows a number of severe cuts in recent years. Is there any possibility of the figure increasing in order to give the programme the added value that is necessary to provide services?

Deputy Jonathan O'Brien: I welcome the Minister's comments on his and his Department's commitment to the school completion programme. It is an important element of the agency's educational welfare services. More than anyone else in the Chamber, the Minister is aware that children from poor socioeconomic backgrounds have lower levels of educational attainment. One of the ways to improve this situation is through education itself, for example, programmes like this one that enable children from such backgrounds to stay in school and achieve their educational potential. This is how we will break the cycle. We have come through tough economic times and the Government needed to make difficult decisions, but we are now being told of a slow recovery and green shoots. Although the programmes in question may be small and do not require large amounts of funding, every cent that is spent on any programme that helps to keep children in school and to achieve their educational potential has a knock-on effect further down the line.

Acting Chairman (Deputy Brian Walsh): I must ask the Deputy to conclude.

Deputy Jonathan O'Brien: I hope that the Minister will recognise this fact when drawing up budgets.

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Deputy James Reilly: I am pleased that the Deputies across the floor support this programme and understand its value. I do not doubt that the ESRI's report will vindicate that value, although I do not have it as yet. As a republic, what we want is equal opportunity for all of our children and to level the playing pitch for children who are born into socioeconomic disadvantage. I agree with Deputy O'Brien, in that education is a major part of that work. Being able to keep children in school when the odds are stacked against them because of other issues, none of which is of their making, is a job for the Government and a republic that believes in cherishing all our children equally and providing everyone with an equal opportunity. We level the playing field through this programme. It is one that I support strongly.

More generally, the Government set out to do two major things. It promised to fix the economy and to return people to work. The economy is recovering and we have created 90,000 plus new jobs, with more to come. However, these are not ends in themselves. They are measures that we wish to be the basis for having the funds to repair the services that were damaged during the recession and to repair society by offering everyone as good a start as we can. As mentioned during Question Time, the best return on the investment of money and other resources lies in young children. They are our future. They are the most important thing to us.

Small and Medium Enterprises Debt

Deputy Dara Calleary: I thank the Ceann Comhairle and his office for allowing me to raise this issue. The Minister will not be surprised that I am raising it again. Small to medium-sized enterprise, SME, debt, particularly in light of the impending sale of many SME loans to foreign holdings, is the forgotten crisis in Irish banking. There has been an understandable focus on mortgage debt and the buy-to-let sector, but banks that are in some cases exiting the Irish market or reducing their services have in recent months begun selling the loans of many small companies and local businesses throughout the country to outside funds. A number of high-profile large companies have gone to court, incurring significant legal expenses. When loans are sold, businesses find that the protections offered under their original loan agreements are not as robust as they were led to believe or as the Government would lead us to believe.

The lack of consultation and alternative funding is frustrating. In the cases that I have dealt with, the pillar banks of AIB and Bank of Ireland have been willing to put new facilities in place. However, banks that are exiting the market - in the cases I am referencing, Ulster Bank - are pursuing an agenda of getting out of business lending and answering to targets set in another jurisdiction and are not interested in sitting down to deal with borrowers. In the two cases I am dealing with, 50 jobs are in danger in each for want of a fairer banking deal and competitive banking facilities.

The Minister of State, Deputy Nash, committed to having the credit guarantee scheme revised to allow for a provision whereby participating banks in the scheme could fund businesses whose banks were exiting the market. However, Ulster Bank's customers are falling through the cracks even though it participates in the scheme. Where it sells a business loan to a fund, provision is not being made. If the business were a customer of Danske Bank or Bank of Scotland, provision would be made automatically.

The Minister's Department has been under significant pressure due to the Companies Act 2014 and various industrial relations Bills, but it is outstanding that the review of the credit guarantee scheme has not yet been delivered. Likewise, as we enter the summer term, it is

clear that several of the commitments in the legislative programme will not be delivered. In the meantime, only 162 facilities have been agreed under the credit guarantee scheme in the four years since it was established. That is way below where we and the Minister want it to be. The lack of urgency within the Department in addressing this issue is a cause for great concern. While there is political awareness and concern around SME debt, the system does not really understand the problem or the urgency of it.

We need the Minister to press home the message within his Department that this is an urgent issue which will affect employment and the ability of many businesses to gain from whatever recovery is beginning to take hold. There is no longer any opportunity for delay. The figures for 2014 show that 40% of SME debt in the pillar banks was in long-term arrears. In 2013, Fiona Muldoon, then a senior official in the Central Bank, indicated that some 50% of SME debt was impaired. We need action on this issue now. There must be alternatives available to businesses that have managed to trade through very difficult years and now need some type of break to help them to deal with a circumstance for which they are not responsible.

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I thank the Deputy for raising this issue. There is no doubt that the funding difficulties being experienced by small and medium-sized enterprises have been a huge issue right through the period of this Government's term in office. We have introduced a great deal of change in an effort to respond to that. The remit of the Credit Review Office has been repeatedly extended, for example, with the limits increased to try to deal with the problem. The Minister for Finance is introducing protections for these types of loan arrangements to ensure the new owners of credit books adhere to the protections that exist under the consumer protection provisions relating to credit servicing. That will be included in the new legislation the Minister is bringing through the Oireachtas.

The Deputy is correct that we have introduced a draft statutory instrument to extend the credit guarantee to exiting banks. That has gone through drafting and is now in the phase where we are rolling out the agreements with participating banks. That process is nearing completion. This was designed to deal with exiting banks, and Ulster Bank, to which the Deputy referred, is not among those banks. We will have to consider the specific circumstances he highlighted to see whether we need to introduce a new statutory instrument. The legislation is at an advanced stage but is proving to be rather complex because it deals with the State giving guarantees, which has given rise to difficulties we have had to work through.

The Deputy rightly identified that we need to look much more closely at what exactly is happening in the case of the Ulster Bank loans to see whether there is a way of accommodating them, either through a new statutory instrument, which would be necessary to extend the remit of existing provisions, or through an instrument introduced when we have the new primary legislation in place. I assure the Deputy that there is no lack of urgency in respect of this issue either in my Department or on the part of Government. This is an area where we are continuing to respond to changing circumstances in the marketplace and seeking to develop instruments that respond to those changes. The introduction of the Strategic Banking Corporation of Ireland is leading to the introduction of new financial instruments into the marketplace. I assure Deputy Calleary that we will be looking closely at these issues. I thank him for bringing specific instances to our attention, which we will pursue with a view to devising a solution. As he knows, resolving these matters requires more than a stroke of a pen. It involves devising a statutory instrument and rolling it out with the banks, which requires putting the necessary legal agreements in place to allow the banks to operate it.

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Deputy Dara Calleary: I thank the Minister for his reply. The specific problem here is in respect of Ulster Bank. When he discussed the matter with Ulster Bank, it put him in touch with the Royal Bank of Scotland. The latter's argument was that it is under the control of Her Majesty's Treasury and must meet the targets that are set for it in terms of its restructuring. Given that the Minister is reviewing the situation and he accepts we have a specific problem here, could contact be made, at ministerial or official level, outlining that there are specific solutions being devised in Ireland, through the credit guarantee scheme, and asking Ulster Bank to suspend its programme of selling loans, particularly for very small businesses that cannot afford the lawyer's services that are necessary to defend their case?

The Minister referred to consumer protection. There is some protection in place but where we are talking about impaired loans, many of those protections are invalid. An agreement has been made with the Irish banks whereby once a loan is sold, if the business is worth taking apart then the fund will take it apart with no regard for employment or the history and future potential of the business. Given that the Minister recognises there is a specific problem and a particular shortfall in terms of the Department's response, will he consider making an approach to Ulster Bank asking it to suspend its programme? That would have the additional effect of injecting urgency into the rolling out of the legislation.

Deputy Richard Bruton: We need to have all the facts before we decide on a course of action. It is not true to say protections are worthless where the loans in question are impaired. In fact, there continue to be procedures and protections in place where loans are impaired. I take the Deputy's point, however, and we will look at the situation fully to see what is the best way in which to find a resolution. I will not make any commitments without having the advantage of a proper assessment. I assure the Deputy that we will continue to work on this and I will respond to him either privately or publicly.

Employment Rights

Deputy Michael Lowry: I welcome the opportunity to raise this issue of paramount importance to the 80 permanent staff at the Bord na Móna briquette plant at Littleton and the bog production area at Templetuohy. Littleton is located in the heart of County Tipperary and has always been closely associated with Bord na Móna and the briquette factory. The factory has been part of the community since it opened in 1981 and has proved to be the lifeblood of the local rural economy, providing quality employment and invaluable community support and delivering a degree of job security in an area that is otherwise devoid of industry.

Sadly, after 35 years of providing a steady income for countless families, staff were informed last week that Littleton's production facility is to close from 29 April until the middle of August, with a roster providing for a skeleton staff over a 14-week period. This means workers will face a minimum of eight weeks being laid off. Moreover, staff have been informed that two-day working weeks may be enforced. They were told these measures are being undertaken as a cost-saving exercise. These savage cuts to pay and conditions will have a devastating impact on the income of permanent staff and consign them to financial hardship.

There are no conceivable grounds for such drastic action by Bord na Móna. The company is profitable, making a profit of €50 million on its peat-production activity last year and an anticipated profit of €40 million in 2015. The Littleton plant itself is also doing well, with an estimated profit last year of approximately €3 million. We have a situation where a profitable

company is treating its workforce in a despicable way and transferring some of the costs of its employment obligations onto the Exchequer through the Department of Social Protection.

I commend the Minister for Jobs, Enterprise and Innovation, Deputy Richard Bruton, on his recent announcement, to much fanfare, of a Government rural investment initiative to maximise employment and revitalise local economies. However, in the context of what is happening at Bord na Móna in Littleton, the Minister's statements in this regard are ridiculous, meaningless and hollow. If the Government is serious about supporting rural industry, it must move immediately to assist Bord na Móna to protect its employees by addressing, first, the issue of carbon tax and, second, the ESB's public service obligation on financial subsidies.

I ask the Government to tell Bord na Móna management that its slash and burn approach will lead to human carnage and actions that are unacceptable. The Government must insist that Bord na Móna changes direction and involves itself in meaningful negotiations with the group of unions to find a different approach and reach agreement on contentious issues.

Deputy Noel Coonan: I am glad to have this opportunity to speak on this matter and I thank the Ceann Comhairle for selecting it. As Deputy Lowry said, it is a hugely important issue in the locality. When it is combined with the effect of the closure of the Lisheen Mine with a possible loss of jobs for 400 people, we are talking about 500 people in the area losing their jobs. It is a huge blow to the area. I call on the Minister of State present along with his colleagues, the Minister with responsibility for energy and the Minister with responsibility for employment to take a hands-on approach to this matter and to speak directly to the company, which is heavily subsidised with taxpayers' money and also by the ESB, to ensure the future of the briquette factory in Littleton.

We have been told that part of the reason for this decision is due to the stockpile of briquettes that are in the country. Even though this is not directly in the Minister of State's remit, he has responsibility for European affairs and the carbon tax is an issue in that context. We are being flooded with coal imported from the North which is not subject to carbon tax. It is estimated that the carbon tax has added 50 cent to a bale of briquettes. In this context, we are talking about fair trade and equal opportunity for all. I ask the Minister of State to take up this issue to ensure that people in rural Ireland are not being penalised.

The briquette factory in Croghan, near Edenderry, closed in the 1990s. We were then left with two factories. We wish to safeguard these, particularly the factory in Littleton, which is creating meaningful employment in the area. We want to ensure its viability into the future.

What action is the Minister of State and the Government going to take to preserve the jobs in the briquette factory in Littleton, County Tipperary? Are they going to have a meaningful hands-on working relationship with Bord na Móna whereby they will call in the management and ask it about the way it is treating the workers who have given genuine service for many years? The workers were told there was no employment for them for approximately four to five months in the height of summer. They were told they would be deployed to other maintenance jobs or to upgrading the factory but either way, everybody who is in employment in Littleton will be affected by this. I call on the Minister of State to press the Government takes adequate action to ensure the immediate viability of these jobs and the security, safety and guarantee of those jobs into the future.

Minister of State at the Department of the Taoiseach (Deputy Dara Murphy): I thank

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Deputies Lowry and Coonan for raising this very important matter of great concern for the people involved. As they will be aware, Bord na Móna is facing significant business challenges in the context of the deregulation of the electricity market and increasingly competitive and challenging environments across all its business areas. In order to ensure its continued success, the company is implementing a programme to transform all areas of its operations and structure, the key objective of which is to improve business effectiveness and efficiency.

The specific matter raised by both Deputies in regard to terms and conditions of employment is an operational matter for the company and not one in which the Minister, Deputy White, has any role or function. He passes on his apologies for not being here. Furthermore, taxation policy, including the carbon tax, its implementation and impact, is a matter for the Minister for Finance and not one in which the Minister has any function.

However, I understand that the Minister, Deputy White, has raised the wider issue in regard to peat production with Bord na Móna and has been advised that the temporary cessation of peat briquette production is confined to the two factories at Littleton, County Tipperary and Derrinlough, County Offaly. Both factories are peat-based manufacturing plants, producing Bord na Móna peat briquettes and run on a 24-7 basis during production. Each year, based on sales requirements, Bord na Móna implements a specific production plan for each of its factories. The plan normally includes periods where production ceases, there is maintenance overhaul and where there is annual leave, including a break in production over the Christmas period without, normally, loss to employees. I understand, however, that as a result of very mild weather in recent months, competitiveness challenges, a high private timber and sod turf supply and falling prices for home heating oil, the opportunity for the company to sell its current stocks is unfortunately very challenged this year.

As the Deputies will be aware, in December last, affected employees were informed of the seriousness of the stock situation at the factories and production temporarily ceased over the Christmas holiday period. While production recommenced in early January, it became apparent by early February that stocks were again building up due to continuing lower sales levels. Formal communications took place with staff and union representatives in February and the company advised that production at both plants would cease at the end of March until early September. It was further agreed that plans were to be prepared for each factory to manage the shut-down in the most efficient manner possible.

The company is running the normal maintenance overhaul at both plants during April and no employees are laid off. Following this, holiday leave will be scheduled. Thereafter, I understand that unfortunately it will be necessary to lay off a number of staff in June and July. Management is actively considering all options to mitigate the impact on directly affected workers through redeployment of people to security duties, bog operations, other areas of the company or outside contract work as well.

At all stages staff and union representatives have been kept informed of the situation. The restart of briquette production is scheduled for 10 September next. In the meantime the company is actively reviewing new product development opportunities and engaging with local management and staff on trying to grow new markets for peat products.

The Minister is aware of the seriousness of the situation and would encourage management and staff to work together in managing this very difficult period ahead while looking forward to the restart of production at the earliest possible date.

Deputy Michael Lowry: There are two things the Government can do and for which it can take responsibility. The first is the fact that, as the Minister of State said, Bord na Móna is no longer competitive. The reason its products such as briquettes and peatland products are no longer competitive is that they are subject to the carbon tax. That tax was introduced in budget 2010. Following discussions with the then Government I secured an exemption for peat products. That exemption was lifted in the budget of 2013 when the Government imposed the tax at €10 per tonne. It doubled the tax in the 2014 budget to €20 per tonne. Effectively, a bale of briquettes has a carbon tax levy of 56 cent. It makes those products uncompetitive compared to Northern Ireland, where coal and briquettes are not subject to a carbon tax. As Deputy Coonan said, coal is being imported at low prices with which our Bord na Móna products cannot compete. The Government can move on that and it can also move on the public service obligation that the ESB has, which is denying Bord na Móna €23 million per annum.

Deputy Noel Coonan: I am disappointed with the Minister of State's response in that he said this is a matter for the Minister for Finance and not the Minister. That is poor consolation to workers who will be unemployed for three months during the summer. This is the reason I call for a co-ordinated approach by the Government, including the Minister for Finance, the Minister with responsibility for energy, the Minister with responsibility for employment and the Minister of State present, to ensure there is fair competition when we are competing with the North and being flooded with material from the North that is not subject to a carbon tax. I ask the Minister of State to take a hands-on approach to try to resolve this problem. It is a question of the cost of production which the Government is certainly in a position to address with Bord na Móna. If there is a will, there is a way. We ask the Minister to have the will and a way can then be found.

Deputy Dara Murphy: The Government is more than aware of the seriousness of the issue. The matter of a carbon tax is one for the Minister for Finance. There has been an unfortunate combination of events, with a supply of very low-cost competing products, as well as a mild winter. As I said, this is a matter for the company in the first instance, but the Minister will continue to encourage management and unions to try to find the best possible outcome in what is a very difficult situation. I thank the Deputies for bringing the matter to our attention.

Leaders' Questions

Deputy Micheál Martin: I am sure the Taoiseach will agree that for many families the most significant financial outlay is their monthly mortgage payment. It has a huge impact and can create enormous pressure in their lives. We have a situation where over 300,000 households are on standard variable rate mortgages which clearly are exorbitant and exerting enormous pressure on their capacity to sustain their lives from a financial perspective. It is very clear that the rates being charged are far in excess of the cost of bank funds. A typical €200,000 standard variable rate mortgage holder, for example, is paying €6,000 more per year than a borrower with a tracker mortgage. I am sure the Taoiseach will agree that this is simply unsustainable. Given that there is a figure of approximately €40 billion for standard variable rate mortgages, a 1% reduction in interest rates would equate to a benefit of an estimated €400 million to households across the country. Even a 0.5% reduction would equate to a benefit of around €200 million which would provide enormous relief for the families concerned. It would put issues such as the property tax and water rates in the ha'penny place in terms of the actual financial impact on such families who are the most hard-pressed in the country. It is very difficult to justify the

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high rates charged for standard variable rate mortgages when one looks at the cost of funds. AIB is charging a rate of 4.15%, while Bank of Ireland and permanent tsb are charging 4.5%, but the cost of funds is 1.64%, 1.15% and 1.74%, respectively. The variation is huge and in stark contrast with the rates in other eurozone countries. Customers in Ireland on the standard variable rate are paying up to 2% more than their counterparts in the eurozone. Banks which operate in both the Republic of Ireland and the North are charging their customers here on such mortgages 2% more than in Northern Ireland.

We raised this issue in a debate during Private Members' time over two weeks ago when our finance spokesperson, Deputy Michael McGrath, pressed the Minister strongly in what was a comprehensive and constructive presentation by our party, particularly in terms of providing solutions to the problem. However, the Government has not stepped up to the plate and there has been very little engagement on the issue. Essentially, the Government has given the banks free reign in how they operate and impact on customers. Has the Taoiseach met the banks specifically on this issue? Has the Economic Management Council raised it with the banks? From what we can see, it has not met the banks since 2012. What is the Government proposing to do to alleviate the enormous, unacceptable and unfair pressures on families?

The Taoiseach: I agree with the Deputy that their mortgage outlay is one of the principal issues they have to deal with every month. I also fully understand, from direct contact with so many people, the numbers who struggle to meet their mortgage repayments. Obviously, this is part of the legacy of the economic crisis of a number of years ago.

The Deputy asked if I had met the banks specifically on the issue. I have not. He is aware that the Government is not in a position to direct what interest rates should be; nor does it want to become the director of what they should be. However, it is not happy with the current position, given the emerging evidence that the reduction in the interest rates at which banks borrow money from their lenders has not been passed on to consumers. The Deputy will be aware of many of the reasons behind this.

On the one hand, the Government has been dealing with cases of mortgage distress and mortgage arrears which are causing difficulties for many and committed to bringing forward a range of measures to attempt in the next short period to deal with mortgages in long-term distress. The Minister for Finance met the Governor of the Central Bank to discuss the question of higher interest rates being charged on variable rate mortgages in Ireland. Both he and the Governor noted the lending charges to banks and the rates being charged to mortgage holders and the Central Bank has undertaken to do further work on the scale of what is involved and the justification of the banks for the higher rates being charged to Irish mortgage holders in comparison to their counterparts in the eurozone. That work will continue and, obviously, the Minister and the Government will monitor the position very closely.

I do not want to do anything that would interfere with the process or the principle of people being able to acquire mortgages at competitive interest rates in a situation where the banks have been normalised. The capacity to obtain a mortgage at a competitive interest rate has been a fundamental part of home acquisition and home ownership, to which people in Ireland legitimately aspire. The Deputy is quite right to raise the matter and it is one on which the Government is focused. There is, obviously, a requirement for it not to become the director of mortgage interest rate levels. That said, it has made its views very clearly known to the Governor of the Central Bank through the Minister for Finance.

Deputy Micheál Martin: That is the Government's line when it suits it, but in November 2011 the Minister for Finance, Deputy Michael Noonan, made much of the fact that he had persuaded AIB to reduce its rates by 0.25% following a cut by the ECB. When it suited, the Government sought to claim credit for putting pressure on a bank to reduce its interest rates. In addition, the last meeting between the Governor of the Central Bank and the Minister for Finance was routine, as I understand it, although during the debate during Private Members' time it was played up by the Fine Gael press office as a major initiative. In essence, both the Governor and the Minister "noted" that the variable rates charged in Ireland were higher than in other eurozone countries, which is hardly earth shattering to note. They then said research would continue. People observing this would say there is no justification, by any objective measurement, for standard variable rate customers having to pay such punitive interest rates in comparison with others. When average families look at what is happening with the banks, they see a clear truism emerging. Big companies and corporate entities are being given massive discounts on their loans, amounting to hundreds of millions of euro in some cases. Despite the recapitalisation of the banks and the substantial funds that have been made available to them, we read today about the vetoing of so many mortgage arrears settlement proposals under the personal insolvency regime. That, coupled with the position on standard variable rate mortgages, illustrates there is absolutely nothing for ordinary families. Nothing whatsoever has been done for them in the past few years. They watch as others get €100 million per company in write downs or restructures and are asking a very basic question-----

Deputy Finian McGrath: It is a terrible injustice.

Deputy Micheál Martin: -----namely, who is intervening on behalf of the average customers of the banks, particularly those which are owned by the State. It appears to the ordinary punter that no one is intervening. The Government is certainly not doing so. Hence the need for the latter and the Irish Economic Management Council to, at a very minimum, meet representatives from the banks and put that fundamental issue to them.

Deputy Peter Mathews: Hear, hear.

