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Sittings and Business of Dáil: Motion

**An Leas-Cheann Comhairle:** Before we commence, I must call on the Minister of State at the Department of the Taoiseach, Deputy Paul Kehoe, who I understand wishes to make a proposal relating to the sitting and business of the Dáil.

**Deputy Niall Collins:** Not agreed.

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** It is proposed, notwithstanding anything in Standing Orders, that:

1. the following arrangements shall apply in relation to the sittings and business of the Dáil today:
   a. the Dáil shall sit later than 9 p.m. and shall adjourn on the adjournment of Private Members’ business;
   b. there shall be no Order of Business within the meaning of Standing Order 26;
   c. Oral Questions to the Taoiseach and private notice Questions shall not be taken;
   d. matters may not be raised under the provisions of Standing Order 32 (adjournment on specific and important matter of public interest);
   e. the sitting shall now suspend until 2.30 p.m., and the business to be transacted then shall be the motion of confidence in the Taoiseach, the Attorney General and the Government, which shall, if not previously concluded, be brought to a conclusion after three hours and the following arrangements shall apply:
      i. the speeches of the Taoiseach, Tánaiste and of the leaders of Fianna Fáil, Sinn Féin and the Technical Group, or persons nominated in their stead, who shall be called upon in that order, shall not exceed 15 minutes in each case, and such Members may share their time;
      ii. the speech of each other Member called upon shall not exceed ten minutes in each case, and such Members may share their time; and
(iii) a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes;

(f) the motion re parliamentary questions rota change shall be taken on the conclusion of the motion of confidence;

(g) Oral Questions to the Minister for Communications, Energy and Natural Resources shall be taken on the conclusion of the motion re parliamentary questions rota change;

(h) Topical Issues shall be taken on the conclusion of Oral Questions, followed immediately by Leaders’ Questions;

(i) Private Members’ business, which shall be motion re health service funding, shall be taken on the conclusion of Leaders’ Questions and shall adjourn after 90 minutes; and

(2) the business to be taken tomorrow after Oral Questions shall be Marriage Bill 2015 - Order for Second Stage and Second Stage; Public Transport Bill 2015 - Second Stage (resumed); and Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015 [Seanad] - Second Stage.

An Leas-Cheann Comhairle: Is the proposal agreed?

Deputy Micheál Martin: Not agreed. Could I ask the Government Whip where the Taoiseach is? Surely at the commencement of the business of the House he should be proposing this motion, a motion that again reveals the utter contempt that the Government has for the Dáil and its proceedings. Is this going to be the pattern for the rest of this Dáil, suppressing legitimate debate and basic accountability? Why is there no normal Order of Business today? Why can we not have an Order of Business today? Why must Leaders’ Questions be pushed out to 7.35 p.m., with the Topical Issue debate and Oral Questions taken before them? Why must the Taoiseach’s questions be suspended?

There is absolutely no accountability whatsoever today. There is no reason not to have a normal Order of Business, Taoiseach’s questions and Leaders’ Questions immediately after the debate on the confidence motion. Why can the Taoiseach not be here at 5.30 p.m. to answer questions that the leaders of other political parties, including me, put to him? On the very first day back for the Dáil, Leaders’ Questions are being buried beyond the media cycle at approximately 7.50 p.m. with no rational explanation.

We have written to the Government Whip, but he has not responded or contacted our Whip in any substantive way. It is contemptuous. Why-----

Deputy Pat Deering: Deputy Martin would know all about that.

Deputy Finian McGrath: It is outrageous.

Deputy Micheál Martin: These are basic questions, and I cannot understand for the life of me why the Government is so intent on shutting down the Dáil today.

Deputy Joe Carey: That is incorrect.

Deputy Micheál Martin: It is not.
Deputy Joe Carey: It is.

An Leas-Cheann Comhairle: Deputy, please.

Deputy Micheál Martin: There is no Order of Business. We are being asked to vote-----
Deputy Finian McGrath: Deputy Carey-----

(Interruptions).

An Leas-Cheann Comhairle: Sorry, Deputies.