The Taoiseach: Deputy Martin knows full well the situation that arose when these banks collapsed. He is also aware of the reasons for their collapse. He is further aware that the banks were restructured and that they were then recapitalised by the Irish taxpayer, not for their benefit but for that of their customers. I stated a couple of weeks ago that I am not happy with the situation whereby banks have not passed on to mortgage holders the lower interest rates from which they have benefited. AIB has passed on variable interest rate reductions to all its customers but other banks have not done so. The Minister for Finance and the Governor of the Central Bank met to review the position and the latter has undertaken to carry out further work in respect of this matter.

The statement of Government priorities recognises that promoting and encouraging competition among banks would be in the interests of the people. The Government established the Strategic Banking Corporation of Ireland and the credit guarantee scheme and it also amended section 149 of the Consumer Credit Act.

Deputy Micheál Martin: I apologise for interrupting but did the Taoiseach state that AIB has passed on variable interest rate reductions to all its customers? It has not done so.

The Taoiseach: Yes, I stated that AIB had passed on reductions to all its variable standard

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rate customers. However, there is no impediment to further work being done in respect of this matter. I am not happy with the position.

Deputy Micheál Martin: It did not pass them on to those on the standard variable rate.

An Ceann Comhairle: We are over time.

Deputy Mattie McGrath: The Government is past its time.

The Taoiseach: As already stated, I am not happy with regard to the fact that the banks have not passed on the lower interest rates from which they have benefited. There is room for more work to be done. That is why we have taken the actions to which I refer and why the Minister met directly with the Governor of the Central Bank. The Government is not in a position to direct the interest rates which should obtain. Clearly, the banks have a moral duty to pass on the lower interest rates from which they benefit.

Deputy Micheál Martin: What did AIB pass on?

The Taoiseach: It is not fair, just or equitable that Irish consumers are being charged higher interest on variable rate mortgages than their counterparts elsewhere in the eurozone.

Deputy Peter Mathews: If that is the case, the Government should do something about it.

Deputy Mattie McGrath: The Taoiseach is at the wheel.

The Taoiseach: That is why the Government and the Governor of the Central Bank are focused directly-----

Deputy Barry Cowen: Focused on what?

The Taoiseach: -----on carrying out further work in this area.

Deputy Barry Cowen: The Government is not focused, it is like Bambi in the headlights.

Deputy Finian McGrath: Paddy wants to know why the Government is doing nothing.

Deputy Micheál Martin: AIB did not pass anything on. Perhaps the Taoiseach will correct the record.

Deputy Gerry Adams: The Taoiseach states that it is not fair, just or equitable yet he does nothing. He knows as well as I that there are different ways to govern. One way is to build a citizen-centred, rights-based society with equality for citizens and a right to public services. The other involves an approach whereby it is everyone for himself or herself, where there is little sense of social solidarity and where there are no legal rights or social protections for citizens. This is the vision that Fine Gael and, shamefully, the Labour Party now embrace. Hardly a month passes without further evidence of the Government's destruction of public services and its policy of privatisation in the areas of health, water services and public transport. The Government's plan to privatise bus routes is set to fatally undermine Bus Éireann and Dublin Bus. It is clear the Taoiseach either does not understand or chooses to ignore the fact that in order to ensure an economic recovery which is fair and which leaves no family or part of our island behind, investment in public transport is crucial.

Bus Éireann and Dublin Bus have struggled to maintain vital services but they have ac-

tually managed to increase passenger numbers and revenue despite Government cuts. Now, however, those opposite are going to force these public companies to compete with private operators. Buses will in future run as a means of generating profits for shareholders and not as a public service. Those who will suffer will be ordinary workers, students, elderly citizens and families. Privatisation will inevitably drive down the wages of bus workers and will have an adverse impact on their terms and conditions. Will the Taoiseach acknowledge that profit cannot be perceived as the decisive factor in terms of whether the economy of and services on offer in rural Ireland decline further? Will he reverse the decision the Government has taken to privatise bus services?

The Taoiseach: I do not accept Deputy Adams's assertion to the effect that the Government has decided to privatise Bus Éireann or Dublin Bus. Nothing could be further from the truth. The position is that the Government - in the context of an economy that is rising - wants consumers and those who use buses to have access to the very best level of service that can be made available.

Deputy Dessie Ellis: It is privatising-----

The Taoiseach: As Deputy Adams is well aware, the National Transport Authority, NTA, has a statutory responsibility to judge how best to balance both the direct award and the tendered public service obligation, PSO, services that are socially necessary and that relate to non-commercial bus routes. In late 2013 the NTA, in the aftermath of a wide-ranging consultation process, decided that 10% of the existing PSO bus market should be tendered for. The Deputy will have heard the Minister for Transport, Tourism and Sport very cogently reassure workers with regard to their conditions and their rights in respect of this matter. The NTA was proceeding with the public procurement process while also participating in the process facilitated by Labour Relations Council, LRC, in the context of addressing CIE employee concerns on the implications of this element of the market being opened until a trade union withdrawal on 30 March last. Hence, there has been quite an amount of intensive engagement on employee issues. It is the Government's view that the discussions at the LRC would allow employee concerns to be addressed very satisfactorily. The Minister is extremely clear about that.

As the Deputy is also well aware, introducing competitive tendering in respect of a small segment of the overall number of available bus routes will save the taxpayer money, encourage cost competitiveness and enhance service quality.

Deputy Peadar Tóibín: It will also send the service abroad.

The Taoiseach: Dublin Bus is perfectly entitled to tender in respect of the 10% of routes to which I refer in addition to those on which it already provides services.

Deputy Dessie Ellis: In Waterford, 100% of services will be privatised.

Deputy Finian McGrath: Will the Taoiseach support those who go on strike?

The Taoiseach: International experience indicates that competitive tendering is beneficial in the context of the provision of subsidised PSO bus services. Bus Éireann and Dublin Bus will both be able to submit bids during the tendering process when it commences in the middle of this year. The two companies in question were paid in excess of €90 million in PSO supports by the taxpayer last year - this amount was over and above passenger fare incomes - in respect of the provision of public bus services.

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Deputy Thomas P. Broughan: So what?

The Taoiseach: A further €90 million was provided to cover the cost of the purchase of new buses and the upgrading of the fleet. The NTA has a legal responsibility in respect of this matter and it set down a 10% requirement in respect of services which are to be tendered for. Dublin Bus and Bus Éireann can tender to provide services on the routes involved. The taxpayer has paid €180 million in order to support this process and improve the quality and quantity of the companies' bus fleets.

Deputy Gerry Adams: The Taoiseach stated that the Minister cogently spelled out the Government's position. The bus workers cogently informed the Minister that they are going on strike. They do not appear to have been at all humoured by what he had to say. The Taoiseach indicated that there will not be any privatisation, that the market will be opened and that there will be competitive tendering. Given that words are what words mean, there is going to be a 10% privatisation of bus routes. In the Taoiseach's words, there will be competitive tendering for these routes and the market will be opened. He is aware that his Government has made life consistently more difficult for rural communities and the people who live in them. Local post offices and Garda stations have been closed-----

Deputy Patrick O'Donovan: What about the PSNI in the North?

Deputy Gerry Adams: -----and the cost of private motoring has increased. The Government is now cutting transport programmes.

Deputy Ray Butler: What about the hospital closures in the North?

Deputy Gerry Adams: It is clear, from what the Minister so cogently spelled out, that 100% of bus services in Waterford city will be privatised.

5 o'clock

How long will it take the Government to do the same in Dublin? That is clearly the intention across the State. I will not repeat my opening remarks but it is clear that the private model will not serve the interests of citizens or communities. Will the Taoiseach accept that investing in transport on this island, North and South, is fundamental to the future of the island economy and will he stop the privatisation of public transport routes and the undermining of successful public transport companies? If they were not successful they would not be sold off.

The Taoiseach: I do not accept the Deputy's assertion. He deliberately chose to misinterpret what I have said, and what the Minister has very cogently explained. As the Deputy noted, however, these things happen. The bus routes are not being privatised. What is being opened is 10% of the market for competitive tendering.

Deputy Dessie Ellis: It is the same thing. It is privatisation.

The Taoiseach: Bus Éireann and Dublin Bus are entitled to tender for that 10% and to win those tenders. I cannot predict the outcome of a competitive tendering process. Last year the taxpayer provided €90 million over and above the income derived from bus services -----

Deputy Róisín Shortall: That is low by European standards.

The Taoiseach: ----- and a further €90 million in respect of new buses for the fleet. The

Minister has given a clear outline in respect of the workers and their rights and conditions. These issues have been subjected to intensive discussion. The strike should be called off. One of the objectives of the Labour Relations Commission negotiations was to enable the vast majority of employees to remain with Dublin Bus and Bus Éireann. In addition, employees who transfer will retain their terms, conditions and pension benefits. This was clarified and agreed by the Minister publicly.

Deputy Gerry Adams: No, they will not.

The Taoiseach: The competitive tendering process for 10% of the routes will open in mid-year. Dublin Bus and Bus Éireann will compete for those tenders and they may win them because they are already supported by the taxpayer and they have up-to-date fleets. I commend the workers in Bus Éireann and Dublin Bus on what they have done in difficult times. This year is the first time since 2008 that the level of public service obligation subsidy for bus and rail services was maintained at the same level as the previous year. That was not possible in previous years because of the economic situation. I hope the issues can be resolved.

Deputy Clare Daly: I do not think the workers or passengers will take solace from the Taoiseach's "no privatisation" comments given the number of broken promises he has already stood over.

On the last day the Dáil met, Deputy Wallace tried to jolt the Taoiseach's memory regarding his inaction on problems with senior gardaí in the Athlone area. Little did we know that at the very same time representatives of the Department of Justice and Equality were in the process of contacting the family of Fr. Niall Molloy, thereby giving them less than one hour's notice that the Minister for Justice and Equality was about to publish the outcome of the McGinn report into their uncle's murder. For four months she sat on a report that, let us remember, was a paper review of a Garda review of a Garda investigation. The Minister later acknowledged that the report identified unanswered questions and serious shortcomings in the investigation but concluded that it was too long ago and we will never find out the truth. Of course, she did not admit that the report's terms of reference were preordained to have that outcome. Mr. McGinn himself indicated that his task was not to establish the truth, or even venture an opinion about the truth; it was simply to identify issues of public importance or concern that might warrant further investigation. In other words, the truth is out there somewhere but we are not going to bother getting to it.

In fairness to Mr. McGinn, he raised a number of issues, such as the fact that the Garda failed to identify and interview witnesses and neighbours; the fact that a statement was not taken from the solicitor whom Niall Molloy consulted shortly before his death in regard to his financial problems with the Flynns; the lack of forensic analysis of blood and fingerprint samples taken at the scene of the crime; and, critically, the important fact that the opinion of Professor Michael Farrell, the expert neuropathologist to whom John Harbison deferred, was not sought. Dr. Farrell's opinion confirmed that Niall Molloy took between three and six hours to die. In other words, as Mr. McGinn indicated, the account given by Richard and Therese Flynn was not accurate. Mr. McGinn went on to note that the review did not say how it happened. Such information could only be ascertained by an independent commission of investigation, as recommended by the serious crime review.

I presume the Taoiseach is aware this is only one of more than 300 historic cases of Garda malpractice currently being considered by the independent review mechanism and that the Min-

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ister has already teed matters up so that a large percentage of these cases are unlikely to result in action. Can we now take it that the review is nothing more than a fig leaf to divert attention from serious allegations of Garda malpractice? It is a bit of a stunt, like replacing the previous Minister for Justice and Equality and Garda Commissioner. The people who submitted these cases can expect to be re-victimised and re-violated. Does the Taoiseach really think that the Molloy family, or Cynthia Owen, who was raped and impregnated at the age of 11 years and her child murdered, are going to leave matters at that? If he is serious about Garda reform, he will have to deal with the past before he can deal with the future.

The Taoiseach: The 300 cases to which Deputy Clare Daly referred involve issues that were brought to my attention in the House or to the attention of the Minister for Justice and Equality by the Deputy, Deputy Wallace and members of the public. The vast majority of these cases have been assessed by an independent legal team. She may have information because she appears to know the outcome of the examination of these cases. The Minister has confirmed that she will shortly commence writing to the members of the families concerned in regard to the report of the legal team once it has assessed all of these cases. Fr. Molloy is deceased and nothing we say in this House will bring him back. The Government considered and accepted the McGinn report in the last several weeks, after it was presented to the Minister. She has confirmed that she will commence the process of informing the families about the cases referred to her Department and my Department, in respect of which a legal team was appointed to analyse the issues arising. Many of them have been considered at various levels over the years. I do not know the details of the responses that will issue in respect of these cases because I have not seen the report of the legal team.

Deputy Clare Daly: The information to which I have access is contained in the Official Report of the Dáil. I presume that if the Minister for Justice and Equality was in contact with the Taoiseach, she would have told him what she has stated on the public record, namely, that because of the passage of time and other issues she expects no action to be taken in a majority of cases. It is not good enough for the Taoiseach to say Fr. Molloy is dead. His family know that but they have been devastated by the outcome of this report. They cannot figure out how the Government can correctly pardon somebody who was hanged in 1941 based on a re-examination of that case while expecting us to believe it cannot re-examine Fr. Niall Molloy's case, which occurred in 1985, even though eight out of 11 witnesses present in the room are still alive and forensic evidence which was never examined is presumably still available. I do not think the Taoiseach realises the seriousness of these cases. He has not addressed the bigger picture of dealing with the past before we can deal with the future. I am somewhat worried about his memory at this stage. He has had trouble recalling certain events. Perhaps he remembers one of the cases he referred to the review panel.

An Ceann Comhairle: The Deputy is over her time.

Deputy Clare Daly: This is a question regarding a person who contacted the Taoiseach last year and told him he had information on gardaí being present in a room when a civilian was shot by gardaí and being ordered by his superiors to say he was not present. The Taoiseach passed this case on to the review panel. I ask him to consider the fact that in the past few months not one person from the review panel has contacted the person concerned to ask him what murder it was, who was murdered and who was there. How, in God's name, can a review panel recommend anything if this is the type of shoddy investigation that is ongoing? How can it deal with the case of Shane Touhey who was murdered in February 2002 when it does not consider information submitted? Will the Taoiseach be honest and admit that the investigation is a joke

and not independent at all?

The Taoiseach: The position is that we compiled approximately 300 cases from various sources. Many of them were dealt with through elements of the legal process over many years. In order to assess these cases and because of the serious nature of many, a legal panel was set up and given the responsibility to go through all of the files. This process is not being conducted by an individual Member of this House. There are 300 cases involved. It is not for me to say why any member of the family of anybody the Deputy mentioned has not been contacted by the legal team, but I am quite sure that will happen. The team has not yet concluded its work on all 300 cases. In cases where it has concluded and presented its findings, the Minister will commence writing to the families involved shortly. She has already made it clear that she is quite happy to meet members of the family of the late Fr. Molloy, if they so wish. Perhaps my memory is not as faulty as the Deputy imagines it is.

Order of Business

The Taoiseach: It is proposed to take No. 7, Health (General Practitioner Service) Bill 2015 - Order for Second Stage and Second Stage. It is proposed, notwithstanding anything in Standing Orders, that Private Members' business which shall be No. 184, motion regarding fair pay, secure jobs and trade union recognition, shall also take place immediately after the Order of Business tomorrow and shall, if not previously concluded, be brought to a conclusion after 90 minutes on that day.

Tomorrow's business after oral questions shall be No. 7, Health (General Practitioner Service) Bill 2015 - Second Stage (resumed); and No. 1, Criminal Justice (Terrorist Offences) (Amendment) Bill 2014 [Seanad] - Second Stage.

An Ceann Comhairle: There is one proposal to be put to the House. Is the proposal for dealing with Private Members' Business tomorrow agreed to? Agreed.

Deputy Micheál Martin: In regard to the Minister for Justice and Equality setting up the independent panel of barristers, I understand every case must be gone through before anybody gets-----

An Ceann Comhairle: We cannot go back to that issue.

Deputy Micheál Martin: We were promised it would be raised in the context of the Minister coming back to the House following the establishment of the review-----

An Ceann Comhairle: This is the Order of Business.

Deputy Micheál Martin: I am looking for Government time to have this issue debated and I am entitled to do so on the Order of Business because we are getting queries on the cases we submitted to the Minister and because of the significant distress being caused to families.

Page 5 of the programme for Government relates to health issues and outlines the pathway to universal health care and insurance. Universal health insurance was proposed by either Fine Gael or the Labour Party as far back as 2002 and perhaps even earlier, but there has never been a detailed blueprint for costings or how it will be implemented. Five years ago, before the general election, we were promised it, but it was never costed and no detail was provided on it.

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Now it seems we are about to be told it will take another five years for the Government to even contemplate implementing it. The programme for Government stated that in the first term of the Government a foundation would be laid for the introduction of universal health care insurance and that the legislative basis for it would be provided, that public hospitals would be given autonomy from the HSE and that the HSE's function of purchasing care for uninsured patients would be given to a hospital care purchase agency which would combine with the National Treatment Purchase Fund to purchase care for the uninsured during the transition period. That was just one of the key commitments made in the programme for Government in terms of the legislative underpinning of universal health insurance. Will the Taoiseach confirm that none of this will now happen during the lifetime of the Government and that there is no detailed blueprint for the implementation of universal hospital care insurance? I will not mention the many other promises made in this regard.

We have been promised a review of the fair deal scheme and the system for financing it. The scheme has been under chronic pressure in the past 12 to 18 months. When will the review be published and what are the Government's proposals in looking after older people and in terms of access and eligibility for the scheme?

When can we expect publication of the apprenticeship Bill which will outline new governance structures for new apprenticeships and introduce protection for apprentices and outline the responsibilities of employers?

The Taoiseach: The Minister of State, Deputy Damien English, is dealing with the apprenticeship Bill and requested that all submissions be made by the end of March. I assume he is assessing the submissions and will obtain an update for the Deputy on when the Minister of State expects to put the Bill together.

As the Deputy is aware, the Government made a further allocation in the health area recently, of €75 million, to deal with issues related to the fair deal scheme and, I hope, reduce the waiting period to an average of four to five weeks. This will be more acceptable than the existing waiting period of 18 to 20 weeks. The Minister for Health will deal with the question of the review of the fair deal scheme, but I cannot provide a date of publication of the review. It will, obviously, be discussed in the House.

Universal health insurance will not be introduced during the lifetime of the Government. The Government has made it clear that it must be delayed because of the complexity of what is involved. The Minister has said he expects to be in a position to produce a paper on costings by the middle of the year. The Deputy is aware that hospital groups have been set up and that they will evolve into trusts. The money follows the patient concept is in place; primary care centres are being opened and agreement has been reached on GP cards for children under six years and people aged over 70. Being able to deal with people's medical needs based on medical requirements as distinct from how much money they might have is the essence of universal health insurance, but this cannot happen until all of the elements are in place.

Deputy Micheál Martin: What the Taoiseach is saying is that five years since the Government proposed this measure, it still does not have the costings.

An Ceann Comhairle: We are not having a debate on the issue.

Deputy Micheál Martin: The Government still does not have costings for something it promised the people five years ago.

An Ceann Comhairle: The Deputy is getting a reply to his question. I must move on to Deputy Gerry Adams. We are not having a debate on the issue.

The Taoiseach: The commitment to the introduction of universal health insurance is not being renegeed on.

Deputy Micheál Martin: Five years on, the Government does not even have costings.

An Ceann Comhairle: There are plenty of other ways of raising the issue, apart from shouting across the floor.

The Taoiseach: Deputy Micheál Martin's party supports the continuation of a two-tier system.

Deputy Micheál Martin: Do not mind our party; the Government promised this measure five years ago

An Ceann Comhairle: Will the Deputy, please, settle down? He must obey the rules just like everybody else, regardless of whether he believes it. I call on the Taoiseach to complete his response.

The Taoiseach: The Deputy's party supports a two-tier system and increasing income tax to make people pay more. Universal health insurance is the way forward.

Deputy Micheál Martin: The Government has no costings five years after it told the people it would be provided.

An Ceann Comhairle: The Deputy has had his say and should stay quiet. He has Leaders' Questions and other opportunities to raise these matters. He should not do so on the Order of Business when I ask other Deputies to adhere to the rules.

Deputy Gerry Adams: Ba mhaith liom ceist a chur ar an Taoiseach faoi the Health (General Practitioner Service) Bill 2015 and the international protection Bill.

On the second Bill, the direct provision system is 15 years old this month, but it has been widely condemned for the ill-treatment of refugees who are denied the right to work and are paid a derisory living allowance. They have to pay €2.50 for each prescription out of their €19 allowance and those who have completed the leaving certificate cannot progress to third level education. The Taoiseach previously told me that the report of the working group chaired by Mr. Justice Bryan MacMahon would be published by Easter but Easter has gone. The Minister of State, Deputy Ó Ríordáin, is quoted as saying it will be published by the end of next month. The Taoiseach gave a definitive date of when it will be published. Will he commit to holding a debate in the House when it is published? Has the Government agreed a firm date for the publication of the international protection Bill?

The Health (General Practitioner Service) Bill 2015 is to provide free GP service for all persons aged 70 years and over. The Government has agreed a new contract with the Irish Medical Organisation for free GP care for children under the age of six and this is opposed by the National Association of General Practitioners. Will GPs who do not agree to the new contract lose-----

An Ceann Comhairle: No, Deputy, we cannot go into long debate and discussion on the

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Order of Business. It is nearly ten minutes and we have only had two people on the Order of Business, which is about promised legislation.

Deputy Gerry Adams: This is what this is about.

An Ceann Comhairle: We cannot have debates on the Order of Business.

Deputy Gerry Adams: Fair enough-----

An Ceann Comhairle: It is unfair to other Deputies who have to come in. There is a queue here.

Deputy Gerry Adams: As the Ceann Comhairle knows I am generally very brief.

An Ceann Comhairle: The rules apply to everybody.

Deputy Gerry Adams: Absolutely.

An Ceann Comhairle: Thank you.

Deputy Gerry Adams: If GPs do not agree to the new contract will they lose from their practice those under-sixes who currently have a medical card or a GP visit card? Is the Taoiseach confident that the HSE can cope with the registration of an additional 270,000 children?

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

Deputy Gerry Adams: Does he expect this free GP care service for under-sixes to be in place by mid-July, as promised?

The Taoiseach: The Health (General Practitioner Service) Bill is being taken today in the House and Deputy Adams will have an opportunity to comment on it. Deputy Adams asked about GP contracts. I hope these contracts are accepted and that we move on with these necessary elements of the under-sixes, over-70s and under-11s before we can have universal health insurance.

I gave an indication of when the working group on the protection process would produce its report. I do not speak for Mr. Justice MacMahon, who has an extensive knowledge of all of the complexities involved. My understanding is that he expects to submit his final report to the Minister before the end of May. I know from speaking to him that the range of cases arising has been much more extensive than one might have imagined. I do not wish to speculate on the outcome but it will be debated in the House when the Minister publishes it. It is a matter of considerable importance. The answer to the Deputy's question is that it will be debated here.

Deputy Bernard J. Durkan: On promised legislation and arising from the discussions at Cabinet today about crime prevention, when will a suite of legislative proposals come before the House? Will it include the introduction of the bail Bill as a central aspect? When will all those issues be brought before the House by way of legislative proposals?

The Taoiseach: This morning the Government approved two elements in respect of bail in cases where burglaries are occurring. The evidence is that a small number of people carry out an extensive number of burglaries. The Minister proposes to introduce legislation so that repeat offences by offenders can be taken as an indication of a refusal of bail. Where there are repeated charges against particular people the court in its wisdom can decide to have consecu-

tive sentences for repeated burglaries. In general, the Minister hopes to bring the heads of a general bail Bill - about 40 heads in all - to Government, in the next two months or so. This is to deal with the general bail concept which the Deputy has raised on many occasions in the House.

Deputy Barry Cowen: When will we see the promised legislation in the form of the water services (No. 3) Bill to give effect to the legislation to allow the courts go after those who have refused to pay the bill? We are waiting long enough and I am sure EUROSTAT is anxious to get this information in order to adjudicate on the certainty of income that may be derived by this company. In the absence of that the Taoiseach might find himself in hot water, to say the least.

The Taoiseach: The Minister, Deputy Kelly, is working on a number of related areas in order to have a compliance regime which is clear and strong and which applies to everyone. I have referred to this before. I do not wish to give the Deputy an exact date except to say that the Minister is working hard to have that clear and strong regime implemented as soon as possible.

Deputy Charlie McConologue: When will the technological universities Bill be published? Can the Taoiseach give an assurance at the minimum that it will be published in this Dáil session?

The Taoiseach: It is due to be published in this session.

Deputy Peter Fitzpatrick: Amending the Child Care Act 1991 will impose a statutory duty on the Child and Family Agency to prepare an after-care plan for an eligible child or young person. We must strengthen the legislative provision for after care. When can we expect the drafting of the child care (amendment) Bill?

The Taoiseach: That Bill is due in this session.

Deputy James Bannon: There is much public interest in the extension of the natural gas pipelines to all parts of the country, including the smaller provincial towns. Gas provision for small towns is very important for their future development. I refer to two Bills which are related, No. 71 and No. 72, the common arrangements for gas Bill and the Eirgrid Bill, to establish Eirgrid outside of the honey-pot regions and to amend the Electricity Regulation Act 1999 to allow for arrangements to be put in place to facilitate an all-Ireland gas market.

The Taoiseach: I am not sure where the honey-pot regions to which Deputy Bannon refers are located. The common arrangements for gas Bill is no longer being progressed because it has been superseded by the European Union internal market agenda third package and associated EU gas networks codes. Therefore, the Bill is not proceeding any further.

Deputy Tony McLoughlin: With regard to the commencement of the exchanging of criminal records of known criminals between Ireland and other EU member states, when can we expect the criminal records information system Bill to be brought before the House?

The Taoiseach: That Bill is due later this year.

Deputy Frank Feighan: There is a need to merge the Property Registration Authority, the Valuation Office and the Ordnance Survey of Ireland. When will the Tailte Éireann Bill come before the House?

The Taoiseach: I do not have a date for it. I will give Deputy Feighan a progress update on the work.

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Deputy Mattie McGrath: The Judicial Council Bill has never been more needed. It has been promised on many occasions. This morning in the High Court a case went ahead half an hour before it was listed and an individual was jailed only to be brought back to a different court at 1 p.m. and be freed. This is the second time this gentleman has been jailed by the same judge. I can name him-----

An Ceann Comhairle: We cannot discuss cases here.

Deputy Mattie McGrath: What is going on down there under Mr. Justice Hunt is a farce and is unacceptable.

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

Deputy Mattie McGrath: It is a matter for the Judicial Council Bill. When will it be introduced?

An Ceann Comhairle: We will find out about that.

The Taoiseach: It will be this session.

Deputy Seán Ó Fearghail: In the context of the dispute in Dunnes Stores, recently in the House the Tánaiste promised legislation on collective bargaining. I recall that when the Taoiseach was in the US recently he suggested to the business community there that if they had any issues they might give him a telephone call. Given that it will take some time to bring the legislation on collective bargaining before the House, is there any chance the Taoiseach might lift the telephone, ring Margaret Heffernan and try to do something to resolve that particular dispute?

The Taoiseach: I advised them to ring me last year and they are calling in huge numbers.

Deputy Seán Ó Fearghail: That is good.

Deputy Mattie McGrath: What about the people with variable rate mortgages? Did they ring the Taoiseach?

The Taoiseach: The question of collective bargaining is one with which the Government will deal in the not too distant future. In the meantime, the Minister of State, Deputy Gerald Nash, is dealing with the Low Pay Commission and work in that respect with regard to the minimum wage. I hope this matter can be resolved. There are other retail outlets where short-hour working applies also. In fairness, clarity should be provided to workers as to the hours and conditions under which they work. I will advise Deputy Ó Fearghaíl of the progress in respect of collective bargaining.

Deputy Noel Coonan: In view of the fact that the Taoiseach is a good sporting man like you, a Cheann Comhairle, could I ask him when we can expect the Horse Racing Ireland (Amendment) Bill to pass through the House?

The Taoiseach: It is listed for this session.

Deputy Noel Coonan: That is good news.

Health (General Practitioner Service) Bill 2015: Order for Second Stage

Bill entitled an Act to amend the Health Act 1970 to provide for the making available without charge of a general practitioner medical and surgical service to persons who are ordinarily resident in the State and who have attained the age of 70 years, and to certain other persons; and to provide for related matters.

Minister of State at the Department of Health (Deputy Kathleen Lynch): I move: “That Second Stage be taken now.”

Question put and agreed to.

Health (General Practitioner Service) Bill 2015: Second Stage

Minister of State at the Department of Health (Deputy Kathleen Lynch): I move: “That the Bill be now read a Second Time.”

It is my pleasure to introduce Second Stage of the Health (General Practitioner Service) Bill 2015 to the Dáil. The Bill will provide for a universal GP service to be made available to all persons aged 70 and older. This is the second phase of the introduction of a universal GP service in Ireland which builds on the first phase which covered children aged under six years. Together with the under-six phase, by the summer the second phase will result in more than 300,000 children and senior citizens who currently must pay to see their GP no longer having to decide whether they should spend €50 to visit their GP. This phased extension of universal coverage will come as a relief to many young families and pensioners.

Under the new legislation, access to a GP service will be provided to all persons over the age of 70 on a universal basis. This will replace the existing GP service arrangement for over-70s, where their income must be assessed before they can access a GP without a charge. Their dependants, including spouses or partners, who are under the age of 70 will continue to have access to a GP service without fees where they meet the existing income limits.

The Government remains committed to the introduction of a universal GP service for the entire population in line with the programme for Government. As set out in its Statement of Government Priorities 2014 -2016, the Government prioritised the over-70s in the next phase of the roll-out of free access to GP care. The Government is now living up to that commitment. General practice or family practice is often viewed as the core of primary care. The GP plays a crucial role as a gateway to the entire health system. The generalist and patient-centred GP approach guides the patient through the referral process and health care system. It is widely considered that a well developed system of primary care has beneficial effects on the health care system as a whole. As previously announced, the Government decided to commence the roll-out of a universal GP service for the entire population by, first, providing all children under six years and, second, persons over 70 years of age with access to a universal GP service. The decision to prioritise the over-70s cohort next for the roll-out of a universal GP service had regard to the significant prevalence and co-morbidity of chronic diseases in the over-70s population. Therefore, there is a significant benefit to be achieved from improved GP access in terms of health and well-being. There are approximately 400,000 people over the age of 70 in Ireland. It is estimated that approximately 36,000 people over the age of 70 must currently pay to attend a GP because they are not covered by a medical card or a GP visit card. Medical

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evidence suggests that there is a significantly greater incidence of multiple chronic conditions among persons over the age of 70. That emphasises the benefit of access to GP care without fees for persons in this age category.

It is important to be clear that nothing will change for any person over 70 years of age who has or is eligible for a medical card. Such persons will continue to receive all of their other medical card entitlements as normal. Deputies will be aware that our current arrangement of health care provision can be traced back to the mid-19th century where limited services were provided to those who were unable to pay for them. That, I believe, is an inappropriate basis for a 21st century health system. It is far from any comparable modern health system of any other European country. It emphasises the importance of moving towards a health system based on universality of access. The concept of eligibility has been somewhat amended by legislation, most recently in 1991 and 2005. However, the fundamental principle of means-testing access to health services was retained by the Oireachtas on both occasions. One result has been that the means-based legislative framework has produced a very complicated eligibility system, which must take account of a person's "overall financial situation" as stated in the Health Act 1970. This system is very likely to confuse people, and almost certainly makes it impossible for a person to know whether he or she qualifies for a medical card. It is clear from the real concerns raised by members of the public that there are difficulties for some persons with permanent conditions in gaining access to health services under the medical card scheme. This is a problem we must address. It is being treated as a priority by the Government which has been examining the issues involved and is working towards a solution.

On top of this complexity, we have added a supplementary eligibility assessment process for persons aged over 70 years of age. We must move towards a health system based on universality of access and which must be sustainably funded to enable the provision of services to meet health needs. I recognise that a move from a means-based eligibility system to a universal system of health coverage is challenging. We are in the process of reorientating the health system from one that only treats sick people to one that keeps people well. That is why a universal system is the best option. There is a good case to say the existing eligibility system has become overly complex, which has resulted in people focusing on the assessment process rather than the provision of services. We should not lose sight of the fact that the key issue is that an ill person should be able to receive primary health services. At the same time, we must stay committed to completing the most radical reform of the system in the history of the State to develop a universal system that treats all according to their health needs, not their means.

While we are making progress on universal access to GP care, the Government also recognises that the health service needs to be responsive to the circumstances of people with significant medical needs. Late last year the Minister for Health and I announced a series of measures to enhance the operation of the medical card scheme to make it more sensitive to people's needs, especially where serious illness was involved. The medical card system is now operating in a more sensible and sensitive manner. Clearly, greater discretion is being exercised by the HSE. The number of discretionary medical cards in circulation has increased by approximately 56%, from approximately 52,000 in mid-2014 to over 81,000 at the start of March this year.

I will briefly outline the main provisions of the Bill. Section 2 amends section 58 of the Health Act 1970 to remove all individuals over 70 years from the scope of the means-tested service based on holding a medical card or a GP visit card. Instead, all persons over 70 years will automatically qualify for a GP service and it will not be necessary to hold a means-tested medical or a GP visit card.

Section 3 amends section 58A of the Health Act 1970 which sets out the existing GP service arrangements for persons over the age of 70 years to provide access to a GP service for all persons over the age of 70 years on a universal basis. Section 58A(1) establishes a new universal arrangement for the HSE to provide a GP service without fees for all persons aged 70 years and over who are ordinarily resident in the State. The HSE will also provide a GP service for the dependants of such persons where the existing income criteria are met. Subsections (2) and (3) outline the income conditions that the person over 70 years of age must meet for his or her dependants under the age of 70 to qualify for a GP service without fees. The dependant of a single person over the age of 70 years will qualify if the income of the person over the age of 70 does not exceed €700 per week. Alternatively, the dependant of a married person over the age of 70 years will qualify if the combined couple's income does not exceed €1,400 per week.

In general, the remaining subsections maintain the existing administrative practices of the GP service for persons over the age of 70 years. Subsections (4) to (7), inclusive, deal with the application process, the decision-making process and the provision of information. In line with current arrangements, subsection (8) requires the HSE to provide assistance for persons over the age of 70 years in making an application, if needed. Subsections (9) to (12), inclusive, address the income limits and the calculation of gross income. Subsection (13) provides that the HSE, in so far as practicable, will offer a choice of GP to the individual.

This legislation will deliver universal GP care to a second age cohort. By the summer, all 800,000 of the people aged over 70 years and children under six will be able to visit a GP without facing a financial barrier. The Bill represents another step towards a universal GP service for the entire population. I commend it to the House and look forward to hearing the views of Deputies on the other side of the House.

Deputy Billy Kelleher: I welcome the opportunity to speak to the Bill and about broader issues pertaining to the health service in general. We will not oppose the Bill. We believe in the concept of universal access to primary care. It is an aspiration of all parties and all empirical evidence shows it is the right way to prevent people from attending acute hospital settings by ensuring they are treated in a timely fashion in a less complex and less expensive primary care setting. When one considers the programme for Government, the efforts to achieve this have been slow. We are in the fifth year of the Government and a commitment was made that free GP care would be available to all within its lifetime. It has one year left in which to address the cohorts who are not under six years, over 70 or have medical cards.

The previous Minister for Health apologised half-heartedly for the distress caused to many thousands of people with discretionary medical cards. That is where we differed. We said, when universal coverage for those under the age of six years was announced, that to fund one cohort by denying another group that needed health care the most was fundamentally wrong. Discretionary medical cards were being taken from people who were sick, had profound disabilities or life-limiting illnesses at an industrial level until the Government's change of heart last May or June and the U-turn which led to more discretionary medical cards being available based on medical need as opposed to means. That is welcome because it targets the cohort that most needs State assistance in accessing health care. That is why we consistently highlighted that particularly nasty attack on those who were genuinely vulnerable. I could never understand why in the march to universality, which we support and endorse, we were taking money to fund access to GP care from those who needed it most. That was disgusting and distasteful. It was Government policy, which was denied for 18 months when the issue was raised here time and again during Leaders' Questions and in oral and written parliamentary questions. The previous

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Minister, more or less, said in recent interviews that he regretted that it had happened and that it should not have happened. It caused great anxiety and anger for many. The wider public abhorred the fact that a GP card was being given to somebody ahead of a person who genuinely needed it and was quite vocal about this during the local elections last year. A lesson was learned and there was a change of policy and direction in the awarding of medical cards on a discretionary basis, which is welcome.

Now, in the context of extending universal access to GP care, there is the legislation for those aged under six years, while the Government has an agreement with the Irish Medical Organisation, IMO, on this Bill to give access to a cohort of people over the age of 70. We must bear in mind, however, that this is not something they are getting with any great fanfare. Let us be clear that it was taken from them by the change of criteria for guideline assessments in 2013. The Government twice brought forward legislation to take medical cards off the over-70s. Not only did they have access to a medical card by entitlement taken from them, but they were also denied a GP-visit card. There were 20,000 affected in the spring of 2013 and the Government came back for more later on that year. Some 35,000 people over 60 were taken out of that bracket of automatic entitlement to a medical card due to a change in the eligibility criteria. A couple on a gross income of €900 per week, for example, would have lost their medical card and some of them would have qualified for a GP card.

The Bill is making up lost ground in terms of giving the over-70s access to GPs, but it is not reinstating the medical card *per se*, although that was the election campaign rallying cry for a long time. I can remember the former Tánaiste and leader of the Labour Party, Deputy Gilmore, as well as the current Taoiseach and leader of Fine Gael, standing out in Molesworth Street shouting “Shame on them”. They shouted it to a receptive crowd which was aggrieved by the fact that the universal entitlement to a medical card had been taken from them. They were given an unquestioned commitment that day that these disgusting cuts would be reversed, but they have not been reversed at all. They have actually been increased because the eligibility criteria were changed. A single person on €500 gross per week now will not qualify for a medical card. A couple on €900 gross per week will not qualify either, but they will get a GP card. Prior to the changes to guidelines in 2013, they would have qualified for a medical card.

For all that, the Bill is welcome but it must be seen in the context of what has already been done to the over-70s. That process was brought to the fore in 2013 when there was an aggressive attempt to reduce the number of people over-70 who are entitled to medical cards.

In talking about universal health care, we are beginning to find that this Government is standing naked when it comes to the general principle of how it funds health services. On the Order of Business, the Fianna Fáil leader asked the Taoiseach about universal health insurance, but where are we with that concept? This is a central plank of how the Government intends to fund health services in future. The more we ask about it, however, the more it seems that there is no substance to this policy, which has been announced over the years. The Government has become very quiet about it in recent times. Ministers may talk about universal health care, primary care and access to GPs, but the substantial issues of universal health insurance and how health care will be funded in future are being slowly abandoned or forgotten.

If the Government is talking about access to GP care and a universal health care entitlement as stepping stones to universal health insurance, it is now time to see real meat on the bone regarding this policy. To date, I have been unable to find out about any costings. How much will it cost a family or the State? Who will contribute, gain or lose? What provision of services will

be in that basket of cover? Will there be a flood of private health insurance companies into the market to make it competitive? Has any qualitative, substantive research been undertaken to underpin this policy? I do not believe there has.

The Dutch model, which was spoken about for a long time, seems to have been almost abandoned or at least given the cold shoulder. That model was the cornerstone of Fine Gael policy. The Labour Party had a slightly different issue, but it was still opting for a universal health insurance model funded through a social insurance scheme. Adding those two policies together has not brought us any closer to knowing how it will work. Perhaps the commitment was just a soundbite in 2010 and 2011 in the run-up to the last general election.

If this is the substantial way to provide health care into the future, one would think that after four years we would have had some access to detail at this stage, yet we have been going on this circus merry-go-round for a long time. We were told that a scoping study was being done, in addition to various reports being commissioned. Four years into the Government's term of office, however, we are no wiser and nor is anybody on the Government side of the House.

We should have some clarity because this issue needs to be debated. Within a year there will be a general election and the public is entitled to know who will fund the health services. My commitment is to a taxation-based model funded from general taxation. There should be a strong emphasis on public health services being funded through general taxation, which is the most progressive way of funding health care.

Weak as they are, the universal health insurance proposals suggest that large cohorts of people will be obliged to take out private health insurance. Meanwhile, the State will step in to purchase insurance for those currently on medical cards at a certain level. That is as much as we know. The only person who made a valued contribution in all of this was the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, who effectively tried to torpedo the project some time ago. His Department undermined and rubbished it, saying it would cost a fortune for ordinary families. It is high time for us to see a substantial effort by the Government to put forward some details, if it is committed to the policy. In that way, we could have a rational and fair debate on it. We would either be won over to the proposal, or otherwise.

Fianna Fáil commissioned an independent assessment of the various international health funding models, as well as examining the Government's proposals which were limited in detail. The conclusion arrived at by an independent health economist and others was that the model being proposed by the Government will not give value to taxpayers and will not provide the essential services required in a modern health service. Neither will the proposed model ensure accessibility based on clinical need, which is the hallmark of what a modern public health system should provide.

While it is outside the scope of the Bill, this issue is critically important. We are told that this is a stepping stone to universal health care. I assume that such care will be funded by universal health insurance, which is the logical follow-on of the stepping stones outlined by the Government. Earlier today, the Taoiseach was able to tell us very little about it. What he did tell us, however, was alarming because no costings have been done on a central plank of Government policy. It is not about some inane side issue, it is about how we fund our public health system. That matter has to be assessed and addressed quickly, unless we are to continue with the pretence that somehow there is a magic solution to painlessly fund our health services without additional cost in the years ahead. Those were the indications when universal health

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insurance was first announced, but I beg to differ because somebody will have to pay for it. The taxpayers of middle Ireland and those who depend on health services will pay for it. Those services will be handed over to private health insurance companies that will decide how health services are rationed and who gets what.

We are still unsure of the empirical evidence for the international health insurance models the Government is trying to copy or is pretending to introduce. We do know, however, that the Dutch model has led to a dramatic increase in the cost of providing health care for ordinary families.

6 o'clock

That is why it is important that we see some substance around the policy that is announced and stated in big bold print in the programme for Government. The Government gives us consequential stepping-stone events but none of them has happened. One of the first stepping stones was the roll-out of GP cards or universal access to GP services and the first cohort was people on long-term illness. Of course, when it came to actually rolling out the policy, the first people attacked by the Government were people with long-term illnesses through the removal of the discretionary medical card. It is only with large grains of salt that we can take anything from the Government in terms of its commitment to the accessibility of public health or the sustainable funding of public health services into the future. I am the first to stand up in this Chamber and accept that I understand the challenges and constraints this or any Government is under in terms of access to finance to fund public services. However, one would think that at this stage the Government would come clean on how it intends to fund health care into the future.

Reference has been made to the over-70s and there are bigger challenges facing them in terms of chronic disease and multiple chronic diseases, which are more prevalent in over-70s. Health services also have to adapt to new challenges in the immediate future in terms of life expectancy. More people will be living longer and healthier lives but equally there will be more chronic diseases and ailments carried into the system in the years ahead. I do not believe that anybody has sat down and looked at this although the Minister of State has referenced it in some of her remarks in recent times. We cannot deny that there is a demographic issue that we have to address which will be a challenge for society at large. The idea that we can put our heads in the sand and pretend that another generation can resolve this issue is not adequate. We have to have some foresight. We owe it to the people who will hit that age bracket in the next ten or 15 years and to the people who will be funding the health services by working and contributing taxes. The debate has to start very quickly.

We talk about over-70s and universal access to GP services and there are many reasons it should be done and was done previously in terms of giving medical cards to over-70s. The evidence is there that if people have timely access to GP services at early stages it stops the migration towards hospitals and the more acute hospital setting. However, GPs must also have access to resources to support the people who turn up in their general practices. If we are to keep more people with chronic disease out of our acute hospital setting, the whole general medical services contract has to be revisited. There must be an incentive for people to go to the GP and it must also be possible for them to be treated in that environment as opposed to heading off to the hospital with a letter of referral. This is not what I or the Minister of State want and is not what the patients need. They need to be treated in an environment of low complexity. The GP contract as structured does not lend itself to being encouraging or supportive of GPs to treat

people with chronic obstructive pulmonary disease, diabetes, arthritis or many of the illness that are prevalent in over-70s.