Deputy Micheál Martin: -----that there should be no Order of Business within the meaning of Standing Order 26. Can someone give me a rational explanation as to why?
Deputy Bernard J. Durkan: Yes.

A Deputy: He said “rational.”

Deputy Micheál Martin: Why is it that Leaders’ Questions are being put back? Why is it that Oral Questions to the Taoiseach and Private Notice Questions are not being taken?

Deputy Derek Keating: Speak on the motion.

Deputy Micheál Martin: Anything that is potentially awkward for the Government is being put to one side and shelved. It really speaks to the intent of the Government in this Dáil to keep running, to keep ducking and diving and avoiding the hard questions.

Deputy Derek Keating: That is rich, coming from Deputy Martin.

(Interruptions).

An Leas-Cheann Comhairle: Deputies, please.

Deputy Micheál Martin: I do not know why the Deputies opposite are laughing, because that is what the Ministers have leaked to the media. They have said that their strategy is to hide the Taoiseach as often as they possibly can.

Deputy Niall Collins: They are hiding him well today.

Deputy Micheál Martin: That is what we are reading.

(Interruptions).

Deputy Micheál Martin: We have been reading that for the last number of weeks - that they reduce-----

Deputy Paul Kehoe: We-----

An Leas-Cheann Comhairle: Order, please.

Deputy Micheál Martin: In fairness-----

(Interruptions).

Deputy Micheál Martin: -----I will say that the honourable exception to that rule is the
Government Whip himself, who believes that the Taoiseach will rule forever and he will be looked after later.

(Interruptions).

Deputy Micheál Martin: I put it to the Whip-----

Deputy Jerry Buttimer: Where is Deputy John McGuinness today?

An Leas-Cheann Comhairle: Order, please.

Deputy Jerry Buttimer: Why is he not sitting beside Deputy Martin?

Deputy Micheál Martin: -----that we are not going to accept this attitude and-----

(Interruptions).

An Leas-Cheann Comhairle: Please, could we have one voice?

Deputy Micheál Martin: -----contempt that the Government holds for the House-----

Deputy Brendan Howlin: This is slapstick.

Deputy Micheál Martin: -----and the arrogance that is in the Government. I heard it from the Minister, Deputy Howlin, this morning: “We do not need to be answering questions about this. Move on quickly,” and so on.

Deputy Brendan Howlin: I said no such thing.

Deputy Niall Collins: Yes, you did.

Deputy Brendan Howlin: I said no such thing.

Deputy Micheál Martin: The bottom line is that 18 months ago on Leaders’ Questions-----

Deputy Brendan Howlin: Tell the truth for once.

Deputy Micheál Martin: -----when I asked the Taoiseach about why a Secretary General was sent out to the former Garda Commissioner, the Taoiseach’s stock response was that the Government had appointed a commission of investigation and that he could not answer any question until that had been brought to a conclusion.

Deputy Arthur Spring: Did Deputy Martin not like the results?

Deputy Brendan Howlin: The Taoiseach can answer that.

Deputy Micheál Martin: Again, there are to be no questions on that today. He will answer no questions. The only thing he did was to appear on “Six One News”-----

Deputy Brendan Howlin: Break up what you ask-----

Deputy Micheál Martin: -----ten minutes after the 300-odd pages were disseminated.

Deputy Tom Hayes: Where was Deputy Martin?

Deputy Micheál Martin: That is all he did. He has run from this report ever since. By the
way, the whole objective is to avoid being questioned on it. The Labour Party is so vulnerable and exposed by the Attorney General’s behaviour in this scenario that it is ponying up support for the Taoiseach in a *quid pro quo* operation.

**Deputy Niall Collins:** It is outrageous.

A Deputy: Members are clutching at straws.

**Deputy Brendan Howlin:** “Outrageous” is what is happening here.

**Deputy Timmy Dooley:** Does the Tánaiste-----

*(Interruptions).*

**Deputy Micheál Martin:** It is cynicism at its worst and it is contemptuous.

**An Leas-Cheann Comhairle:** I call Deputy Gerry Adams. Could we have order please?

**Deputy Finian McGrath:** We have read the report, unlike the Deputy’s colleagues.

**An Leas-Cheann Comhairle:** Order, please.

**Deputy Finian McGrath:** We have read the report, unlike the Deputy’s colleagues.

**Deputy Gerry Adams:** I wish to repeat, if I may, what the Chief Whip read out to Members: “there shall be no Order of Business... Oral Questions to the Taoiseach and private notice Questions shall not be taken... matters may not be raised under the provisions of Standing Order 32... on specific and important matters of public interest.” This is what the Chief Whip is asking Members to support-----

**Deputy Niall Collins:** Muzzling Parliament.

**Deputy Gerry Adams:** -----namely, they should not do business here today. Also, Members were only handed this, or I was anyway, ten minutes before coming to the Chamber. The decision by the Government to introduce a motion of confidence in the Taoiseach is no great surprise. While that is fair enough, if Members have learned anything on these benches over the past four years it is about the arrogance and disrespect with which the Government treats the Oireachtas and the Dáil, in particular. The absence of the Taoiseach today is yet one more example of that. The motion of confidence was predictable but the decision to abandon Taoiseach’s questions was not. Members should remember it has been two months since the Dáil met and consequently they should have been given an opportunity to discuss issues of importance. There is an ongoing crisis in the North at present. I am sorry, a Leas-Cheann Comhairle, but could I have the Chief Whip’s attention?

**An Leas-Cheann Comhairle:** Yes.

**Deputy Gerry Adams:** Members cannot debate that issue in the Chamber. There is a deep-rooted problem. Gabh mo leithscéal a Leas-Cheann Comhairle, I am addressing my remarks through you to the Government-----

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

**Deputy Gerry Adams:** -----to the Chief Whip. The Chief Whip is engaged in conversation with Ministers and is not listening to what I am trying to articulate.
Deputy Paul Kehoe: I am listening.

An Leas-Cheann Comhairle: Continue, Deputy.

Deputy Gerry Adams: There is a deep problem-----

(Interruptions).

An Leas-Cheann Comhairle: Could we have order please?

Deputy Eric Byrne: There is a deep problem with Northern Ireland.

Deputy Gerry Adams: There is a deep problem. There is a deep problem about homelessness and Members do not have the opportunity to discuss it. Every day, Members read about the tens of thousands of refugees in coffin ships who are dying by the scores. One hears it on the news every evening but Members have no opportunity to discuss it.

Deputy Brendan Howlin: Do it tomorrow.

Deputy Gerry Adams: Moreover, they have no opportunity to discuss the Fennelly report. Let me state again for the record that I would have had no objections, had the Taoiseach gone to the Cabinet and asked for majority support for the resignation of the Garda Commissioner. That would have been the appropriate and proper thing to do. However, he did not do that. He did not give the Garda Commissioner the opportunity to give his side of the story. He did not consult properly with the Minister for Justice and Equality. He did not do it the straight way; he did it in another way and now he has denied all of that. The Taoiseach has yet to even acknowledge that he was sent for by the Fennelly commission more than once.

Deputy Arthur Spring: It is not all about denying.

Deputy Gerry Adams: The media management that rolled out on the day the interim report was given to the Government or when it was published at least was a class act. The Taoiseach put himself forward to answer questions on the report that no one except him had read.

Deputy Brendan Howlin: This is a debate.

Deputy Gerry Adams: None of the journalists who questioned him that evening had even read the report so he got his spin in first. The Dáil has been denied the opportunity to discuss that.

Deputy Brendan Howlin: Members are debating a procedural motion.

Deputy Gerry Adams: We now are on the last legs of the Government.

Deputy Mary Mitchell O’Connor: Get to the point.

Deputy Gerry Adams: Deputies may have confidence; I do not know whether that is true. They might vote for confidence, as what can they do? They either hang together or hang separately.

Deputy Bernard J. Durkan: Do not go there.

Deputy Gerry Adams: However, the straight thing to do-----
Deputy Brendan Howlin: Or face a court martial.

(Interruptions).

Deputy Gerry Adams: However, the straight thing to do, and the Minister, Deputy Howlin, should show some leadership in this regard, is call the election-----

Deputy Bernard J. Durkan: Hear, hear.