The Government has announced a review of the GP contract and hopes to announce that next February. I wonder whether something is earmarked in the calendar for next February that will let the Government off the hook as regards its commitment to primary care. Money could be put consistently into primary care but a system must be in place that encourages people to attend the GP service and ensures that when they get there, there are supports, diagnostics, assistants and nurse specialists through proper funding. It is not just the bricks and mortar - it is what is available to patients when they present themselves.

I do not think we have made enough effort in the area of primary care, if we are to accept that the acute hospital setting is not the ideal location for many people. That is evidenced not only by the people presenting at hospitals but also by the fact that when they are in hospital, they are not able to get out due to delayed discharges. While the Minister has announced an action group to reduce the number of delayed discharges from about 850 down to around 700, that is still an alarmingly high number of people in a hospital setting who should not be there and probably do not want to be there. The whole idea of having primary care and community care is to ensure that if people are required to present at a hospital, they are treated and discharged back to a setting that is more suitable.

While I support the idea of home care packages, I do not think they are working as effectively as they should. We have seen problems in the area of paediatric home care packages. It is very difficult to get in through the system. In some cases, it is difficult to get paediatric palliative home care packages and we are depending on the Jack and Jill Children's Foundation, the LauraLynn Children's Hospice and many others to support it. The State is not doing enough in that area and it is a group of people that deserves all the support of the State.

On delayed discharges in general, people simply do not have the support available to go home. Some extra home help hours would be of benefit. Nurse specialists attending the house to assess people on a frequent basis are needed. There should be interaction between them and the GP. It is not structured enough, which goes back to the original issue of the need to revisit the GP contract and the interaction between the GP, primary care and the responsibility of the patient.

The expert group on resource allocation and financing in the health sector was commissioned some time ago and made major findings in favour of GP services being free at the point of use. It is evidenced across the globe that without hindrance and blockages, access to GP services has a beneficial effect on the health of people. The other area in which we need a lot of work, and in which the Government has failed, is the need for security of entitlement in terms of what over-70s have regarding social welfare and secondary benefits. We have seen the eroding of their financial security and there is no point in saying otherwise. Pensions have not gone up and there has been an eroding of secondary entitlements, household benefits, etc. This is coupled with the means testing for medical cards and the reduction in the income guidelines. This is a step back to address some of these issues.

There is a long way to go, however. It was not only Fianna Fáil but also many individuals and groups in society that campaigned vigorously for fairness in the system. When we are rolling out a universal entitlement or providing a stepping stone to it, things should be based primarily on the clinical needs of those who need it most. Commitments were made in that

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context, but we have been told that that legal advice indicated that it was not possible to do it in terms of long-term illnesses and so on. We have not seen that advice, of course, but have been led to believe it comprises the reasoning it went down this route. The then Minister of State, Deputy Alex White, said they had exhaustive discussions with the Attorney General and many others, but that they were unable to bring about the GP roll-out of universality, starting with those with long-term illnesses before rolling it out incrementally over a period of time.

No matter what way the Government starts now, it is four years behind on its commitments. When people say over half the population will have access to GP services for free, it should be noted that many of them had access to GP services for free because they had medical cards. While the initiative is welcome, there is a great deal of claiming of credit which is above and beyond what is going to be delivered. There is a cohort who are under financial pressure with young families who will welcome this initiative, but the idea that suddenly everyone will have free access to GP services is not actually the case. Many of them already had it and it was enshrined in the context of the medical card scheme which gave them access to GPs, secondary benefits and school transport as part and parcel of the entitlement where a family was awarded a medical card based on financial means. Discretion was provided for years ago to deal with those in medical hardship facing financial and medical difficulties owing to a particular illness or condition.

Fianna Fáil will not oppose the Bill. We opposed vigorously the prioritisation being made by the Government in order to cling to whatever shreds of credibility it had when it sought to fund the roll-out of GP care universally by taking medical cards from people. Many on this side of the House opposed that move, as did some on the Government side. We welcome its abatement. While there are individuals who still have difficulties in accessing medical care and medical cards through the discretionary process, at least that process and the industrial-scale withdrawal of medical cards have stopped. The broader issue to the bottom of which we must get in the next few months is how we will fund health care. The Government cannot tell me. When I have tabled parliamentary questions about the funding model and asking how the Government intends to plan for and fund health care, I have been told it is still in a process. That process is four years old and we are no wiser. Nobody on the other side of the House appears to be any the wiser either. The Taoiseach informed us today that no costings or deep-scoping exercise has been carried out for the introduction of universal health insurance which the Government committed to putting in place by 2018-19. It is 2015, but nothing has happened.

Deputy Caoimhghín Ó Caoláin: I am sharing time with Deputy Sandra McLellan.

The Bill before us amends the Health Act 1970 to provide a free universal GP service for all persons aged 70 years and over and also for their dependants, spouses or partners where income criteria are met. There has been some confusion about this in the public domain. It must be noted that this is not the same as a medical card and that it only allows for free attendance at one's GP clinic. It does not allow for X-rays, blood tests or emergency department visits and will also have no effect on charges for medications. Those with medical cards will still have to pay the prohibitive extra charges per item. Those with newly acquired free access to their GPs will still have to pay the going rate for their medication. We know that having cost as a factor can be a barrier which stops people accessing GP care. However, we also know that it stops people purchasing necessary medications. Unfortunately, the Bill will do little to address this. It also makes provision for dependants of the over-70s. The dependant of a married or cohabitant-civil partner of a person over 70 years will qualify if the combined income does not exceed €1,400 per week.

Primary care should be one of the foundation blocks of the health service. This has nominally been a policy of the Government since 2001, but aside from the sluggish construction and suspect placement of the primary care centres introduced to date and an even slower refocusing on the management of chronic disease in general practice, we have seen little of the radical change needed. We know that between 90% and 95% of the population are treated at primary care level. It is the side of the health service with which most of us engage. We know that if we wish to contain cost and remove pressure from acute hospitals, we must give adequate resources to primary care services.

We also know that the Government has delayed the introduction of universal health insurance. We have been informed that a costing analysis will be available over the summer months and that a roadmap for the next steps is being prepared. We in Sinn Féin are against universal health insurance, certainly the model the Government proposes. Sinn Féin wants to see universal public health care based on medical need and funded from fair and reformed general taxation, but the Government is still proposing to bring forward a multi-payer universal health insurance model in which the State will have a huge regulatory, managerial and funding role. Private for-profit insurance companies will be afforded a central place in the system. Why not cut out that profit for the privateers and keep the money in the health system or the pockets of citizens?

Universal health insurance is a deeply flawed funding model. It is a model that has been widely criticised, including by the medical profession, both here and abroad. Private health insurance companies and for-profit health care companies look forward to the introduction of universal health insurance. As I have stated in the House previously, similar models in the Netherlands have seen the quality and range of care services provided continually reduced, with premia rising by up to 40%. Furthermore, the majority of the population purchase additional insurance cover to make up the shortfall in the universal health insurance basket of cover. Another important fact is that the Dutch had made a large investment in primary care prior to the introduction of universal health insurance. Governments here, however, have under-resourced primary care in all of its facets. The USA shows us that the system of privatisation simply diverts badly needed funds away from front-line services towards administration. The multi-payer model also requires much regulation, again taking the focus away from treating patients.

We in Sinn Féin want a system of universally accessible health care, not the compulsory insurance model of Fine Gael and the Labour Party. Our model is based on equal access for all on the basis of need and need alone. We want it to be State-provided, funded from fair general taxation and free at the point of delivery. This would involve a higher contribution in tax from the highest earners than they contribute. It is also possible that some of these might pay less than they do to meet their health care needs when tax, health insurance and money payments are all added up.

Focusing on primary care, we need to look at the overall portion of the health budget allocated to primary care and general practice. This proportion must be increased, as has been called for by many, both nationally and internationally. What plans does the Minister have to do this? How will rural practices and general practices in deprived urban areas be made a priority? We need additional comprehensive chronic disease management plans for general practice and supports for existing services that are challenged, and there are many. While there has been some talk about an additional focus on dealing with chronic conditions in the latest agreements, in terms of its scope and depth, it is simply a drop in the ocean. There have been successes in the management of chronic disease at primary level, for example, Heartwatch, a GP scheme that

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targeted secondary prevention for patients who had suffered a serious heart problem or from significant cardiovascular disease. It had a 5% five-year mortality rate compared with almost 15% for those not participating in the scheme. However, only 20% of GP practices around the country were involved in the programme. Further schemes such as this, including Diabetes Watch and measures for mental health services, need to be resourced and rolled out.

Will the Minister update us on the drawing up of a new GMS contract? It must be the basis for a move away from reliance on tertiary care. We need an integrated system of care for those with chronic and complex conditions. Someone who leaves hospital must be supported back into full engagement in his or her community. If we fail to do this, we will simply overload acute hospitals. It should come as no surprise that patients will reattend at an emergency department. The Government knows this, but it is more concerned about paying back the masters of finance who landed us in our current position than in reforming health services in a real way.

We must talk about primary care teams and networks. We were told that by 2011 we would see 530 primary care teams across the country. At the end of 2013 only 419 were in place. I have asked the Minister on several occasions to outline how the rest of the teams will be delivered and when the primary care networks will be in place and functioning fully. I am not satisfied that enough has been done. Buildings alone are not enough. We need more staff and disciplines, specific skills and a change in working patterns.

If certain GPs, particularly in rural areas, do not accept the new scheme, what provisions will be in place for elderly patients who might have to travel significant distances to access the care they need? What will happen if the only GP available to them is unknown to them or has no expertise in the area in which the individual is looking for advice and, if necessary, care? Section 58A(13) of the Bill provides that in so far “as practicable” a choice of GP will be offered by the HSE. This provision needs to be strengthened as the Bill proceeds through the Houses. It appears to be the case and ever more likely for more and more people that patients will have no accessible GP, never mind a choice.

The announcement made in the past few days that children under the age of six years will have free GP care if GPs sign up to the deal is inextricably linked with the Bill before us. We cannot forget that in 2014 medical cards were withdrawn from some children with serious medical conditions. Reports that children and families were still having difficulties in accessing medical cards long after this vexing cull had been officially halted suggest the policy was still being implemented, be it in error or by design, at another level. The Minister of State has stated it would be lovely to believe 100% of GPs would sign up and that she would be very optimistic in those terms. She has stated the Government will be looking for 80% to sign up, but that it is hopeful 100% will do so. We all hope 100% of GPs will sign up. That would be great. However, what the Minister of State has said and the reality behind it means that, in truth, it will very possibly be the case that 20% or more of young families will have to find GP care elsewhere.

I note that representatives of the National Association of General Practitioners have used the term “medical apartheid” when commenting on the scheme as it relates to the under-sixes. While I do not believe that is the case, if the position stays the same and there is no further extension of care to all those from age six to 70 years, there is a danger that a two-tier system divided on lines of age will develop. The Minister of State must commit to a limited timeframe for the extension of free GP care to all.

Many voices have raised concerns about the expected increased workload for GPs. While

some GPs might view it as a way to claw back some of the resources lost through the FEMPI cuts and cuts to the rural GP grant, others will struggle to deal with the increased volume of attendances. The fact that GPs must accept the scheme for the under-sixes or, as is likely, lose all of this age group means that they will be between a rock and a hard place if they are struggling with patient numbers. It has been reported that the scheme for under-sixes will cost approximately €70 million per year. This is almost double the Government's initial estimate of €37 million. Will the Minister of State explain where the discrepancy occurred in arriving at the earlier calculation? We, as politicians, whether in government or opposition, must ensure all of the population have access to free GP care and commit to provide the necessary funding to achieve this. In doing this, we must ensure the best possible deal for all taxpayers. Universal access must be achieved and must be achieved sustainably.

There are issues with the registration of patients. I am also troubled by many of the elements on chronic care management under the Bill and the scheme for under-sixes. On the surface they might appear to have merit, but in reality, they are extremely hit and miss. The proposed asthma scheme will only be available to children aged between two and four years. The scheme for those with diabetes is very limited. My colleague, Deputy Sandra McLellan, will discuss these points and GP care for under-sixes in more detail.

In the midst of the Government's trumpeting of the Bill and the scheme for the under-sixes, it is easy to forget what was originally promised, namely, universal access to free GP care for the whole population by 2016. We are well into the fourth month of 2015 and it is only now that we see free GP care for these very limited groups. The Government is only doing this now as the next general election is in sight.

A World Health Organization report from 2012 recognised that Ireland was the only EU member state that did not offer universal primary care coverage. These latest measures by the Government can only be seen as a tiny step on the way to providing for the levels of service that are accepted as totally basic across the rest of the European Union. The Government has failed to ensure the rest of the population that do not have access to a medical card or a GP visit card will have free GP care extended to them. Universal primary care must be extended to all within the earliest possible timeframe. It is essential that the roll-out to the rest of the population is achieved within a very limited timeframe. The period of time that has passed must also be part of the ticking clock. The current extensions of GP care will benefit those on low incomes, particularly those just above the qualifying cut-off points for a medical card. However, they will not benefit those children who are very sick and above the age cut-off point. It is critical that the Minister of State indicate the timeframe involved for the rest of the population. I hope that before we conclude Second Stage we will have certainty on the Government's intentions in this regard.

There are also some changes to GPs' contracts more generally, including longer working lives and more flexible contracts. I await further details, but they are to be welcomed as they offer the possibility of increasing the GP workforce. Up to 30 villages and towns have found difficulties in attracting GP candidates recently, including my home town of Monaghan, a county town and a considerable market town with a significant population and work-life base. We must be able to reassure non-consultant hospital doctors, NCHDs, and GP trainees that general practice is a viable and sustainable option for them. Losing so many of our highly trained medical graduates to countries across the world has dealt a massive blow to our system and represents a terrible national return on the time and money invested in their education and training at university level.

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Tacaíonn Sinn Féin leis an mBille seo ach is gá a chinntiú go mbeidh cúram dochtúirí teaghlaigh ar fáil do gach aon duine sa phobal gan mhoill. Is maith an rud go mbeidh páistí faoi bhun sé bliana i dteideal dul chuig an dochtúir teaghlaigh gan chostas anois ach, fós féin, beidh costas orthu ó thaobh leighis agus seirbhísí breise de. Arís eile, ní hionann seo agus na seirbhísí atá ar fáil le cárta leighis. Iarraim ar an Aire a rá linn anois cathain a chuirfear cúram dochtúirí teaghlaigh mar seo ar fáil don phobal i gcoitinne.

Sinn Féin will support the Bill but with the proviso that the Government must act urgently and indicate a timescale for when free GP care will be extended to all citizens. It is welcome that those aged over 70 years will be afforded free GP care, but it is important that we recognise this for what it is - a limited and very small step. As I have indicated, this is the only state in the European Union that does not offer universal coverage of primary care. This must change quickly. The Minister of State must indicate the timeframe for an extension to the rest of the population or risk creating a further two-tier element in the health service of two tiers which it undoubtedly is, one that is failing vulnerable groups across society, including the elderly, low income families and those with significant health problems. I invite the Minister of State to do this now.

Deputy Sandra McLellan: I welcome the opportunity to contribute to the debate on the Bill, the purpose of which is to provide for a free GP service to be made available to all persons aged 70 years and over. It must be noted that this is not the same as a medical card and only allows for free attendance at a GP. It does not allow for medications or other treatments at primary care level. In addition, the Bill provides that a dependant of a person over 70 years of age will have access to a free GP service.

In a separate deal announced in recent days we heard that approximately 270,000 children under the age of six years were to benefit from free GP care if family doctors signed up to a €67 million deal. As Sinn Féin's spokesperson on children, I have a particular interest in this group, but I also have an interest in the welfare of all those under 18 years of age, the remainder of whom will not be afforded free GP care.

At the Irish Medical Organisation's annual conference in Kilkenny recently, the Minister for Health, Deputy Leo Varadkar, spoke about universal health insurance. He stated, "It's not something to be rushed." We in Sinn Féin disagree with the principle of universal health insurance, a privatisation of health care that direct funds away from front-line services to private entities, regulation and advertising. It should not be rushed; it should be scrapped. Something that should be brought through with great urgency, however, is free GP care for all. A World Health Organization, WHO, report in 2012 recognised that Ireland was the only EU country that did not offer universal coverage of primary care. While the latest announcement should be welcomed, it is but a small measure on the road to levels of service that are accepted as basic across Europe.

The Government has failed to ensure the majority of the population that do not have access to a medical card or a GP-visit cards will have free GP care extended to them. While more than 160,000 people benefit from free GP care courtesy of a medical card or a GP-visit card, the deal will extend care to those children not covered to date. We must remember what was originally promised by the Government, namely, universal access to free GP care for the whole population by 2016. This remains unachieved and we have been given no timescale for the extension of free GP care to the six to 11 years and older cohorts. Extension of free GP care must happen in as short a timescale as possible or a further two-tier system will develop, one in which sick

children from families above cut-off levels will have difficulty in affording essential GP visits and medications.

It is only now that we see free GP care being introduced but only for specific groups. This can be seen as the Government acting only as the general election is in sight. We must be concerned whenever anything is described as “medical apartheid,” as the National Association of General Practitioners, NAGP, commented on the scheme as it related to the under sixes. Why was the NAGP excluded from the negotiations? We must also know what percentage of doctors the Government envisages will take up the new scheme. We need more detail on many elements. What are the arrangements for children with asthma or diabetes? What does the new scheme mean for those GPs who have expressed difficulty with workloads at current levels? Has the Minister allowed in any meaningful way for an increase in capacity? Certain GPs have warned that this will mean a large increase in workloads for overstretched doctors. As we understand from villages across the country, being a GP in some rural areas is no longer viewed as sustainable. What modelling has been carried out to suggest the system will be able to deal with the predicted extra 4.5 million consultations per year? It is my understanding doctors will receive €125 for each child and €216 for each pensioner whom they sign up under the deal. In return, approximately 300,000 children and pensioners will have free GP visits. Those aged over 70 years generally attend a doctor in or around ten times per year, approximately double the attendance rate of children.

The HSE has stated it hopes to commence patient registration in May and have all of the arrangements for the commencement of the service complete by the end of June. It will advise the details in the coming weeks and I understand contracts to GPs are to be issued in May, with registration by July.

There are some issues surrounding registration for free GP care. Parents must register with the HSE in advance. We must be assured this will not disqualify some patients. Will the Minister of State outline what information will be needed in making applications? It is unclear if the PPS numbers of children or their parents will need to be provided to access the new cards.

Processing more than 250,000 applications for free GP care for children under six years of age by July will also pose a challenge. What do the Minister and the Minister of State intend to do to ensure this happens without major hiccups or delays? When will primary and second schoolchildren be accommodated for free GP care?

The fundamental challenges facing the health system must remain centre stage and deserve to be tackled with equal vigour. The numbers on waiting lists for outpatient appointments to see specialists have topped 400,000. Almost 70,000 adults and children are waiting for surgery or hospital treatments. Many families visit my constituency office regularly because waiting times are so long. Some people have been confined to wheelchairs while they wait for hip replacements. Many are taking out loans that they can ill afford because they are in so much pain.

These issues remain crippling realities for the population. The Minister has described the moves as “the widest extension of eligibility in the health care service since Erskine Childers brought in the first GMS contract almost half a century ago and wider than the mother and child scheme before that.” It must be noted again that Ireland is the only state in Europe with such a system.

The National Association of General Practitioners has indicated that a total of 5,000 Irish

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people die from cardiovascular disease every year, but there is nothing in the Bill to support that group or any other specific group. What does the Government propose to do for this group of citizens and similarly vulnerable groups?

Some of the fine print details of the scheme for the under sixes need to be clarified. For example, the proposed asthma scheme will only be available to children aged between two and four years. This smacks of a political stroke. The under sixes scheme will exclude provision for medicines, X-rays, blood tests and emergency department visits. In addition, parents will have to pay a private GP fee if they take their child to be seen in one of the doctors' co-operatives outside normal working hours. The scheme for those with diabetes, meanwhile, is very limited and will only be available to those who already qualify for a medical card or doctor-only card.

Will the Minister of State outline how the need for investment in general practice will be filled? Rural practice, general practice in deprived urban areas, comprehensive chronic disease management and other existing services are all challenged. Will the Minister of State provide an update on the drawing up of a new GMS contract?

Sinn Féin will support the Bill, with the proviso that the Government must act urgently and give a timescale for when free GP care will be extended to all members of society.

Deputy Finian McGrath: I propose to share time with Deputy Tom Fleming.

An Leas-Cheann Comhairle: That is agreed.

Deputy Finian McGrath: I welcome the opportunity to contribute to the debate on the Health (General Practitioner Service) Bill 2015. The health of citizens is always a priority issue for me and an issue on which we all should focus. Reform and investment must be at the heart of this and related debates. We have all seen the devastation wrought on the health system in the past five years as a result of cuts to services. These cuts have inflicted great pain on families and were totally wrong. Notwithstanding the economic recession and the so-called difficult decisions the Government had to take, the reality is that poor choices were made and many of them were easy and lazy ones. Different choices could have been made which would not have affected the sick, the elderly and the disabled.

That is my bottom line in the debate, a focus on those most in need. We must not try to con people by saying that if they want a decent quality health service, they have to pay for it. Those with the most in society should pay for it through fair and equitable taxation. I support the introduction of a universal health service which is part of my vision for the future of the country. The Minister of State may have heard the observation some days ago made by Mr. David Hickey, a former Dublin footballer and former consultant and transplant surgeon at Beaumont Hospital, that we needed a health service run by people who cared. That is a fundamental principle we all should support. Unfortunately, the transplant unit at Beaumont Hospital which was led by Mr. Hickey has been closed down. That was an appalling decision.