Deputy Gerry Adams: -----go to the polls and give the people their say because that at least will ensure all these issues will be debated. They may not be debated in here but they will be debated outside this Chamber where people meet and where they will decide on the next Government.

An Leas-Cheann Comhairle: Thank you. I call Deputy Joe Higgins.

Deputy Joe Higgins: I move amendment No. 1:

That the debate continue into tomorrow; and that the time be extended by at least another three hours, and preferably more than that.

I am opposing the proposal because three hours is pathetically inadequate to deal with the range of substantial issues and to call the Government to account on some of the most serious issues that ever have faced Irish society.

In terms of time, only Fianna Fáil is to have a second speaking slot. Even Sinn Féin and the Technical Group are cut off from a second slot under the proposal from the Chief Whip.

Deputy Finian McGrath: That is right.

Deputy Joe Higgins: Members of the Technical Group are seriously disadvantaged, but other Members of the Dáil in general are also disadvantaged. All Members of the Dáil, Government and Opposition, should have the opportunity, four and a half years into the Government’s term, to give their verdict, on reflection, in relation to the critical issues facing us. Therefore, I propose that the debate continue into tomorrow. It should be extended by at least another three hours, and preferably more than that.

We have a Government that is presiding over the worst homelessness crisis in the history of this State. There are more than a thousand children in hotels, hostels and utterly inappropriate accommodation, now exhibiting all kinds of psychological and emotional ill-effects. There are 130,000 families nationally on the local authority waiting list. Even in the dismal 1970s, right-wing Governments built up to 8,500 local authority houses per year to meet a crisis, as compared with a few hundred per year at present. We have a Government that seems totally oblivious to this. We have a mass revolt of our people against the latest infliction of austerity in the form of water charges, with a huge majority saying clearly to the Government that they will not pay and that they want that charge abolished, but the Government will not listen. These are only some of the issues that Members of this Dáil need time to reflect on. There are other serious issues, as well as the economic diagnosis. I have made a serious diagnosis: I believe the Labour Party is suffering from an acute case of mass delusional psychosis in a political sense.

(Interruptions).

Deputy Joe Higgins: Its senior leaders actually think that they are socialists-----
Deputy Joe Carey: What does Deputy Paul Murphy think?

Deputy Joe Higgins: -----while implementing the most savage austerity in the history of this State for the past four years. I will tell you, Bertie Ahern’s conversion to socialism had far more credibility than the recent claim made by Deputy Quinn.

(Interruptions).

Deputy Joe Higgins: I am sure the Chief Whip is no historian, but he could tell his colleagues in the Labour Party that James Connolly’s view on socialism was to elevate the welfare of working people and the poor and not to enrich bankers and bondholders at their expense, which is what this Government has done for the past four and a half years.

Deputy Finian McGrath: Hear, hear.

Deputy Timmy Dooley: The ungrateful people of Dublin 4-----

Deputy Joe Higgins: We need time to discuss these serious issues and, therefore, I formally propose an extension of the debate.

Deputy Finian McGrath: Hear, hear.

Deputy Paul Kehoe: It has always been the case in this House that a motion of confidence takes precedence over any other business, as happened in September 2007, June 2009, June 2010 and December 2014. On three of those occasions, Deputy Martin was part of the Government in respect of which a motion of confidence took place. Those confidence motions that took precedence over any other business also took place on Tuesdays.

Deputy Niall Collins: Does that make it right?

An Leas-Cheann Comhairle: Order, please.

Deputy Paul Kehoe: I intend to proceed as per the Order of Business outlined earlier.

An Leas-Cheann Comhairle: I will now put the question.

Deputy Micheál Martin: On a point of order-----

An Leas-Cheann Comhairle: I must also put the question on Deputy Higgins’s amendment.

Deputy Micheál Martin: Before you put the amendment, a Cheann Comhairle, I would like to put a number of questions to the Chief Whip. Why is the Tánaiste not fronting this proposition today? The Taoiseach is not here. Normally, when the Taoiseach is not here, the Tánaiste steps in.

Deputy Brendan Howlin: Any Member can propose a motion.

Deputy Micheál Martin: Is the Tánaiste acquiescing in these jackboot tactics? What I would say to the Whip is that no one has an issue-----

Deputy Brendan Howlin: That is not important.

(Interruptions).
Deputy Micheál Martin: I put it to the Government Whip-----

(Interruptions).

Deputy Micheál Martin: -----and to the Tánaiste that no one has an issue-----

(Interruptions).

Deputy Micheál Martin: They are shouting down people now.

Deputy Finian McGrath: Free speech, now. Come on.

Deputy Ray Butler: Come on, sit down.

Deputy Micheál Martin: No one has an issue with the motion of confidence being the major item today, but we certainly have an issue when the Whip says that there is no Order of Business, that questions to the Taoiseach shall not be taken and that other matters may not be raised.

Deputy Emmet Stagg: Chair, put the question.

Deputy Micheál Martin: More crucially, a Leas-Cheann Comhairle, with respect, Topical Issues are going before Leaders’ Questions and Oral Questions for Ministers are going before Leaders’ Questions. Why could the Taoiseach not take Leaders’ Questions at 5.30 p.m. today after the motion of confidence?

An Leas-Cheann Comhairle: I think, Deputy, you have raised that.

Deputy Micheál Martin: I did not get any reply to that. The very basic thing the Government Whip should do is reply to us in an open and honest manner. The Tánaiste should do it too because the Tánaiste is the Deputy Head of Government and she sent the Government Whip to do the Government’s bidding.

An Leas-Cheann Comhairle: Deputy Martin, that is not a point of order.

Deputy Micheál Martin: It is absolutely contemptuous of the House that, as others have pointed out, there are more “nots” in this notice of motion. You cannot do this and you will not do that. That is now the pattern. The Government wants to shut down this House and avoid any accountability and any questions.

I want finally to say that if the Government-----

An Leas-Cheann Comhairle: Deputy Martin, that is not a point of order.

Deputy Bernard J. Durkan: On a point of order, a Leas-Cheann Comhairle-----

(Interruptions).

Deputy Micheál Martin: If Deputy Buttimer wants order, I would suggest to the Government Whip that he should communicate with the other Whips, and not at 1.40 p.m. or 1.50 p.m., saying here is notice of a motion and here is the programme for legislation, with no other communication with the Whips.

Deputy Bernard J. Durkan: On a point of order-----
22 September 2015

An Leas-Cheann Comhairle: Thank you. I am calling you, Deputy Durkan.

Deputy Micheál Martin: It is disgraceful and contemptuous. The Tánaiste does not have the guts to come in and put this motion.

An Leas-Cheann Comhairle: Deputy Martin, thank you. I have to call Deputy Durkan.

Deputy Micheál Martin: She knows how contemptuous this is.

Deputy Bernard J. Durkan: Can I seek clarification on a point of order? Have the Second Stage speeches already commenced or is each of the Opposition and Government speakers going to have a second or third chance? Is that what we are having?

An Leas-Cheann Comhairle: No, it is a point of order and I have ruled it out. I ruled out that as well.

Deputy Bernard J. Durkan: I presume we would all have an opportunity of speaking to a Second Stage-----

Deputy Gerry Adams: A Leas-Cheann Comhairle-----

An Leas-Cheann Comhairle: Deputy Adams, is it a point of order? We are moving on. Deputy Adams, have you a point of order?

Deputy Gerry Adams: I think we should proceed. This is becoming another bout of “Punch and Judy”.