A pressing problem within the public health service is the fact that 88% of final year medical students have indicated a desire to move abroad for work. That is another scandal. We are spending millions in training medical students only for the majority of them to think about emigrating. I recall during a holiday in Havana some years ago meeting a group of local medical students who told me that part of their training involved going to mountain villages during their summer holidays to work with the poorest members of society. After qualifying, they dedicate their services to their own country. In addition, many of them volunteer to travel internation-

ally for a time to help people in other poor countries, particularly in Africa. That is the type of vision and emphasis on caring I would like to see in the health service. Many people have been very greedy in the past ten or 12 years. People in some sections of society have lost the run of themselves entirely. The Bill represents an opportunity to address some of the deficiencies in the health service. I accept that the legislation is part of a broader reform effort, but we need to act very quickly if we are to ensure there will be meaningful change. As well as improving efficiency and standards for patients, we also must ensure we have proper working conditions for medical students and the staff who work crazy hours in emergency departments.

The importance of primary care to the overall health of the population is recognised, both nationally and internationally. The World Health Organization identified primary care as the key to the attainment of the goal of health for all. Ireland is unusual in Europe in having GP fees. In many other OECD countries, by contrast, primary care is either free or heavily subsidised for most of the population. If we want to have a good health service, we must ensure we have the resources to pay for it. That does, of course, require a sustainable economy, but the bottom line is that those who have the most in that economy must make the largest contribution. That is necessary if we are to have a fair and just society. If we dig deeper into the issue of medical card provision, we see the number of medical card and GP card visits has grown substantially in recent years. On 1 January 2015 there were 1,928,276 medical cards and GP cards in circulation, covering approximately 43% of the population. That represents a sizeable increase of more than 570,000 over the 2007 figures, when there were 1,351,717 cards in total. The increase is directly related to the lower incomes and higher levels of unemployment in recent years.

I immediately welcomed the decision to extend automatic entitlement to free GP care to all over 70 years. Many of us in this House have argued for the implementation of universal health insurance as a matter of priority and the provision of free GP care at the point of use. However, many in the medical profession - the Irish Medical Organisation, IMO, in particular - point out that GPs are overstretched and under-resourced and priority must, therefore, be given to the provision of services for those most in need. I agree that the elderly, the sick and the disabled, both children and adults, must be given priority. The International Monetary Fund recently recommended that Ireland reduce its social expenditure through the means testing of benefits and taxing of universal benefits. We must be very cautious of the advice coming from some quarters. I understand the cost of implementing free GP care for the cohort of persons identified in this legislation is estimated to be in the region of €18 million per annum, with €12 million allowed for in 2015.

Turning to the Bill, its purpose is to amend the Health Act 1970 to provide for a universal general practitioner service to be made available without fees to all persons aged 70 years and over. In addition, it provides that dependants, including the spouse or partner, of a person aged over 70 years will have access to a GP service without cost and where the existing income qualifying criteria are met.

Section 2 amends section 58 of the 1970 Act to remove all individuals over 70 years of age from the scope of the means-testing requirement for the provision of a medical card or a GP visit card. Instead, all persons in that age bracket will qualify automatically for a GP service.

The new section 58A(1) of the 1970 Act, to be inserted by section 3 of the Bill, establishes a new legal arrangement for the HSE to provide a GP service without fees for all persons aged 70 years and over who are ordinarily resident in the State and to provide such a service for their

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dependants who are ordinarily resident in the State where the income criteria are met. That is what the legislation is about and it is important that we examine the details.

Regarding data for GP fees, sadly, such information is not routinely collected. However, the findings of an informal check carried out by the Competition Authority in 2008 suggested the cost of GP care in urban areas was between €50 and €55 and slightly lower in rural areas. In 2009 it was stated in an ESRI research paper by S. Smith:

Private charges for GP visits are approximately €40-€60. The charges vary by GP, but can also vary by visit and can be hard to predict in advance.

In 2009 the Competition Authority, in highlighted the rising cost of doctor visits and its impact stated:

The cost of visiting a GP has risen rapidly in recent years, significantly outpacing the general rate of inflation in the economy. There are indications that a substantial number of private patients are delaying GP visits due to cost factors and are “shopping around” for cheaper consultation fees.

That is the evidence, in respect of which we must be very careful. That is the reason I welcome the legislation.

The Minister for Communications, Energy and Natural Resources, Deputy Alex White, a former Minister of State at the Department of Health, stated in a contribution in the Dáil:

The evidence is clear that people delay or avoid visiting their GP where a fee is required. Removing this cost barrier will mean that ... [citizens] will be far more likely to address medical problems at an earlier age, leading to better outcomes and treatment that is of less cost to the State.

Better outcomes and early intervention are important because they are not only good for the patient, they also assist in dealing with the cost issue. I accept that the cost of medicines is a major problem. I also accept the reality that it is very difficult at times to deal with the pricing issue.

Nine out of ten people in the relevant age group have a medical or a GP visit card. Those who will gain a GP visit card under the Bill have incomes above the current means test limits, that is, a gross weekly income of over €700 for a single person and over €1,400 for a couple. To qualify under the Bill, people have to be aged 70 or over and ordinarily resident in the State. These conditions must be verified to the satisfaction of the HSE. The Bill provides that the HSE, as far as practicable, will offer a choice of GP to eligible persons.

Overall, I welcome the debate on the Bill as it is important that we deal with the real issues. We must have priorities and introduce reforms. We must have a vision for the health service and point out that if people want a quality health service, they must be prepared to make a contribution. Those in society with the most should pay the most. Even those in the wealthier sections of society know that is the reality. They know that they would do the State a service in distributing some of their excessive wealth in a fair and just manner.

I totally agree with Mr. David Hickey in his view that we need a health service run by people who care. That is the extremely important aspect. I would apply the same principle to other services, whether it be disability or education services. We need to have the right people going

into professions. I do not buy some of the arguments that the reason a patient is left lying on a trolley and not looked after has to do with resources. It also has to do with having people on the front line. Neither do I buy the argument that what happened in the case of those working with people with disabilities, for example, in Áras Attracta, had to do with resources; it had to do with the quality of people involved. We have people who care. I have met many of them, as I am sure has the Minister of State. There are examples of great practice in the health service. We have top quality people in front-line services and need to give them a break. We need to improve their working conditions and ensure the necessary investment is made for them and that the necessary resources are provided. I welcome any increase in funding for health services. I know that the Minister of State will have the support of many of us on this side of the House in trying to deal with these issues. It is difficult at times when one is arguing with others who want to see tax cuts or give away money and do the popular thing, but it is a time to be brave, to have a vision and courage. It is a time to stand up for the health service, to stand by the staff who work in it and, above all, to ensure patients are looked after in a professional and caring manner.

Deputy Tom Fleming: I welcome the proposed Bill. Senior citizens have taken a significant hit, first, in the Health (Alteration of Criteria for Eligibility) Bill 2013 in respect of medical cards. It is estimated that as a result of the enactment of that legislation, up to €12 million per annum has been saved at the expense of the most vulnerable section of our society. Statistics show that older people make more use of their medical card than the general population. The statistics also demonstrate that more older people are being admitted through emergency departments. New figures from the HSE show that there were almost 7% more emergency admissions of persons aged 65 years and over compared to January last year. The performance overview for January shows that there were considerably more older patients with complex medical needs who required longer stays in hospital. At the end of January, there were 729 delayed discharges of patients who had finished their acute care treatment but required alternative care.

Figures also indicate that 94% of people over the age of 70 years visit their GP on a regular basis. They have a high intake of drugs to help them to cope with their above average rates of illness and disability. Some are on four to five medications of various type for complex problems at any one time. They are further burdened with several overheads such as water charges and property tax, while there has been a lessening of reliefs in terms of household bills and fuel allowances. These issues are also resulting in a certain deterioration of their living standards.

There is huge concern about the current review of the fair deal scheme. There are indications of the Government's intention to pass on additional nursing home costs by imposing a charge after the death of a vulnerable older person for any community-based service that he or she needed. These disturbing proposals were recently broadcast on an RTE "Prime Time" programme. Part of the unpublished review of the nursing home support scheme prepared by the Department of Health and the HSE was quoted on the programme. The options included increased State investment in the scheme or an increased contribution by those resident in nursing homes. This has caused great alarm and huge stress for people concerned about their future. It seems the options for an increased contribution by nursing home residents include reducing the income disregard threshold in means testing; increasing the annual charge on a person's asset from 7.5% to 10%; increasing the number of years over which a person would pay a percentage of the value of their home, currently 7.5% per annum for three years; and increasing the percentage payable of a person's disposable income, currently 80%, to be contributed by those with income above the amount of the State pension. The report also recommends that consideration be given to charging for community-based care, with the charge to be imposed on

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a person's estate after his or her death.

7 o'clock

The way in which the nursing homes support scheme charges the sickest of older people for essential care is fundamentally unfair. No other section of society is required to pay from their disposable income, additional assets and a portion of the value of their home towards their care. This is very draconian and the feedback I am getting indicates that it will be vigorously opposed in its current format. I ask the Minister of State at the Department of Health, Deputy Lynch, who is a very fair and sympathetic person, to have considerable input into the proposals that are currently in the public domain. We are getting some information on it by way of leaks at the moment but what has come out publicly on RTE on the issue is very disturbing for people. The rumour machine is revved up now, making a bad situation even worse. Will the Minister of State give us some clarification regarding the scheme tonight?

The existing charging structure is already causing hardship for older people. For example, the older person whose only income is the State pension is left with €46 per week after the fair deal charges are deducted. The so-called fair deal only covers basic bed and board and does not cover any other costs such as therapies, including physiotherapy or chiropody, specialised wheelchairs or other equipment, haircuts, shampoo, etcetera. While the entitlement to a public bed exists in other parts of the health system, the introduction of the nursing homes support scheme in 2009 extinguished the right to a public bed in a nursing home, so that older people who need around the clock nursing care are left with a choice of either signing up for the fair deal or paying the full fee privately. Although the scheme has only been in existence for six years the charges have already been increased. The range of increased charges proposed in the Department of Health's document suggests a lack of understanding of the basic inequity of the scheme. There is a belief that this inequity can be increased even further to the disadvantage of that cohort of people who are most seriously affected. These people are sick and frail. We all know that there are many sensitive situations out there and it is unacceptable that these people's means can be tapped into once more.

I received correspondence recently from a concerned person which I want to put on the record of the House. The letter of appeal reads as follows:

My wife, who is sixty seven years of age, suffers from Alzheimer's and has been a resident of a nursing home for the past five years. For that length of time I have been contributing to her upkeep under the fair deal system. My monthly contributions amount to approximately €2,200 per month, after which I am left with barely enough to survive on myself. This is after working for forty six years in an industrial factory and at a time when, after retiring, I had hoped I could look forward to some independence and self respect in my old age. Now, in recent days, there are reports that we may have to pay more. In God's name, what type of heartless, uncaring people come up with these ideas? Do these people realise the worry that this causes to the elderly people who are already struggling to make existing payments? Where are we going to find the money? Are we going to be stripped of the last vestiges of self respect in our old age, having to pay more and arriving at a situation where we have nothing left to give? What will happen to us and our partners then? We have free public hospital care for all, yet our elderly are stripped to the bone. It is not fair and it is not just. I know I am not alone in this and there are many others in the same situation as myself. I am certain that they would really appreciate your support on this issue and any efforts that can be made to ensure that the people with the power to make a decision understand what

is happening in the real world.

That is an appeal from the heart from a person who is really feeling the brunt and who has fears of worse to come. There are many more people in that category and I ask that the Minister of State, Deputy Lynch, the Government, the Department of Health and the HSE give very serious consideration to the plight of people who are vulnerable and who have given their lives to this country and to their communities. I ask that they be given due consideration and that there would be a complete rethink of the proposals revealed by RTE recently.

Today general practitioners held a protest in Molesworth Street to highlight the fact that the GP sector is in crisis. It is evident that we need high quality GP services and general practitioners are doing their utmost in difficult circumstances. The elderly people of whom I have been speaking, who are faced with sensitive health problems and who are facing the prospect of going into a nursing home or are already resident in one, need high quality medical care. From the day they are born until the day they face eternal rest, people need the comfort and care of a GP. However, the GP sector is under severe pressure, as illustrated by the document circulated to the media and public representatives today. The annual GP training scheme has only 157 places but a recent survey has shown that only 25% of current GP trainees are planning to stay in Ireland after graduation. A full 50% of the trainees said they were “unsure” if they will stay, while 12% said that they would definitely emigrate. It is estimated that overall, 47% of Irish GPs do not work in Ireland which is the highest figure among OECD countries and compares with a figure of 6% in the UK. In a recent survey of 1,055 GPs, 50% said that they had considered emigrating in the past 12 months, with 35% saying that Australia would be their country of choice. These highly qualified people are a very valuable resource. They received their education and training at a very high cost to the State, their families and themselves. It is very disturbing to read such statistics in that context. It is obvious that this category of doctor is under severe pressure.

The National Association of General Practitioners, NAGP, argues that the Government continues to alienate GPs by failing to ensure the maintenance of a safe and effective GP service with a coherent strategy for growth. The plan for free GP care to selected groups - those under six and over 70 years of age - will remove more private income that has, up to now, provided an essential GP practice support. It will lead to a threefold increase in consultations, resulting in shorter consultation times. This in turn will lead to a three to five fold increase in admissions to secondary care, that is, emergency departments and acute hospitals, as GPs will not have the time available to investigate properly and manage patient problems.

I am of the view that those in question are justified in their petition.

I ask the Minister of State, Deputy Kathleen Lynch, to take the various matters to which I have referred into account. The Bill will cause a huge increase in the number of those over 70 years of age who will have doctor visit cards. The latter is going to become the norm and it and other matters will have to be taken into account in the future.

Deputy Liam Twomey: I wish to make two points to Deputy Tom Fleming. When he is framing his reply to the patient to whom he referred, the Deputy should point out that only two weeks ago the Minister of State, Deputy Kathleen Lynch, announced the allocation of an extra €64 million in respect of the fair deal scheme. The provision of this money will ensure that people have access to exactly the same conditions which obtain at present. There is no change coming. Up to now, people were obliged to wait 16, 18 or 20 weeks to be accepted onto the

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scheme. With the investment of the additional €64 million, however, patients can now look forward to a shorter waiting period of between four to six weeks before they receive a reply regarding whether they have been accepted to the scheme. The person who wrote to Deputy Tom Fleming should rest assured that things are getting better, that there is not going to be any change and that there will be no increase in numbers. We have been remiss in terms of getting the message across on this matter.

I am the only Member of the House who remains a registered doctor and who is still in a position to write prescriptions. In that context, I disagree with what the NAGP said to Deputy Tom Fleming. The deal in respect of children under six years of age is good for patients, doctors and, in particular, hard-pressed parents. All the arguments thrown up in respect of this issue can be counterpointed by others. Every aspect of the health service requires further investment but the Government has made a decision and instigated a clear policy change. The latter is important because we are moving into a new era in the context of how GP services are provided. We are moving away from the existing acute system that was agreed with dispensary doctors in the 1940s. As Deputy Tom Fleming is aware, we are not going to revisit that system. Instead, we are going to move forward in terms of how our health care system works.

First, we are going to consider the position with regard to chronic care management. In that context, we can control an illness such as asthma to a fair degree. However, the impact of this condition is costing Irish patients millions of euro in lost earnings each year as a result of the fact that they cannot go to work. The most regrettable statistic is that which indicates that each week one person dies as a result of an asthma attack. Those deaths are preventable. We are putting in place a programme to allow us to begin looking after patients with asthma. There will also be for the first time ever in the area of primary care a new programme of chronic care in respect of the management of diabetes. Let us consider all the complications of diabetes. I refer to blindness, heart disease, kidney disease and vascular disease. People whose diabetes is not controlled can be obliged to have limbs amputated, can go blind and can die too soon.

We are making a start and saying we are going to change how things are done in the area of primary care. On that basis alone, I completely disagree with what the organisation to which Deputy Tom Fleming referred said to him. I am of the view that it is clearly missing the big picture in the context of the direction in which general practice is going. I completely support the Minister of State, Deputy Kathleen Lynch, and the Minister, Deputy Varadkar, in what they are doing. I also commend the Irish Medical Organisation. I must declare a vested interest in this regard in that I have been a member of the latter. The organisation is a progressive entity and it realises that the Bill represents a significant milestone on our journey to reform and modernise primary care. When we sort everything out, some 30,000 elderly people and 270,000 children under the age of six are going to benefit.

I am concerned with regard to the position of the primary care reimbursement scheme, PCRS, which is vital in the context of how the health service is going to work into the future. The PCRS was established in 2011 in order to centralise the distribution of medical cards. It receives a huge volume of applications and makes a correspondingly huge number of payments to service providers such as GPs, dentists and pharmacists. This is a massive and vital entity and we must ensure that it works for all those who avail of its services. For example, it must be made to work for medical card applicants. The application process can sometimes be burdensome. A person's application can be rejected on the basis of something simple or straightforward. In other instances, repeated requests for additional information can be made. The system is still too paper-based in nature and involves too many delays for patients. An issue also arises

in respect of patients who fail to apply in time and who are left without medical cards, and the cover and protection these provide, for far too long. That is not even to mention the concerns that have been raised in the medical media with regard to what is happening with payments to doctors etc.

The PCRS is sometimes seen as an easy target. I accept that there is a need for some form of dispute resolution mechanism. More importantly, however, the PCRS must have the full trust and confidence of patients and service providers, namely, doctors, dentists and pharmacists. Politicians must also be able to rest assured that the scheme works. We do not need to be visited by patients informing us that they cannot obtain their medical cards as a result of how the PCRS operates. At present, we are discussing combating diabetes and dealing with asthma in young children. We are also concerned with the development and growth of such children. In the years to come, however, the primary care system is going to deal with every single known chronic disease or condition, including hypertension, high cholesterol, obesity and metabolic syndrome. We have been presented with a real vision as to how primary care is going to work in the future. The PCRS is central to ensuring that we can deliver everything we want for the people of Ireland. Deputy Ó Caoláin outlined how he wants this to be done but the important thing is that it will be done. Not only is the Government delivering what it has promised, it is also examining the system in order to ensure it can deliver for patients.

The Minister of State will be well aware of the Prospectus report on the PCRS. That report acknowledges the problems that exist within the organisation. We also acknowledge those problems and we are aware that the PCRS must be streamlined. We are going to work on this matter because we are aware that the PCRS is fundamental to what we are going to do in future. There is already a memorandum of understanding in place between the Irish Medical Organisation and the Minister, Deputy Varadkar, in the context of developing a brand new contract for general practitioners. That contract will not just relate to children under the age of six or the 36,000 people over 70 who are going to receive doctor visit cards, it will involve every single aspect of primary care. This is a massive undertaking and the Minister and the Irish Medical Organisation have committed to reporting back within one year in order to progress the issue. Both sides are driven in terms of finding a solution.

The people I know in the PCRS, the HSE and the Department of Health and the Ministers and doctors who were involved in the vital negotiations which took place all have a passion for this. They are not concerned with moaning or with identifying everything that is wrong. They are only interested in finding solutions. The Bill is about putting in place solutions. The new contract for general practitioners is going to make a huge difference. Most patients do not know that the proposed changes are coming and they are not yet aware of how they are going to be affected. That is because when one gets it right, no one notices. It is only when something goes wrong that people take note.

Massive changes are coming. Deputy Tom Fleming has seen evidence of this in his constituency of Kerry South in terms of the service provided by SouthDoc. Without SouthDoc in Deputy Tom Fleming's constituency, he would be complaining morning, noon and night about the difficulty of attracting young doctors to work in County Kerry. We can attract young doctors because we are streamlining that service and investing in out-of-hour services. We will always hear about the problems, such as the difficulties in attracting doctors to isolated rural areas and deprived urban areas. The doctors who will benefit most from the contract we announced last week are those who are providing health care in deprived urban areas and isolated rural areas. Why is the Deputy opposite not calling for the contract to be put in place at the

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earliest opportunity given that it is going to provide GP services to the people they represent? It is easier to find something wrong in order to promote something that is not really happening. These are important changes and he should be supporting them.

I have no doubt that people who are passionate about what they are doing, including those within the HSE, are going to change the way we deliver out-of-hours services in the coming years. When these changes come about, the Members of this Parliament should discuss the issues arising for their constituents with an open mind instead of simply trying to get a dig at the incumbents. I may not be standing on this side of the House when the change finally happens. Deputy Tom Fleming and his colleagues may be standing in my place.

The technology now exists to allow a doctor to monitor a patient's heart or lung conditions even though they are separated by 50 miles. The doctor can diagnose the patient using information technology. We could be sending a paramedic instead of a doctor out in an ambulance. Doctors are becoming a scarce resource. Some 40% of GPs trained in this country are now in Australia, UK or Canada because doctors are a scarce resource in every English speaking country. If one needs care from SouthDoc or Caredoc on a weekend night, the doctor might be South African or Sudanese. For the last 30 years, hospital doctors were likely to come from India or Pakistan. We cannot fritter away these professionals. The Minister for Health made it clear to the IMO that the European working time directive will not work in this country unless all of us agree to do things differently. As I have pointed out on many occasions, my nurse carries out vaccinations, takes the bloods for my surgery, looks after warfarin patients and carries out 24 hour blood pressure monitoring. We do not get payment for any of those services but they are part of what we consider to constitute a proper GP service. GP practices which do not provide these services are paid the same as we are. Practices must be properly resourced to carry out this work.

It is recognised that better use could be made of information technology. We do not even know how many people in this country have diabetes or high blood pressure. We make estimates based on health surveys but accurate data are available in GP practices. We have to seek out that data. We used to send bloods to hospitals to be tested for warfarin, and waited for them to send us back the results. Such an approach gives rise to risks that a telephone call is not made or a blood test is not carried out. We now have an opportunity to test bloods in surgeries but the HSE must recognise that the doctors who carry out this work deserve some form of payment. They have to be reimbursed for the machines used to administer the tests, the test strips and the time consumed in monitoring the testing to ensure there are no mistakes. This is why protocols are needed to ensure we do things right. We are spending huge amounts of money on medication and community care services but we need to invest more money on the latter to allow people to stay at home. One hour of care per day can allow an elderly person to live in his or her own home. Since my father passed away, my mother took on a role as a care assistant in the community. Although she is 73 years old, she is still able to do that job because it allows her to interact with people and speak with them about their lives. It is a difficult service to deliver because it requires the right type of person. It is not a job for anybody and it is difficult in certain parts of the country to find suitable people. However, it is vital and the primary care division of the HSE must have a clear goal for its development.