Amendment put:

<p>| The Dáil divided: Tá, 45; Níl, 83. |
|-----------------|-----------------|
| <strong>Tá</strong>          | <strong>Nil</strong>         |
| Adams, Gerry.   | Bannon, James.  |
| Browne, John.   | Burton, Joan.   |
| Collins, Niall. | Buttimer, Jerry.|
| Colreavy, Michael. | Byrne, Catherine. |
| Cowen, Barry.   | Byrne, Eric.    |
| Crowe, Seán.    | Carey, Joe.     |
| Daly, Clare.    | Coffey, Paudie. |
| Doherty, Pearse. | Conlan, Seán.   |
| Donnelly, Stephen S. | Collins, Áine. |
| Ellis, Dessie.  | Conaghan, Michael. |
| Fitzmaurice, Michael. | Connaughton, Paul J. |
| Fleming, Tom.   | Coonan, Noel.   |
| Grealish, Noel. | Corcoran Kennedy, Marcella. |
| Healy, Seamus.  | Creed, Michael. |
| Higgins, Joe.   | Daly, Jim.      |</p>
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Tellers: Tá, Deputies Joe Higgins and Paul Murphy; Níl, Deputies Emmet Stagg and Paul Kehoe.

Amendment declared lost.

Motion, as amended, put and declared carried.

**Confidence in Taoiseach, the Attorney General and the Government: Motion**

*The Taoiseach:* I move:

That Dáil Éireann welcomes the publication of the Interim Report of the Fennelly Commission and notes its conclusions and reaffirms its confidence in the Taoiseach, in the Attorney General and in the Government.

I welcome this opportunity to discuss the interim report of the commission of investigation which is being chaired by Mr. Justice Fennelly, a retired judge of the Supreme Court.

The Fennelly Commission, which was established on my recommendation on 25 March 2014, is part of broad and comprehensive approach which the Government has taken to ensure that matters of very significant public concern related to the administration of policing and justice are thoroughly addressed. These include the most wide-ranging reforms of the policing and justice system since the foundation of the State, as well as robust actions taken to investigate certain allegations. No similar series of reports has ever been more thorough, or published more quickly. No programme of reform of policing and justice has ever been more radical,
The reform programme includes the establishment of a new independent policing authority; the provision of enhanced powers to the Garda Síochána Ombudsman Commission, GSOC, including enabling it to deal with and investigate complaints from serving gardaí; and the passing of groundbreaking new legislation to protect whistleblowers, including to allow serving gardaí to make protected disclosures to GSOC in confidence.

The decision to establish an independent policing authority, which was taken by the Government on 25 March 2014, represents the most radical reform of An Garda Síochána since the foundation of the State. It brings a dedicated layer of public oversight to the administration of policing services and provides a new engine to drive reforms to ensure that the force is fit to meet the challenges of 21st century policing.

As well as implementing wide-ranging reforms, a number of independent inquiries were established by this Government to investigate serious matters of public concern. Judge Cooke was appointed to investigate allegations that the Garda Síochána Ombudsman Commission was the subject of unlawful surveillance. His report was published in June 2014. Mr. Seán Guerin SC was appointed to investigate allegations made by Garda Sergeant Maurice McCabe about crime investigations in the Cavan-Monaghan district. His report was published in May 2014. His recommendation that a commission of investigation be established to investigate further certain matters has been acted on. In 2014, the Government commissioned the Toland report, which was prepared by a group of distinguished independent experts. That report identified a number of deficiencies in the structure, management and operation of the Department of Justice and Equality. On foot of its recommendations, a programme for change and a new strategy statement for the Department have been finalised and are now being implemented. When these reforms are fully implemented across the policing and justice system, I am confident that the reporting and communications failures that are identified in this interim report will not be repeated in the future.

The interim report of the Fennelly commission deals with two specific issues which the Joint Oireachtas Committee on Justice, Equality and Defence unanimously requested be included in its terms of reference and reported on in advance of the main report. The first concerns the furnishing to the Minister for Justice and Equality of a letter dated 10 March 2014 from the former Garda Commissioner, Mr. Martin Callinan, to the Secretary General of the Department of Justice and Equality. The second concerns the sequence of events leading to the retirement of the former Garda Commissioner on 25 March 2014. These issues are, of course, closely interlinked. In particular, the failure to furnish the Garda Commissioner’s letter of 10 March 2014 about the taping of telephone calls in Garda stations to the Minister for Justice and Equality had a very significant impact on subsequent events. This was greatly compounded by the fact that neither the Minister nor I were informed of the letter’s existence when considering the matter on 24 March.

I repeatedly rejected claims that the report would not be published when I received it, or that I would somehow attempt to delay publication until after the forthcoming general election.

**Deputy Billy Kelleher:** Six o’clock news.

**The Taoiseach:** The report was received on Monday, 31 August and published on Tuesday, 1 September-----

**Deputy Robert Troy:** At ten to six.
The Taoiseach: -----as soon as it was legally cleared by the Attorney General’s office.

Deputy Niall Collins: There was a lot to say before it was cleared.

Deputy Timmy Dooley: It is those Dublin 4 peskies the Tánaiste does not like.

The Taoiseach: I also consistently rejected claims by some in opposition that I sacked or sought to sack the former Commissioner. I welcome the report’s clear and unambiguous finding that the question of removing the former Commissioner from his position was never discussed or contemplated.

Deputy Niall Collins: That is Comical Ali stuff.

The Taoiseach: The report confirms that the former Commissioner decided to retire by his own decision, and that he could have decided otherwise. Furthermore, the report finds-----

Deputy Timmy Dooley: Simon, do not get involved in this. Your future is bright.

Deputy Niall Collins: He will be caught smiling in the background.

The Taoiseach: -----that I had no intention of putting any pressure on the former Commissioner to retire.

An Ceann Comhairle: Deputy Niall Collins’s leader will get a chance to speak shortly.

The Taoiseach: The commission of investigation also concludes that “serious information deficits and multiple failures of communication” beset the events leading up to the retirement of the then Garda Commissioner. This criticism presents significant lessons for institutions and officers of State-----

Deputy Timmy Dooley: Including the Taoiseach.

The Taoiseach: -----about governance and process. These need to be studied further, and Mr. Justice Fennelly’s observations need to be acted upon in the spirit in which he has presented them in his report.

It should be recalled that in the weeks leading up to the then Garda Commissioner’s decision to retire, the justice system, and An Garda Síochána in particular, was engulfed in a series of controversies. The allegations made by Garda whistleblowers, and the handling of these allegations by the Garda authorities, had been causing deep public concern for some time. In addition, relations between the Garda and its oversight and accountability body, the Garda Síochána Ombudsman Commission, GSOC, had deteriorated significantly.

Twelve days prior to Mr. Callinan’s decision to retire, the Garda Inspectorate published a report on the penalty points controversy that was widely interpreted as vindicating the complaints of the whistleblowers. This reignited the issue of the former Commissioner’s treatment of these whistleblowers, and particularly his use of the term “disgusting” in reference to them at the Committee of Public Accounts. From Thursday, 20 March, a number of Ministers called on the then Commissioner to withdraw or clarify his remark. Throughout this period, I strongly defended the then Commissioner, consistently and without qualification, including in Washington on 13 March and again in Brussels on 21 March, when I called on Ministers not to publicly comment about the then Commissioner in advance of the Cabinet meeting to be held on Tuesday, 25 March. There was significant media commentary on these controversies and
much speculation as to whether the then Commissioner would issue an apology or clarification for his remarks.

It was against this backdrop that on Sunday, 23 March, I was informed by the Attorney General for the first time of the serious issue of widespread recording of telephone conversations in Garda stations throughout the country. The Attorney General was deeply concerned at the revelations and it was clear that I, as Taoiseach, with responsibility for notifying the Cabinet of sensitive legal cases, would have to bring this new information to their attention and that it would form part of the discussion on the other ongoing controversies at the Cabinet meeting on Tuesday, 25 March. My purpose in calling the meeting on the evening of Monday, 24 March, was to gather as much information as possible on the taping issue in advance of the following morning’s Cabinet meeting so that I could fully inform the Government of this latest revelation, particularly as it related to the Bailey case arising from the du Plantier murder.

What is deeply regrettable, and very significant, is that neither I nor the then Minister for Justice and Equality was made aware of the existence of a formal letter from the then Commissioner on the taping issue which had been sent to the Department of Justice and Equality. While the interim report criticises the delay in submitting this letter on a matter of such significance, it had been in the Department of Justice and Equality for two weeks at this stage, with a legal requirement that it be brought to the attention of the then Minister. Clearly, had this letter been brought to his attention or to my attention on the night of Monday, 24 March-----

Deputy Micheál Martin: If the Taoiseach had rung him, he would have told the Taoiseach.