We need policy objectives and clear thinking. When one considers what we are doing in respect of those under the age of six, the diabetes programme and the asthma programme, it is clear that we are also working behind the scenes in the HSE and with doctors and nurses to ensure these services work in practice. Tonight we are debating the issue of primary care for

people aged over 70 years but we could be having similar discussions on ambulance services and mental health services, which have undergone a dramatic change in recent years. In my county of Wexford, we have closed St. Senan's inpatient hospital and put in place four community care teams for mental health, as well as a number of day hospitals. These changes have allowed us to reduce dramatically the numbers requiring admission by 40% or 50%. That means better care for patients. We should take the same approach to the acute hospital sector. Everybody knows we are amalgamating the three children's hospitals in Dublin but we should be equally visionary when it comes to providing other services.

It is not a question of cutting costs. We went through an awful era of reductions in health budgets which resulted in bad feelings and problems in our health services. However, not all of the problems arising in the acute hospital sector in the past six years were due to a lack of money. Many of them pertained to how services were administered and managed. If somebody calls him or herself a manager, he or she is responsible. Senior people in the HSE have an important role to play, and some of them are doing a very good job. I am always impressed by the level of commitment shown by people in the HSE to delivering services in a fair and equitable manner. They are easy to demonise. I was not a great fan of the decision to establish the HSE but it has developed a corporate structure that is finally beginning to work. We should stop changing things around so much, because this creates confusion within the organisations we are dealing with. We need to bed down the hospital groups and the administrative pillars within the HSE and make them work to deliver for patients.

Great changes have been made and now that we have the budgets, it is time to move on with more reform and efficiency to deliver a better health service for people.

Debate adjourned.

Fair Pay, Secure Jobs and Trade Union Recognition: Motion [Private Members]

Deputy Peadar Tóibín: I move:

That Dáil Éireann:

acknowledges the establishment of the Low Pay Commission and the Government's decision to fund research by the University of Limerick into the prevalence and impact of zero-hour and low-hour contracts across both the private and public sectors; and to assess if vulnerable workers have sufficient protection under the law;

notes that:

— Ireland has a significant low pay problem with almost 12% of workers being at risk of poverty;

— according to the Organisation for Economic Co-operation and Development (OECD) Employment Outlook Report for 2014 Ireland has the second highest percentage of low-paying jobs in the OECD, following the United States which has the highest;

— the Dunnes Stores dispute brings to the fore the inadequacy of existing legislation to protect vulnerable workers;

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— currently such workers have no guarantee of hours of work; and that an employee may be scheduled for work but is likely to be sent home;

— such employees are extremely vulnerable to having their working hours reduced;

— the operation of split shifts whereby the employee's hours of work are broken up across a day or week (for example working 20 hours a week spread across six days, or working 4 hours a day broken into two 2 hour shifts) makes it extremely difficult to make plans, such as provision of child care or school pick-ups, while also making it difficult to complete household budgets because there is no consistency of weekly income;

— the practice of spreading a short number of hours a week across six days makes it impossible for workers to claim social welfare to boost their low income; and

— employees often receive very short notice of their working hours schedule;

further notes:

— existing legal safeguards are inadequate, including section 18 of the Organisation of Working Time Act 1997, which requires that where an employee on a zero-hours contract has received no hours then they should be compensated either for 25% of the possible available hours or for 15 hours, whichever is less; and

— the newly established Low Pay Commission is extremely narrow in focus investigating the minimum wage only;

calls on the Government to introduce legislation to:

— provide a clear legal entitlement to workers to full-time work;

— allow workers request banded hours and place a corresponding obligation on the employer to consider the request and permit refusal only in exceptional circumstances which can be objectively justified;

— require employers to provide information to employees on the overall availability of working hours available in the employment;

— provide an immediate ban on all zero-hour contracts;

— task the Central Statistics Office to record the incidence of low-hour contracts as part of the Quarterly National Household Survey;

— amend the Organisation of Working Time Act 1997, to ensure workers are entitled to be compensated for 100% where they have been called into work;

— improve the compensatory elements of the Organisation of Working Time Act 1997 to protect employees from penalisation in the form of being 'zeroed down';

— provide a statutory entitlement to overtime for hours worked in excess of those stated in the contract or over 38 hours whichever was the lesser;

— immediately implement in full the EU Directive on Part-time work; and

— broaden the remit of the Low Pay Commission to deal with specific sectors where

low pay is particularly prevalent such as amongst women, younger workers and migrants and to deal with other contributing factors to poverty amongst those employed such as regressive taxation and inadequate public services and State supports; and

further calls on the Government to set a date for the introduction of Collective Bargaining legislation before the summer recess which statutorily compels employers to engage with trade unions; provides for trade union recognition; and has robust anti-victimisation clauses to protect workers from intimidation.

The 31st Dáil will be remembered as one of the most divisive in the history of the State. As we approach the end days of this Government, it is clear its legacy is one of inequality in a two-tiered country, in a country where the gap between those who have and those who have not is increasing. Low-paid insecure work is now entrenched in the labour force. Some 20% of workers are in casual or part-time work. Ireland has one of the highest rates of low-paid workers in the OECD and the rate of under employment here is one of the highest in the European Union. Almost 12% of those in work are at risk of poverty. Half of workers in the State earn less than €25,000 and 30% of all workers earn less than €20,000. Every day, some 135,000 children face material deprivation. This has not happened by accident, but is a clear output of the policies pursued by the Government. Economic inequality is not an unavoidable consequence of recession. Fine Gael and the Labour Party clearly chose to cut taxes for higher income earners while creating flat taxes for those on low incomes and allowing insecure work practices and low pay to proliferate.

Some people listening to this debate may feel this is business as usual and that this is part of the old debate between the right and the left. They are dangerously mistaken in that belief. What we are witnessing is a deadly acceleration of inequality over the past decade. This can be seen in international statistics. According to Oxfam, the richest 85 people on the planet own the equivalent wealth of the poorest 3.5 billion people. In this State, the trend is severe. Here, the richest 5% own the equivalent of half of the rest of us in the State. This has not happened by accident. It has happened at a time when the ESRI has stated that Fine Gael budgets have been regressive. In other words, the Government has redistributed wealth from the poor to the rich.

The Sinn Féin motion we are putting forward seeks to reverse the development of this damaging regime of low paid and insecure work. The Low Pay Commission, as currently constituted, is deficient. It is one dimensional and seeks to tackle the minimum wage only. As currently constituted, it will do nothing for most of the 12% of workers in danger of poverty. It seeks to replicate the British model, which by Britain's admission is in need of serious change. Our motion seeks to broaden the remit of the Low Pay Commission to deal with the specific sectors where low pay is particularly prevalent, such as among women, younger workers and migrants. We seek to broaden its terms to deal with conditions of employment, public services, taxation and State supports. In other words, we want a low pay commission that deals with low pay and its effect - poverty among those in work.

Zero-hour contracts are a cancer that is eating away at job security. They are a catalyst for poverty in work. They are anti-family and prevent mothers and fathers from earning enough to raise their families and from organising their lives, from child care to mortgages. Yet, zero-hour contracts are stark omissions from the terms of reference of the Low Pay Commission. The eradication of these contracts should be a core political goal for the Labour Party. Shockingly, however, a decision on these contracts has been delayed and politically neutered by a third party report. This motion seeks to provide an immediate end to all zero-hour contracts. It is clear that

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Fine Gael is laying down the law on this issue. While this strategic stalling is being undertaken, the Minister should at the least request the CSO to record the incidence of zero and low hour contracts as part of the Quarterly National Household Survey, thus providing the Government with real time information.

It is necessary to ensure there is no competitive advantage at the heart of these low hour contracts. That is happening. Some unscrupulous employers see low-hour and zero-hour contracts as competitive advantages in fighting against other businesses. We need to remove that competitive advantage from the system. Therefore, our motion seeks to amend the Organisation of Working Time Act 1997 to ensure workers are compensated 100% where they have been called into work. Unfair work practices could also be made uncompetitive by providing a statutory entitlement to overtime for hours worked in excess of those stated in the contract or over 38 hours, whichever is the lesser. In other words, if a member of staff is asked to report for five hours but does not get five hours, he or she should be paid and compensated for the five hours. Also, where a person is required to work over seven hours, he or she should be paid overtime for the hours worked over the initial contracted amount. This practice would quickly ensure unscrupulous employers focus on ensuring people have proper contracts that will not be manipulated.

A recent Mandate survey of members who work for Dunnes Stores found that 85% of members felt that insecurity around hours and rostering was used as a method of control over workers, while 88% felt that hours were distributed unfairly. This came into sharp focus during the recent one-day strike. To prevent this in future, we need to improve the compensatory elements of the Organisation of Working Time Act 1997 to protect employees from penalisation in the form of being “zeroed down”.

Our motion provides the Government with an immediate mandate from the Dáil to ensure that a worker has guaranteed hours of work and that a worker who is scheduled for work will not be sent home. This Sinn Féin motion seeks to place an obligation on the employer to consider a request for banded hours and limits refusals to exceptional circumstances which can be objectively justified. Our motion seeks to require employers to provide information to employees on the overall availability of working hours. This is logic, not rocket science. It is simply about decency in the workplace.

Our motion also seeks to rebalance the relationship between employer and employee by setting a date for the introduction of collective bargaining legislation - before the summer recess - which will statutorily compel employers to engage with trade unions, provide for trade union recognition and include robust anti-victimisation clauses to protect workers from intimidation. Workers such as those in Dunnes Stores deserve more than tea and sympathy and crocodile tears. They deserve real legislative change now that will eradicate exploitation and pay workers a decent wage for a decent day's work.

No doubt what we will hear from Fine Gael is the mantra that we need to have a competitive economy. Why is it that the only place that Fine Gael looks for competitiveness is in the pay and conditions of low-paid workers? The costly sheltered sectors, such as the legal profession, or the upward only rents of Fine Gael's landlord friends are taboo when it comes to legislation. The truth is, decent employers know that productivity, staff retention, improved service and an enhanced reputation are the outputs of fair pay and conditions. The Labour Party will tell us that this is in hand, but deficient watered down promises yet to happen at the back end of this Administration is not good enough, given the crisis facing thousands of families right now. My

colleague, Phil Flanagan, MLA, is our employment spokesperson in the Six Counties Assembly. He has raised similar issues and concerns at meetings in the North. He has articulated the party's strong opposition to zero-hour contracts in the North. He is facing similar resistance with regard to ending exploitative work practices. The Minister may rest assured that neither he nor Assembly Minister Farry will have a minute's rest until workers get a fair wage for a day's work. We urge the Government to take this opportunity with both hands.

Deputy Gerald Nash: They speak with a forked tongue.

Acting Chairman (Deputy Joanna Tuffy): One speaker at a time, please.

Deputy Peadar Tóibín: The Government has one year left and the Minister may not get another chance to fix this. If I were in his position and I had possibly 12 months left in an Administration and possibly without another opportunity to make real significant change, I would ensure that my work output was not deficient, watered down policies.

Deputy Brian Stanley: I welcome the opportunity to speak in this debate and I note that the relevant two Ministers are present. Two weeks ago the Dunnes Stores workers were forced to go on strike after numerous efforts by them over time to secure some recognition. I met with representatives of the workers from both premises in Port Laoise, at Mountmellick road and the Kyle centre and the people working in Rathdowney Dunnes Stores. The impression I got from those workers was one of insecurity associated with not having proper contracts and not knowing from week to week or from day to day how many hours or on what days they would be working. Today we met with Bord na Móna workers from the midlands. Bord na Móna is a semi-State company which is trying to sideline and steamroll over collective bargaining and union recognition. I am a former employee of Bord na Móna and it is sad to see this happening. We thought these rights were well established but the company is trying to impose individual contracts across the company. I flag this issue for the attention of the Minister of State, Deputy Nash. Bord na Móna workers in the midlands are very concerned about this situation.

While some commentators maintain that some workers want such conditions I doubt if this applies to anyone other than students and people who want part-time, temporary, haphazard hours. I have no problem with that because there has always been an element of part-time and seasonal work to cater for different businesses in the tourism sector, for example, and in the retail sector during the Christmas period. Traditionally, this practice has not interfered with the conditions of work of permanent full-time staff.

Workers like and need to know from one week to the next what hours they are expected to work and what pay they will receive. For those in full-time employment and who are depending solely on the wages from a business which enforces zero or low-hour contracts, the uncertainty of such contracts makes it very difficult to plan from day to day, never mind from week to week.

Dunnes Stores workers in County Laois could not reliably organise child care or the collection of children from school. I remind the Ministers that, most of all, it means that these workers do not know how much they will earn from one week to the next and this causes huge pressure when it comes to paying rent and mortgages and budgeting for daily household expenses. The Minister, Deputy Bruton has talked about full employment but these contracts create huge problems for workers on low or zero-hour contracts who wish to obtain other employments. I had to juggle two part-time jobs at one time. It was worthwhile because I had to do it. Many people I talk to in places like Dunnes Stores want to have a second job but they cannot do so

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because their 15 or 16 hours are spread across a number of days and other employers are doing the same thing. It makes it impossible for those workers to be able to access other part-time employment. It is the case in the retail sector that this issue creates an atmosphere in a workplace or a premises which imposes such conditions. There is an issue of morale and workers have a well-founded suspicion that those workers who do not complain are given so-called favourable treatment by management. That is very unprofessional.

I do not wish to pick on Dunnes Stores or Bord na Móna in particular but they are currently in sharp focus. I have shopped in Dunnes Stores every Saturday for God knows how many years. The morale issue is not going to bring customers in the door. I shop there every week but in the 1980s I stopped shopping there during the period of the dispute over South African produce. I like going into Dunnes Stores but if it does not begin to treat its workers properly I will boycott it again and I will encourage others to do the same. I hope it sees sense.

It has been reported that those workers who took part in the strike have been subjected to intimidation and that there were attempts to get rid of people who went on strike. I have heard first hand from workers that very subtle tactics are being used by management. This is why it is necessary to legislate to prevent such practices. It is noticeable that the strikers were supported by every group in the Dáil which shows that this is not an ideological issue; it is an issue of fairness, of courtesy and of justice. It is about being fair to these workers. I hope the Government will follow through. I call on the Minister to bring in legislation with no loopholes nor wriggle room to ensure that employers must recognise trade unions and the right of workers to collective bargaining. I call on them to fully implement the EU part-time work directive.

Deputy Michael Colreavy: If two words could be used to describe the intention underlying this Sinn Féin Private Members' motion, they would be "fairness" and "decency". Low-paid precarious work is one of the worst enemies that a worker can face. Workers are at their most vulnerable when they have to live from week to week, not knowing what kind of hours he or she will be given, or how much he or she will receive in the next pay package. Without access to secure working conditions many workers are faced with the possibility of not being able to pay their mortgage or rent, their household bills, or pay for their children's schoolbooks.

Sinn Féin believes that it is the role of Government to take action to make the lives of workers in this situation better. The growth of precarious work is a product of the tension and competition between on the one hand, demands from employers for more flexibility and on the other hand, calls for greater security and protection for workers. The Government needs to tackle the issue of low pay, not just for the benefit of workers but also for the benefit of society as a whole. Money into the pockets of the lowest paid will quickly find its way back into the local economy. This will be money that will be spent in our local shops, helping to employ others. Low pay also places a burden on the State in terms of family income supplement and other measures used to offset the crippling effects of low pay.

Low pay and precarious hours often affect young people the most. As they are new to the working environment, they do not enjoy many of the benefits that the older generation fought for and won. This often amounts to the exploitation of young people as the economic situation means that they have very little choice but to take whatever work is offered to them. Last night the visa application process for Canada was opened and within 12 minutes all 3,850 visas available were gone. That indicates the level of demand from young people to go to countries where wages are higher and opportunities more plentiful and where there is decency and fairness. Do these young people and their families see the economic improvements being trumpeted by the

Government? They most assuredly do not.

Ireland is a high-cost and low-pay society. When the purchasing power of Irish workers is accounted for, Ireland falls 13% below the EU15 average. Nearly 350,000, or 19.2% of the workforce, suffer multiple deprivations.

Ireland is one of only two EU countries that do not recognise collective bargaining. Since the foundation of the State, successive governments have failed to introduce statutory collective bargaining. That ensures that organised labour, especially in the low-paid sector, do not have adequate means to push for better pay and conditions. It is shocking that at a time when the Labour Party is in government, a party that claims its heritage from the likes of James Connolly, no legislation has been introduced on collective bargaining.

Commentators argue that there must be a balance between the needs of workers and those of employers, but workers should be entitled to the basic knowledge of how many hours work they will get and how much they will be paid. Currently, the power lies completely in the hands of the employer, who is able to force workers to accept the conditions they set out. Dunnes Stores has been a perfect example of that. It let go workers who took part in recent strike action. That is a disgraceful state of affairs which cannot be allowed to continue. We cannot stand back while employers punish already punished workers because they had the temerity to take a stand and to rally for their rights. That is disgraceful and should not be permitted. The Government should intervene in the matter.

Deputy Gerry Adams: I made the point to the Taoiseach earlier today that there are different ways to govern. One way is to build a citizen-centred, rights-based society with equality, a right to public services and meaningful jobs with decent pay, terms and conditions. The other is where it is everyone for themselves, where there is little sense of social solidarity, an absence of legislative rights for citizens and little or no social protections. That is a vision to which Sinn Féin is totally opposed and which Fine Gael and, shamefully, now the Labour Party, embrace. That is the vision that has manifested itself, despite protestations from Ministers, due to the neo-liberal policies of the Government and its friends in the EU elite.

Low pay and so-called labour market flexibility are key elements in the vision. Such a vision seeks to reverse the progress made over many decades in making life better for ordinary citizens. It seeks to stop parliaments or governments from acting first and foremost in the best interests of people. It attacks solidarity between citizens. If this vision had dominated in the past, we would not have seen the abolition of child labour, which used to be the norm. We would not have universal suffrage, as it used to be the norm that women did not have the vote. We would not have seen the introduction of the eight-hour working day, pensions for the elderly, the creation of the welfare state or the building of public health and education systems. It is a dark and selfish vision of society and it is one which Sinn Féin rejects. We believe we need to take our economy and society in a better, more enlightened direction where the economy serves the citizens as opposed to the people serving the economy. That is not to say we do not support business, because we do. Nor is it to say that we are not in favour of people being wealthy because that is fair enough, but we must have equality at the heart of it. Time out of number during the Government's term of office, Sinn Féin has argued with it about the social consequences of the measures being introduced. We have asked whether the measures have been equality proofed. The Government has ignored our protestations.

After four years in office, and despite a programme for Government commitment, the Gov-

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ernment has failed to legislate for collective bargaining. It has also failed to introduce anti-victimisation legislation to protect vulnerable workers. We have seen the inevitable outcome of that in the treatment of vulnerable, low-paid workers at Dunnes Stores and elsewhere. Yet, there are still no sanctions to compel employers to engage with trade unions. We have a very significant low-pay problem with almost 12% of workers being at risk of poverty. Casual, insecure work is now entrenched in the labour force. The prevalence of low-paid work and zero-hour contracts is undermining the chances of a fair recovery. If the recovery is not fair then there is no recovery; it is just a case of recycling the old business of the people at the top getting wealthier and the people in the middle and at the bottom staying where they are. We need a recovery that leaves no family and no citizen behind.

The current situation amounts to bad economics for the State and society because it imposes an additional expenditure burden on the State and impacts negatively on tax revenue. The delay in completing the Government's report on zero-hour contracts shows the lack of importance the Government attaches to the issue. That is the reason many ask what is the point of the Labour Party in government. If the Labour Party cannot defend the most fundamental of workers' rights, what is the party doing in government? Sinn Féin's Bill seeks to introduce an immediate ban on zero-hour contracts and to allow workers to have some sense of security. It demands the Government sets a date for the introduction of collective bargaining legislation before the summer recess, provides for trade union recognition and compels employers to engage with trade unions. In addition, the Bill has robust anti-victimisation clauses to protect workers. Fundamentally, the Bill is about common decency and fairness for Irish workers.

Deputy Aengus Ó Snodaigh: Irish families have been forced by the Minister and his predecessors in the previous Government to pay huge costs during their recession and austerity programme through increased bills, new taxes, charges and cuts to services. In addition, the Government has encouraged employers to become engaged in a race to the bottom, to devalue work, introduce lower wages and undermine the economy. As a consequence of the Government's actions, the country has become the second lowest paying in the European Union. That is some legacy for the Labour Party, whose members are not present. Given the background and political ideology of the Minister, Deputy Bruton, he is probably proud of that achievement because that is the agenda Fine Gael has always had.

In trying to hide the legacy, the Minister and his colleagues refer to the live register but the Government has tried to hide the real story behind it, namely, the huge emigration numbers, the creation of precarious part-time and temporary jobs, and the increased reliance on job activation schemes such as the disgraced JobBridge internship scheme. The live register figures have been massaged. Significant numbers have returned to education, which is to be welcomed, but that also affects the overall figures. All of that has led to a decline in employment and real wages and an increase in reliance on the State for social welfare transfers. In Dunnes Stores for instance, 80% of the workforce are on contracts of 15 hours or fewer. That means most if not all of those workers can rely on a State payment to help them, if they are lucky enough that their hours are spread over one or two days. If they are not so lucky their hours might be spread over four or five days, in which case they would not be allowed to access social welfare payments.

8 o'clock

The social welfare payments to Dunnes Stores workers and other workers on this type of contract amount in a way to a substantial subsidy for those companies which use zero-hour contracts. Millions of euro are spent on family income supplement or part-time dole payments

because these companies will not create real jobs with real terms and conditions and real hours.

Let us not forget that the company many have spoken about tonight, Dunnes Stores, has made over €300 million profit in the past year. This State is in some ways helping to subsidise those profits without benefiting from the hours and contracts its workers demand and that the Government should demand of all employers. This is in line with the ethos of this Government which, like the last Government, cut the dole for young people and changed the number of days out of work before claiming the dole. It has also targeted lone parents, many of whom were able to avail of a subsidy through the one-parent family payment and work a few hours. It has done this in every budget since the Minister for Social Protection, Deputy Burton, has taken her role more seriously than any Fine Gael Minister ever would in targeting the poorest in our society, those who depend on social welfare. The Government has also made it more expensive to be a trade union member because it removed the tax relief on union subscriptions. The Minister present here, who is a member of Fine Gael, is probably proud of this.

Low pay is not just an issue for the under paid, it is one for society because the bigger the difference between the lowest and the highest paid in society the worse the societal well-being. Many studies, in particular those of the Organisation for Economic Co-operation and Development, OECD, have shown that health, education, housing, workers' rights and equality all suffer in those countries where inequality is highest. That is happening in Ireland today. In other words, low pay limits people's ability to participate fully in society and seriously damages their and their children's life choices. Providing properly paid, decent work is good for society, for workers and the economy. A strong and constructive relationship between trade unions and employers is an essential foundation for ensuring that work pays. The intimidation of shop stewards and shop floor representatives in Dunnes Stores is such that many of them do not want to be identified for fear of losing their job, having their hours cut or suffering some sort of retribution. Dunnes Stores cannot be allowed to become the William Martin Murphy of this century. All the companies exploiting workers in this State need to be tackled head on. I call on the Government to withdraw its counter motion and read our motion once again and adopt it.

It is disgraceful that unscrupulous employers are squeezing the last ounce of profit from workers as they have done in recent years and for many decades and centuries. That is why legislation for workers' rights has been included in the legislative programme for many years. They need to be protected, not undermined as has happened in recent years. The continuous driving down of wages and conditions needs to stop.

Like many others in this House, across party lines, I visited various Dunnes Stores shops during the strike two weeks ago, in my own area, the Ashleaf Centre and the Crumlin Shopping Centre, and several within the city centre. I congratulate the workers who came out on strike despite the threats and intimidation from the company. These are ordinary decent workers who are only looking for a fair wage and a contract which would give them stability for a week's work. The insecurity of their contracts leads to insecurity in their lives. They cannot access loans because they do not know from week to week what their income will be. The Minister should think about trying to plan his life and that of his children based on insecure hours or zero-hours contracts. It cannot be done. That is one of the main problems that needs to be addressed. This affects not just the workers but their children and their futures.

I appeal to the Minister to use the legislation, introduce it and ensure that workers are protected, especially the low paid. He needs to set the standard according to the most vulnerable in society. Workers' rights are rights for all. We are all workers in many ways. Our proposal

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is reasonable and is in line with every other proposal to come out of a recession created by an elite to build a fair society in the future. If the Minister cannot do that the Government should go to the people, hold a general election and put its proposals on zero hours, the low paid, Job-Bridge and every factor I have listed which has undermined pay and conditions, and society, to the public. I guarantee that it will hear loud and clear where the public stands on these matters.

Deputy Martin Ferris: Even if the most progressive Government with money at its disposal were to take power tomorrow, it would find itself challenged to undo the damage this Government and the one before it have done to the people, particularly in rural areas, of this country. There is a lot of spin these days from Government about so-called recovery, the spin doctors have been in overdrive in the past few weeks. I wonder are those who employ the spin doctors absolutely detached from reality. The reality is that in many parts of the country, particularly in coastal communities, there is no recovery and no sign of one.

Around the housing estates of rural Ireland, people are listening to that but they laugh cynically when they hear it, because they are seeing none of it. There is a lot of talk of job creation, but many of the new jobs cannot even keep one person out of the claws of poverty, never mind keep a family warm, fed and educated. The working poor have grown and multiplied, as this Government has co-operated in using the economic crisis as a pretext for employers to undo the constructive work of the trade union movement over decades to improve the lot of working people, to introduce proper wages and conditions, to work within the principles of free collective bargaining, to protect workers against the uncontrolled ebb and flow of a globalised economic system.

The race to the bottom in wage rates, zero-hour contracts and the implementation of a “you’re lucky to have a job” mentality, which suggests that workers have no right to expect decent wages and conditions, was demonstrated clearly by the recent Dunnes Stores strike and subsequent treatment of the workers by their employer.

The number of young people in the State without a job is a real worry. Is it any wonder, therefore, that young people are still taking the boat and aeroplane to Australia and Canada, with 15,400 fewer young people in employment since the Labour Party and Fine Gael entered government in 2011? What is even more depressing, especially in rural areas, is that this State has the highest number of young people from working class backgrounds who are not only out of work but also not even in training or education. They are isolated at home, often without even a bus to take them to the nearest town. For rural communities, the effect on the younger generation is serious. They see small businesses in their communities closing down and transport services being cut, as well as post offices and Garda stations closing. The possibility of working locally has been reduced, while the few jobs that might be available are for minimum wages and often there is no guarantee of a proper week’s work. Is it any wonder that young people are moving away? Figures show that for every job created under the Government, five people have emigrated. The number of long-term unemployed has risen from a figure of 30% in the first quarter of 2007 to 60% in 2014. I will repeat that shocking figure because the Minister may have thought he misunderstood me. The number of long-term unemployed in the State has risen from a figure of 30% in the first quarter of 2007 to 60% in 2014.

I welcome the motion and hope all Members will find it in their gift to vote for it, particularly those who like to call themselves supporters of the working class, the poor and the marginalised, as the Labour Party once stated it was. The motion is an attempt to afford basic rights to workers. It is a sad reflection on how far we have come since the 1913 Lock-out that we

are bringing forward proposals to ban zero-hour contracts in 2015, to provide for the payment of overtime and the implementation of the EU directive on part-time work. I ask Deputies to support the motion and thus defend low-paid workers and those on zero-hour contracts who are dependent on all of us to come to their aid.

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I move amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“acknowledges that in steering the country through and out of the economic crisis the Government has focused on protecting the most vulnerable workers, pursued an agenda of maintaining and improving employment rights and reforming and enhancing both the industrial relations institutions of the State and the industrial relations legislative framework utilised by workers and employers, and in this regard:

— recognises the legislative changes introduced by the Government to protect workers’ rights, especially the most vulnerable workers in society, and in particular;

— to restore the cut in the national minimum wage, thereby reaffirming that a statutory minimum wage is a statement of core values, providing a threshold of decency under which society agrees that workers’ wages should not fall;

— through the enactment of the Industrial Relations (Amendment) Act 2012, to reinstate the joint labour committee system to support wage setting in sectors where workers are poorly organised and vulnerable, and wages tend to be low; and

— to enact legislation (the Protection of Employees (Temporary Agency Work) Act 2012) to protect temporary agency workers through a legal framework in which agency workers are afforded equal treatment in respect of their basic working and employment conditions;

— further recognises the Government’s commitment to pursue an extensive industrial relations and employment rights reform agenda and in this respect notes the progress made, including the following in particular:

Low Pay Commission:

— the establishment of the Low Pay Commission earlier this year as an independent body that, taking specified economic and social matters into account, will make annual recommendations to the Government on the national minimum wage and related matters;

— that establishment of the Low Pay Commission on an interim basis, in advance of legislation to establish the commission on a statutory basis, allows it to proceed urgently with its first review of the national minimum wage;

— the legislation to be published shortly, with a view to enactment before the summer, will provide that, alongside examining the national minimum wage, the Low Pay Commission will also be tasked with examining matters related generally to the functions of the commission under the Act - a work programme will be agreed by the Government and presented to the commission each year;

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Registered Employment Agreements:

— following on from the Supreme Court judgment in the McGowan case, the Government has approved the drafting of legislation to provide a revised legislative framework to replace registered employment agreements, REAs;

— the legislation will provide for the reintroduction of a mechanism for the registration of employment agreements between an employer or employers and trade unions governing terms and conditions in individual enterprises and also provide for a new statutory framework for establishing minimum rates of remuneration and pensions for a specified type, class or group of employee as a replacement for the former sectoral REA system;

— this legislation has completed pre-legislative scrutiny and is due to be published shortly;

Collective Bargaining:

— the Government has approved the drafting of legislation to reform the Industrial Relations (Amendment) Act 2001 to provide for an improved and modernised industrial relations framework that will provide more clarity for employers and ensure that where an employer chooses not to engage in collective bargaining either with a trade union or an internal ‘excepted body’ the 2001 Act will be remediated to ensure there is an effective means for a union, on behalf of members in that employment, to have disputed remuneration, terms and conditions assessed against relevant comparators and determined by the Labour Court, if necessary;

— the legislation will contain strong anti-victimisation provisions to protect workers who may feel that they are being victimised for exercising their rights under the legislation, including the introduction of interim relief against unfair dismissal;

— this legislation is due to be published shortly;

Study of Zero Hour Contracts and Low-Hours Contracts:

— the University of Limerick has been appointed and has commenced its work on a study into the prevalence of zero hour contracts and low hour contracts in the Irish economy and their impact on employees;

— the study will have a broad scope covering both the public and private sectors with a particular focus on the retail, hospitality, health and education sectors;

— the study will assess current employment rights legislation as it applies to employees on such contracts;

— one of the key objectives of the study is to fill the gap in knowledge currently available about the use of such contracts and their impact on employees and to enable the Government to consider any evidence-based policy recommendations deemed necessary on foot of the study;

Workplace Relations Reform:

— the Workplace Relations Bill 2014 which is expected to complete its passage

through the Oireachtas in May will deliver a significantly streamlined workplace relations service which is fit for purpose, simple to use, independent, effective, impartial and cost-effective; it will provide for more workable and efficient means of redress and enforcement within a reasonable period for all users of the service;

Organisation of Working Time Act 1997:

— the Government has brought forward, in the Workplace Relations Bill 2014, amendment of the organisation of working time legislation to provide for the accrual of annual leave while absent from work on sick leave, which strikes the right balance between protecting the rights of vulnerable workers who are off work due to illness and the impact on business; and

notes:

— that since the launch of the first action plan for jobs in 2012, 90,000 net new jobs have been created, of which 86% were full-time jobs rather than casual or temporary jobs;

— that unemployment has fallen from 15.1% in January 2012 and will achieve single digit levels in 2015;

— that average hourly earnings continue to increase ahead of inflation; and

— the achievement of accelerating economic growth to 4.8% of GDP in 2014 provides the basis to continue to enhance the well-being of all in our society, particularly the less well off.

I wish to share time with the Minister of State, Deputy Gerald Nash.

Acting Chairman (Deputy Joanna Tuffy): Is that agreed? Agreed.

Deputy Richard Bruton: It is depressing listening to Sinn Féin trying to feed the world of self-delusion and misery it portrays all the time. It continually pretends that there is no improvement occurring in the economy. I remember listening to it when we were starting out on this difficult journey to rebuild the economy. Its Deputies were saying there were no jobs available. Then they shifted to saying they were all scheme or part-time jobs. They then shifted again to saying they were all zero-hour jobs. None of this is true, however. Not a shred of the image Sinn Féin seeks to portray of what is happening in the country is true.

Deputy Aengus Ó Snodaigh: The Minister is now deluding himself.

Deputy Richard Bruton: We have seen the reality, yet Sinn Féin repeatedly peddles myths. The truth is that the number of people unemployed has come down from 300,000 to 200,000. There are 100,000 fewer people unemployed. The number at work has gone up by 90,000. All of these jobs are full time and none is part time. If Deputies look at the CSO figures, they will see that for the past two years the increase in employment is 90,000 and they are all full-time jobs. If Deputies bother to look at the figures, they will also see that over half the additional jobs are in Enterprise Ireland and IDA Ireland companies which are paying 30% above the average wage. A large part of the recovery we are enjoying is in really strong sectors that are providing high-quality employment.

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Deputy Peadar Tóibín: Is the OECD wrong?

Deputy Richard Bruton: None of the extra jobs is attributable to schemes. There are no extra people on schemes than there were two years ago; therefore, none of the additional jobs is on a scheme. I have a lot of respect for Deputy Peadar Tóibín, but I wonder who wrote his script today. I have heard him express concern for those at risk of poverty. The truth is, however - I am quoting from the European Anti-Poverty Network - that the risk of being in poverty in Ireland is at a figure of 5% for those at work and it is falling. By contrast, the risk for people who are unemployed is seven and a half times that figure, at 37%.

Deputy Aengus Ó Snodaigh: They are in poverty if unemployed.

Deputy Richard Bruton: We have taken 100,000 people out of an extremely precarious situation where they are at high risk of poverty and have brought them into employment. That is the journey.

Deputy Gerry Adams who is no longer present in the Chamber asked about the social consequences of the policies we were pursuing. The social consequences are quite clear - they are removing people from the risk of being in poverty. They are rebuilding families, putting lives back on track, putting money back into communities and resources back into the Exchequer such that this year, long before expected, we are able to put money back into services.

I listened as crocodile tears were shed by Sinn Féin Deputies for people who had been dislodged from work. Every time we brought forward a scheme designed to provide a pathway back to work, whether it be JobBridge, Momentum, Springboard, new apprenticeships or Job-sPlus, Sinn Féin was the first party to oppose it. It does not support these opportunities that are being provided for people who are out of work.

Deputy Aengus Ó Snodaigh: We support JobsPlus and Springboard.

Deputy Richard Bruton: The truth, to which Sinn Féin does not want to face up, is that last year over 140,000 people left the live register to take up employment.

Deputy Aengus Ó Snodaigh: Forever.

Deputy Richard Bruton: Therefore, 40% of those on the live register left it in the course of 2014. That is the highest level we have seen since the recession. It is a sign of real progress in reaching out to people who would otherwise have been marginalised.

I listened to Deputy Martin Ferris talk about rising long-term unemployment. According to the CSO's figures, the number of long-term unemployed at the end of 2012 was 176,000, while today it is 123,000. It is down by 50,000, yet the Deputy wants to quote his own figures.

Deputy Peadar Tóibín: He quoted figures from 2007.

Deputy Richard Bruton: We have sought to provide practical solutions for people in difficult situations, whether unemployed or at work. We restored the minimum wage and provided legislation for temporary agency workers. In addition, we restored the JLCs after they had been struck down by the courts. We have also reformed the Workplace Relations Commission to make it easier and more swift for workers to seek redress and have their claims processed. We established the Low Pay Commission to examine the very issue Sinn Féin claimed was top of its agenda. The Minister of State, Deputy Gerald Nash, is to be congratulated because, ahead

of the legislation, he has appointed the group that is already working and we will have an early report from it. He has also established a group to look at zero hour contracts, the very issue about which Sinn Féin is concerned. We will introduce legislation on collective bargaining and restore the registered employment agreements which we are debating in the case of the Dunnes Stores strike.

We on this side of the House have set out our stall. We want to deliver full employment on a sustainable basis by 2018. We have a vision for the country which is about getting everyone working who wants to have the opportunity to work. It is about allowing growth and rising living standards, while bringing emigration to an end. We will build this by growing a strong, balanced economy, with high-quality enterprise valuing employees and growing employment. Sinn Féin, however, continues to portray a Dickensian view of what employment is about. I heard Deputy Aengus Ó Snodaigh depict employers as trying to squeeze every last drop of blood from workers.

Deputy Aengus Ó Snodaigh: That is true.

Deputy Richard Bruton: The truth is that we can create an economy, like the jobs we have created in the past two years, with 90,000 extra in full-time employment and high wages. They are enjoying strong living standards because we are creating a strong economy. Sinn Féin's vision does not include enterprise as part of the growth of a strong economy. It has a narrow, old-fashioned view of the world. It is about time that Deputy Ó Snodaigh came out of this self-delusion and portrayal of an economy as a failure when any objective person looking at the progress of this Government will see we have pulled back from the precarious brink that we inherited regarding the public finances, banking and, most importantly, unemployment towards the chance for people to build a decent living standard for their families.

Deputy Aengus Ó Snodaigh: Dream on.

Deputy Peadar Tóibín: Is the OECD wrong?

Deputy Richard Bruton: Unemployment is coming down from 15% to below 10% now. We are getting people back to work in quality jobs and providing the legislative underpinning to make sure that decent standards and dignity apply in the workplace. That is the balanced economy. Enterprise is part of it. Sinn Féin's view of the world has no space for enterprise.

Deputy Aengus Ó Snodaigh: And the Minister is calling me deluded? He should take a look at himself; he is a silly billy.

Deputy Richard Bruton: There was not a single positive word out there from Sinn Féin as to how we can build an economy that will provide full employment. We have such a vision and a proven track record in delivering this pathway.

Deputy Aengus Ó Snodaigh: Unemployment and low wages.

Deputy Richard Bruton: We have a strong record in restoring workers' rights at a very difficult time. This is a very important time - we are at a critical moment in our history. We are at a turning point where we have established that we are a strong economy and can rebuild from the ashes of an extraordinary debacle. People have made huge sacrifices to get us to a point where we are rebuilding employment and getting lives back on track. We have the opportunity now to set out a strong vision for the future. I believe I speak for most people. Our ambition

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is to see that our sons, daughters, grandsons and granddaughters can find work here at home in quality employment at decent living standards with a strong prospect that they will continue to grow. No one can deny that we have rebuilt strong, sustainable sectors in food, tourism, manufacturing, ICT and financial services. We have rebuilt a solid economy and can look with confidence to a future of building strong living standards and opportunities for our people. We have to pursue steady and prudent policies and that is the approach we are taking. They include the sort of concerns that any ordinary workers would have, that their dignity and standards will be protected in the workplace. We have a track record in that, as well as in building strong enterprises. That is the balance we have to maintain if we are to have strong, quality employment for the future. We have to have respect for workers and the dignity and protection they are due, and we have to support enterprise with its capacity to build new opportunities.

Deputy Dara Calleary: There is no respect from Dunnes.

Deputy Aengus Ó Snodaigh: The Minister is as fanatical as his brother.

Deputy Richard Bruton: That is what this Government has been delivering and it has been an honour to serve in it.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): I welcome the opportunity to outline the progress being made on foot of actions being taken by the Government to improve the lives of our people and to protect the most vulnerable. I am not impressed, however, by the pretence of Sinn Féin and its southern leadership that one side of this House has a record in government to protect and the other does not.

Deputy Aengus Ó Snodaigh: Southern leadership.

Deputy Gerald Nash: Down here, Sinn Féin is a party of protest, the workers' friend. In Northern Ireland, Sinn Féin is a party of government, with a record of its own to defend on the North's low-wage economy. Down here, Sinn Féin pretends it would storm the barricades while up North it is busy defending the battlements. As far as this part of the country is concerned, as the Minister, Deputy Bruton, has outlined, under this Government we have seen a paradigm shift in the economy. This has everything to do with employment, both more jobs and better jobs. Unemployment has dropped by one third since 2012. It is at its lowest level in six years and the ESRI believes it will fall below 9% over the next 12 months.

Of the almost 90,000 more people at work since the launch of the Action Plan for Jobs in 2012, a remarkable 86% of those jobs have been full-time rather than casual or temporary positions. A net total of 29,100 new jobs were created last year alone, again, mostly full-time. The proportion of workers on temporary contracts has now fallen back to the pre-recession level of 9.5%. This remains significantly below the EU average of 14.4%. In fact, the CSO data for March 2015 shows that the number of casual and part-time workers on the live register was down 10.5% on March 2014. These figures show the success of our twin-track approach of creating the conditions for job growth and helping people back to work.

There is much more to do. There are still too many people jobless. We are working to build on the work already done and to achieve full employment, as the Minister, Deputy Bruton said, within the next three years. Making work pay, enhancing dignity at work and reducing inequality are cornerstones of this Government's agenda. They are at the very heart of what I am seeking to do in government. Indeed, one of the first actions of this Government was to restore the minimum wage to €8.65 from €7.65, thus reversing one of the previous Government's last cuts.

Our systematic approach has included several components that go to make up a comprehensive and coherent package. These include the Low Pay Commission, action to restore registered employment agreements, provisions to deal with the absence of collective bargaining and action on zero-hour and low-hour contracts.

Setting up the Low Pay Commission was one of the key commitments in the statement of Government priorities agreed last July. The commission was launched on 26 February to operate on an interim administrative basis and held its first meeting the same day. Legislation to provide for a statutory basis for the commission has been through pre-legislative scrutiny and will be published shortly. The principal function of the Low Pay Commission will be to examine annually and make recommendations on the national minimum wage, with a view to securing that the minimum wage is adjusted incrementally and progressively increased over time, without damage to enterprise or employment. Far from being limited in its focus, as this motion would have it, the Low Pay Commission will also be able to examine any matter generally related to its functions. A work programme will be agreed by the Government and presented to the commission each February. Nothing relevant will be excluded from its deliberations. I can assure the House of that. The commission will be required to make evidence-based recommendations. I hope that, as soon as I receive its first report in July, we can agree a work programme to take it up to next February. A successful Low Pay Commission will be one whose recommendations will be accepted and acted upon by successive Governments. It will be statutorily independent in its functions.

Over the past year, there has been increasing debate, nationally and internationally, about zero-hour contracts. On the one hand, some employers would say they can provide flexibility, efficiency in human resource management, more resilience in downturns and so on. On the other hand, there are obvious disadvantages for employers and they can include, as we all know, a limited integration of workers in the business, lower motivation and poorer work quality. For some workers in particular circumstances, there may be an element of flexibility in reconciling work and family life or studies and, for some, it may serve as a stepping stone into the labour market. Clearly there are negatives, which can include lower levels of job and income security, lack of benefits, lower job satisfaction and the risk that a whole cohort of workers could become trapped in a succession of short-term, low quality jobs with inadequate social protection. Such a possibility is of obvious concern to all of us in this House and is a major concern of mine.

Clearly, Ireland and the labour market have changed quite dramatically since we last legislated on this issue in 1997 in the context of the Organisation of Working Time Act. We need to map out and better understand the prevalence and impact of zero-hour contracts, and indeed low-hour contracts, in Irish employment, to better understand their impact on employees and to establish if any new policy responses are required. That is why last February I announced the appointment of a team from the University of Limerick to carry out precisely such a study into the prevalence of zero-hour and low-hour contracts and their impact on employees. This is the first such study commissioned by any Government. Its key objective is to fill the gap in terms of knowledge to provide hard data on zero-hour and low-hour contracts in our economy and to enable me, as Minister of State, to make evidence-based policy recommendations to Government.

There are plenty of opinions and recommendations out there right now, ranging from a *laissez-faire* attitude, a do-nothing approach to complete prohibition. I have my own preliminary assessment and my own views about what sort of package we might need. However, I will not make my case without the evidence and I will not choose what response we need without an expert analysis of the problem and expert recommendations for a solution. Having commis-

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sioned this study, it would be fatuous for me to pre-empt it, just a couple of short months before I get it. I expect to have this piece of work before the end of the summer and my aim is to have considered its findings and to have brought my recommendations to the Government before this House resumes business in the autumn.

My objective, and that of my party and this Government, is to ensure that the recovery is not built on a ruthless race to the bottom or the sacrifice of hard-won economic and social gains and indeed rights. These rights, as far as I am concerned, include basic job and income security. If the 1997 Act has been overtaken by new employment practices and its protections are now inadequate, we will take action. Any sense that there is wholesale insecurity in jobs or a lack of protection has no place in modern Ireland. The Government has already moved on a number of fronts in relation to wage setting, including reforms to the JLC system through the Industrial Relations (Amendment) Act 2012. More recently, the Government approved the drafting of legislation to provide a revised legislative framework to replace registered employment agreements. This follows the 2013 judgment by the Supreme Court in the McGowan case, which struck down the previous regime.

The legislation has two purposes. First, it will reintroduce a mechanism for the registration of employment agreements between an employer or employers and trade unions governing terms and conditions at individual enterprise level. These agreements will not be legally binding beyond the subscribing parties. The Bill will, separately, provide a new statutory framework for establishing minimum rates of pay and other terms and conditions of employment for specified type, class or group of workers. In effect, this is a framework to replace the former sectoral REA system. In future, at the request separately or jointly of organisations substantially representative of employers and-or workers, the Labour Court can initiate a review of the pay and pension and sick pay entitlements of workers in a particular sector and, if it deems it appropriate, make a recommendation to the Minister on the matter. If the Minister is satisfied that the procedures provided for in the new legislation have been complied with by the Labour Court, he shall make an order that will be binding across the sector to which it relates and will be enforceable by the National Employment Rights Authority. Employers and workers in some sectors are anxious that this legislation progresses quickly. I expect to see it enacted by mid-year.

At the end of 2014, I obtained Cabinet approval to draft legislation for an improved framework for workers who seek to improve their terms and conditions in situations where there are no arrangements for collective bargaining. This legislation will fulfil one of the most significant commitments in the programme for Government. This measure will ensure that where there is no collective bargaining workers can, through their unions, raise claims about pay, terms and conditions and have these determined by the Labour Court and secured by way of Circuit Court order. The legislation will also ensure workers will not be victimised for doing so and will include strong protections for workers who are victimised for exercising their rights. Again, I expect this legislation to be published in this session and to be passed as soon as possible.

I am of course more than aware of the Dunnes Stores dispute. The dispute concerns a range of issues, including the introduction of banded hours contracts, individual and collective representational rights and the use of temporary contracts. The union has sought to engage with the company on these issues and the matter was referred by the union to the Labour Court under the Industrial Relations Act 1969 last October. However, the company was not represented at the Labour Court hearing. The court found it regrettable that the company declined to participate in the investigation of the dispute or to put forward its position on the union's claims. In its

recommendation, the Labour Court noted, as it had done previously, that Dunnes Stores and the Mandate trade union were party to a 1996 collective agreement which provides a procedural framework within which industrial relations disputes and differences can be resolved by negotiation and dialogue. The court pointed out that the dictates of good industrial relations practice requires parties to honour their collective agreements in both spirit and intent. I agree. I have said that I regret that the company decided against attending the Labour Court hearing, contrary to good industrial relations practice.

In my view, the experience and expertise of the Labour Court offer the most appropriate and effective avenue for resolving these issues. I continue to urge both parties to avail of the services of the State's industrial relations machinery, which remain available to assist them. This offers the best way for the parties involved in this dispute to resolve their differences. Ultimately, I agree with the general secretary of Mandate in his open letter to Dunnes Stores management, when he said, "It is my belief that as with most disputes between parties, they can only be resolved via dialogue between the parties". It may well be, of course, that the passing of the legislation I referred to earlier will bring about a changed dynamic in industrial relations and cause some parties to be more flexible in their positions. The content of the legislation can be transformative in terms of employer and employee relationships in Ireland.

My focus tonight has been to set out the positive changes that have already taken place under this Government and to highlight the work in hand that has as its core objective the maintenance and improvement of the rights of workers, particularly vulnerable workers. Sinn Féin's motion focuses on the negative. I agree with my colleague, the Minister, Deputy Richard Bruton, on that front. For example, the motion refers to the OECD's economic outlook for 2014 and claims Ireland has the second highest percentage of low-paying jobs in the OECD after the United States of America. However, the motion chooses to ignore the fact that the same OECD report shows that average Irish earnings in 2013 were the sixth highest of the 34 countries compared. The same OECD report clearly indicates that "while the Irish labour market suffered a massive shock, indicators of job quality show that on average Irish jobs are of relatively good quality when compared to other countries".

Deputy Peadar Tóibín: Neither of those points is contradictory.

Deputy Gerald Nash: Further, the minimum wage in Ireland is relatively high by international standards. The most recent figures published by EUROSTAT show that Ireland's rate is the fifth highest among the 22 EU member states that have a minimum wage. When the cost of living is taken into account, Ireland's rate is the sixth highest. It must be remembered that in the global competition for foreign direct investment and for the highest quality talent, it is a positive and not a negative attribute that Ireland is able to attract high paying sectors and highly talented and highly paid individuals. The Minister, Deputy Richard Bruton, outlined the success of Enterprise Ireland and the IDA in generating a high percentage of well-paid jobs. Many countries with much lower average earnings than Ireland would wish to replicate Ireland's success in this regard.

Sinn Féin also claims that Ireland has failed to fully transpose the EU directive on part-time work. This is not the case. The Protection of Employees (Part-Time Work) Act 2001 and associated codes of practice have implemented the directive in Irish law. The directive builds on a framework agreement on part-time work that was concluded by the European social partners. The purpose of the framework agreement was to eliminate discrimination against part-time employees, improve the quality of part-time work, facilitate the development of part-time work

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on a voluntary basis and contribute to the flexible organisation of working time in a manner which takes into account the needs of employers and employees. Both IBEC and ICTU were involved in the process of drafting the directive's framework agreement at European level through the European social partner organisations. At national level, my Department, ICTU, IBEC and other relevant Departments established a group to consider the measures necessary for implementing the Directive in Ireland. Our legislation sets out considerable protection for part-time employees, including the general requirement that a part-time employee must not be treated in a less favourable manner in respect of his or her conditions of employment than a full time employee. I assure the House that Ireland has met its responsibilities in transposing the EU Council directive on part-time work into national law.

Deputy Peadar Tóibín: Only in part.

Deputy Gerald Nash: That is not simply my or my Department's position; it is confirmed by a 2003 European Commission report on the implementation of the directive.

I do not want anyone in this House to take lectures from Sinn Féin on employment protection in general or low pay in particular. Sinn Féin poses as the workers' friend in this part of the country, but in Northern Ireland it is a party to a government with a record on these issues which we can examine and legitimately compare with our record down here. When, for example, the INTO, in resisting cuts to teaching jobs and further cuts across the education budget, claimed that the budget would be "central to maintaining a low wage economy for at least a generation", it was a Sinn Féin Minister for Education, John O'Dowd, MLA, who was in its sights. In Northern Ireland, where there are 32,000 people employed under zero-hour contracts and where working time legislation provides less protection for workers than our own 1997 Act, the Executive's proposal is to regulate these contracts, not to impose an immediate ban as Sinn Féin calls for here.

Deputy Peadar Tóibín: They are banned in the North.

Deputy Gerald Nash: While it is true that wages here fell 2.1% per year between 2009 and 2013, wages fell by a massive 13.4% in the same period in Northern Ireland according to the Resolution Foundation. The same independent body says that since the downturn, workers in Northern Ireland have experienced the sharpest fall in living standards of anywhere in the UK. Northern Ireland's households now have the lowest median income in the UK due to poorer job creation and maintenance and a bigger real pay squeeze. That is not the vista citizens in the Irish Republic can look forward to.

By all means let us debate the issues. I am more than happy to take on board constructive proposals from any quarter. I look forward to receiving them. Let us not pretend, however, that one side of the House has a record in government to protect and the other does not. It is not good enough for Sinn Féin to parade with a placard in its Southern hand while applying a scalpel with its Northern one. I am happy to repeat that the Government has demonstrated its commitment to maintaining and improving employment rights and to reforming both the industrial relations institutions and the industrial relations framework used by workers and employers. Significant progress has already been made across a range of issues and there will be further progress. We continue to press ahead with our progressive programme of work to protect people in the workplace and to create decent, sustainable jobs.

I will be seeking the support of the House over the next period to ensure that the key legisla-

tive measures to which I referred earlier can be passed into law in the Republic in the months ahead.

Acting Chairman (Deputy Joanna Tuffy): I call Deputy Calleary who I understand is sharing time with Deputy Keaveney. Is that agreed? Agreed.

Deputy Dara Calleary: Amendment No. 2 reads:

To delete the words “provide a clear legal entitlement to workers to full time work” and substitute the following:

“provide a clear legal entitlement for workers to enable them to request extra hours.”

It was a mistake in 2011, and I said it at the time out of a certain proprietary interest, that the Government did not appoint a Minister of State for labour affairs to the Department. In fairness to the Minister of State, since he has come in, many issues on this agenda have been moved on. For the want of having someone to drive them on and someone who had an interest in the area, this would not have happened. The previous three years saw many issues sidelined or issues which were well under way during our time in government, such as the reorganisation of the various employment bodies, progressed in the way they would have been. However, many of the issues with which we are dealing in this House tonight were sidelined or ignored. That is why we are where we are and that is why we are facing a genuine challenge to the volunteerist nature of labour relations in this country.

This challenge has been crystallised in the Dunnes Stores dispute and its refusal to engage with the machinery which has been superbly successful in this country for nigh over 60 years. Dunnes Stores is refusing to engage with its workers, who have contributed to the wealth and the growth of the company over many years. It refuses to show the workers respect and it refuses to respect the agreements that are in place in the company. In light of the intransigence of Dunnes Stores, the silence of the business community and business organisations and the failure to stand up for the Dunnes Stores workers is also worrying.

It is a pity Deputy Ó Snodaigh has left, but I have no difficulty in saying that the vast majority of Irish employers are decent.

Deputy Peadar Tóibín: Agreed.

Deputy Dara Calleary: They respect their staff and see their staff as part of their workplace. However, as well as showing contempt for their workers and the industrial relations process of this country, Dunnes Stores is showing contempt for the 95% of Irish employers who are good employers and who have respect for those who work for them.

The silence of the organisations on this issue is not good. There needs to be a very clear statement, as there has been cross-party in this House, from all the social partners. The Minister for Jobs, Enterprise and Innovation, Deputy Bruton, has left, but if the notion of social partnership and social cohesion or whatever it is termed these days is to mean anything, someone needs to stand up and make a very clear statement that we do not want an employment regime in Ireland in which there is no recourse and no way to challenge a company that treats its workers with contempt and uses intimidatory tactics on its employees after they go on strike. Employers need to stand up and say that this is not how they do their business, because it is not how they do their business. There are agreements in the services sector with hotels and with companies

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in the same sector as Dunnes, which Mandate has managed to agree. Other companies see these agreements as a very important part of their businesses. However, this issue is a concern.

The last time we had collective bargaining legislation it was struck down by another famous company that does not do unions. I hope the Minister of State, in the course of tomorrow's wrap up, will give some sort of indication that the constitutional issues around the 2001 Act have been dealt with in advance of the new Bill.

We are moving our amendment because the commitment in Deputy Tóibín's motion is to provide a clear legal entitlement to workers to full-time work. Our experience of labour law is that this is too vague a statement. It could be abused by employers or workers who may try to destroy the flexibility of a good company or a good relationship. We are seeking to tighten up on the wording in the motion by providing for a clear legal entitlement for workers to be able to request extra hours. Apart from that, we are in general agreement with the motion.

Banded-hour contracts are a basic requirement. Ironically enough, it is not a basic requirement in this profession. Every Deputy will have sat down with people applying for a mortgage who work 35 or 39 hours a week but who cannot prove it to a bank. They cannot prove that they are getting those hours and that they have a guarantee to those hours. Deputies will have sat down to bring them through loan applications and other kinds of banking experience. These people will have sat down with their families on a Sunday evening to organise their week, but they do not know from one day to the next what hours they will be doing. They do not know the hours they will be called into work and the hours they will need child care. They do not know what hours they are available to do basic things. No one can say that that is fair, that it is a decent standard or that it comes close to dignity in the workplace.

It is quite extraordinary. The Minister, Deputy Bruton, was quite bolshie, for want of a better word, in his speech. He seemed not to hear what is going on in Dunnes Stores -----

Deputy Peter Mathews: Hear, hear.

Deputy Dara Calleary: ----- and what is going on in so many other enterprises across the country. A worker who does not know at the beginning of the week how many hours he or she will be requested to work is not being afforded decent standards or dignity in the workplace. Some 6,000 people went on strike in full knowledge that they would face intimidatory reprisals from their employer. This demonstrates that there is an issue concerning standards and dignity in the workplace. It is not an appropriate response for the Minister and the Minister of State to put their heads in the sand and hope it will go away.

I encourage the Minister of State to bring forward the proposals on victimisation in the workplace. I suspect the Minister of State's proposals on collective bargaining are being frozen and challenged by some of his Fine Gael colleagues. Surely no one would object to legislation protecting the rights of workers to strike and to protect their livelihoods. If the collective bargaining legislation is going to be unduly delayed, the Minister of State should bring forward victimisation legislation separately. We could then, at least, proceed with that aspect and give security to workers who withdraw their labour. Workers have a basic right to do that and they should be able to do it without worrying about management's response when they return to the workplace.

As the Minister of State has stated, there has been a sea change in working practices across Europe and throughout the world. Some international organisations have used the downturn

and the recession to drive forward a particular view of the world. Zero-hour contracts and a lack of respect for workers fits in with that view. Workers are viewed as expendable. The view is that they can be treated as equivalent to figures on a balance sheet. They cannot be and they never have been in this country. Long may that be the way. Long may we have respect for workers and long may this House, and whoever occupies this House, of whatever hue, defend the rights of Irish workers to go to work and to withdraw their labour if necessary. Long may we provide, invest in and support an architecture which allows for dispute resolution, so far as is possible, based on volunteerism and collectivism.

We cannot let Dunnes Stores get away with what is happening at the moment. Dunnes Stores is in the minority in terms of what is happening, but its size and its absolute intransigence in an Irish landscape is a worry. It believes it will get away with this. It believes that the story will move on, people will move onto the next headline and that people will come back and shop in its stores. That is its view and it is determined to dig in its heels and to see this out. It knows that, at the moment, nothing can be done to tackle this problem.

We cannot turn our back on decades of excellent volunteerist labour relations. We cannot turn our back for one company. If this one company continues to force the matter, other solutions will have to be found. We could spend another night debating the statistics to which the Minister and the Minister of State referred about low wages, the CSO and the 89,000, on the last count, who are on activation schemes and therefore not included in the live register. However, if we are to have a recovery that is built on quality jobs, respect for labour, and a country, as we come into 2016, in terms of our treatment of those who work and those who put their labour to use for the country, we need to live up to the ideas of that proclamation.

Deputy Colm Keaveney: I welcome the opportunity to speak on this motion. I believe that it is an issue that is representative of the struggle taking place ideologically in government. That ideological struggle pales into insignificance relative to the one that is taking place in the economy in terms of the difficulties many people have in terms of the security of their employment, low pay and so on. I support the motion, but not in its entirety. I ask Sinn Féin to identify with Fianna Fáil's amendment and urge that party and the Government to accept it and progress in the spirit of the motion.

Out of the recent past, a new model and a new society has been constructed by the Minister, who was sitting beside the Minister of State but has since departed the Chamber. This new model was not by accident, but by design. The Government has no mandate for what that man has done to the economy in terms of the quality of its recovery, nor does it have the House's approval. We are witnessing the creation of a US-type economy, with low wages, insecure contracts, an increasing prevalence of zero-hours contracts and the unstated principle that workers should be grateful just to have jobs. Apart from those with whom the Minister of State shares Government, we all know that the people primarily bearing the brunt of this are young and, in particular, female. They are predominantly the ones working on temporary contracts. The Government is actively promoting inequality through its inaction on the prevalence of this situation. In 2011, 16% of the labour market comprised temporary contracts. Tonight, the figure is 26%. During that reference period, child deprivation rates have increased significantly, with one in five children going to school hungry. That is the significance of this debate.

This situation may suit the employer or capital, but only in the short term. The Government parties might fool themselves in terms of the pursuit of an economy, but they must ask themselves whether, in the context of a quality society, that economic model is right for the

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future of the country. The Minister, Deputy Bruton, can salivate over the increasing figures for exports and certain sectors of the economy, which are doing reasonably well, but domestic demand is still on its knees. Families and individuals are insecure and are not confident about their circumstances. We will not see a drive for domestic consumption until workers believe they have security.

Inaction can no longer be a tactic for the Government. It has been a policy of this Government. Trade unions were undoubtedly brought on board from the start and attacks were made on employment numbers and conditions of employment in the public service through the carrot or stick approach of collective bargaining. Several times, Ministers and Government backbenchers boasted about what was coming, including legislation that the Minister of State, Deputy Nash, promised. Given the quality available to us, he is the best person to do that. However, “collective bargaining” is a phrase that must mean something. Its spirit must mean proper workplace democracy and engagement. Nothing more, nothing less.

Regarding zero-hours contracts and related matters, I am sure that there will be a conflict in government when the Attorney General hides behind a report and there are mutterings of a constitutional requirement. In terms of what can be done, will the Minister of State take the lead and mandate public service employers to eliminate the use of zero-hours contracts for special needs assistants, SNAs, home helps, teacher aids and so on? He can do that immediately and without having to wait for a commission on zero-hours contracts.

A former Minister, Deputy Quinn, stated on radio yesterday that there was no alternative to this Government. From the beginning of this term, the Cabinet has stated that “there is no alternative”. Incidentally, that phrase was robbed from Margaret Thatcher.

Deputy Finian McGrath: TINA.

Deputy Colm Keaveney: Yes. The former Minister stated that there was no alternative. Deputy Quinn can boast all he wants, but he is wrong. The people do not want the model or quality of recovery that is being delivered by the Minister, who was sitting beside the Minister of State, Deputy Nash, before running out the door, salivating and somersaulting naked up Grafton Street about the quality of this recovery. The quality of this recovery is unsuitable. The people deserve a better recovery with better security.

Acting Chairman (Deputy Joanna Tuffy): Deputy Halligan is next. I understand he is sharing time with Deputy Finian McGrath.

Deputy John Halligan: In the small amount of time I have, I will concentrate on zero-hours contracts, through which an employee is reduced to a commodity and bought and used by many employers as the need arises. It is shameful and immoral. As the Minister of State knows, the employee receives no sick pay or limited holiday pay and there is no guarantee of work or pay. Research undertaken by Mandate in 2013 and 2014 found that 17% of people living below the poverty line worked in precarious jobs on zero-hours contracts.

The pathetic argument put forward by businesses is that these contracts provide flexibility, which is just another word for profiting by exploiting people. It shows the avarice of some companies that have turnovers of hundreds of millions of euro each year. That they would treat human beings with such contempt and knowingly deprive them in essence of a reasonable quality of life is shocking.

I cannot understand why, according to the Government's amendment, the University of Limerick has been appointed to commence a study on the prevalence of zero-hours contracts and their impact on employees. Does the Government not know already? Has its members not spoken to anyone who is on a zero-hours contract? Have they not met young women who do not know how their hours will be fixed at the weekend, who arrive at work on Thursday and are told that they might be working on Saturday only to turn up on Saturday to be told that there is no work for them? Does the Government not know what that is like? Has it not read Mandate's and SIPTU's papers? For the past three or four years, they have been telling people what has been happening.

I know the Minister of State knows all of this. I am not criticising him, as he must be given an opportunity to deal with this issue, but consider how quickly we bailed out the banks. We passed the Irish Water legislation after a four-hour debate. Why can we not introduce immediate legislation to address zero-hours contracts?

The appeals tribunal of the Labour Relations Commission's Rights Commissioner Service was mentioned. It means nothing to employers like Dunnes Stores. Under current legislation, such employers can decide not to pay any attention to what the commissioners say. We need definite legislation to eliminate the horrific zero-hours contracts. It could be achieved easily with a day's sitting of the Dáil.

Deputy Finian McGrath: I welcome this debate and support the motion, which is about people and respecting and protecting the rights of all workers. Above all, it is about supporting an exploited group of people who want to do a day's work for a day's pay. It is important that we get to the heart of the matter.

I pay tribute to the Dunnes Stores workers for their bravery of recent weeks. I attended the picket lines at Donaghmede and the Northside Shopping Centre in Coolock. I was impressed by the workers' determination, vision and courage. We all have a duty and responsibility to support them.

When I listen to the Minister, Deputy Bruton, I often wonder whether he is living in a different land. This is the man who, in recent weeks, had a go at public servants. Does he not realise that they have taken a salary hit in recent years? Does he not realise all of the reforms that the public service has implemented?

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All of this is going on, but the Minister seems to be unaware of it.

The really sad aspect of the Minister's response is his failure to acknowledge that the so-called recovery is being built on the growing exploitation of workers. Does he know, for example, that 5,000 people are on Government activation schemes like JobBridge and Gateway? Is he aware that 25% of all workers earn less than the living wage of €11.45 per hour? If one is young and-or female in this country, one is more likely to be earning below the living wage. Ireland has the highest rate of under-employment in the European Union. Under-employment refers to a situation where workers desire more hours than they are currently being allocated. Income inequality is cause for serious concern. Even such bodies as the OECD, World Bank and IMF, as well as the Think-Tank for Action on Social Change, TASC, have all said that gross income inequality is growing and identify it as a serious impediment to future economic growth.

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I urge all Deputies to support this motion. It is about seeking to deal with zero-hours contracts and low pay. Above all, however, it is about putting down a marker for the future of the citizens of this country in terms of ensuring adequate working conditions and proper wages. The actions it recommends are necessary if we are to generate a strong and sustainable economy that will lead to the creation of more jobs.

Debate adjourned.

The Dáil adjourned at 9 p.m. until 9.30 a.m. on Thursday, 16 April 2015.