The Taoiseach: -----a meeting between the Secretary General of the Department of Justice and Equality and the Garda Commissioner would not have been necessary, as the Minister would have acted on the letter and that letter could have been presented to the Cabinet the next day.

Deputy Timmy Dooley: He thinks what the Taoiseach said was fantasy.

The Taoiseach: Instead, I was left in a position in which a Cabinet meeting was about to take place, it was now clear that a commission of investigation would have to be proposed, and the matter of recordings in Garda stations throughout the country was about become public, and so, in the absence of being told about the letter, I made a decision that it was only right and fair to ensure that the then Garda Commissioner was made aware of the situation and of my grave concerns about it.

While I note the commission’s conclusion that the “immediate catalyst” for the Commissioner’s decision to retire was the visit of the Secretary General, I reiterate the Commission’s clear finding that the Commissioner decided to retire by his own decision-----


The Taoiseach: -----and that he could have decided otherwise, and also that it found that I had no intention of putting pressure on the former Commissioner to retire. The main report of the Fennelly commission will deal with a wide range of important matters of significant public concern. These include the operation of telephone recording systems to record calls to and from large numbers of Garda stations over many years, the specific implications of the taping related to the Garda investigation into the death of Ms Sophie Toscan du Plantier in County Cork in December 1996 and related matters, and how these matters were dealt with by the responsible
authorities. The very detailed terms of reference approved by the House last year addressed such concerns as which Garda stations were involved, how the taping systems were operated, what use, if any, was made of the information obtained by the Garda or the Director of Public Prosecutions, DPP, whether any of it was destroyed and whether the taping was lawful. I look forward to Justice Fennelly’s main report, which will deal with all these very serious issues. I will publish the report when it is received, in accordance with the law.

The motion of confidence also gives the House the opportunity to debate the merits of those who will put themselves before the electorate in early 2016.

Deputy Finian McGrath: Or November.

The Taoiseach: The tabling of these motions has more to do with the competition between the Opposition parties than any genuine interest in the conclusion of the commission’s interim report.

Deputy Róisín Shortall: It has to do with telling the truth.

The Taoiseach: They want to talk about anything other than the progress our country is making towards economic recovery and securing that recovery. Deputy Martin has repeatedly accused me of sacking the former Garda Commissioner.

Deputy Micheál Martin: I still do.

Deputy Timmy Dooley: He is right. Deputy Shatter believes it to be the case.

The Taoiseach: The conclusion of the Fennelly report, written by a retired Supreme Court judge, states clearly that it was not the case.

Deputy Simon Harris: Hear, hear.

Deputy Róisín Shortall: It is not true.

Deputy Timmy Dooley: What does he say about the Attorney General?

The Taoiseach: Deputy Martin should, therefore, correct the record of the Dáil. If he fails to do so, he will follow the long tradition of Fianna Fáil leaders who refuse to accept the findings of sworn judicial inquiries. The difference this time-----

(Interruptions).

Deputy Bernard J. Durkan: Hear, hear.

Deputy Patrick O’Donovan: Not for the first time.

Deputy Micheál Martin: How about the Moriarty tribunal? The Taoiseach has not accepted it.

Deputy Niall Collins: The Taoiseach was long enough trying to accept it. He has not followed through on any of it.


The Taoiseach: I note that Fianna Fáil’s spokesman for justice writes to a judge now and
again as well.

**Deputy Niall Collins:** The Taoiseach writes a fair few letters himself.

**Deputy Timmy Dooley:** He wrote some to the Revenue Commissioners, did he not?

**Deputy Billy Kelleher:** He just appoints them to the Bench.

**The Taoiseach:** The difference this time is that Deputy Martin will do so while the commission is active. This would be nothing other than an irresponsible attempt by him to undermine the ongoing work of the commission for narrow political advantage.

**Deputy Dara Calleary:** What about the Attorney General?

**The Taoiseach:** Sinn Féin, not to be outdone by their rivals - or, should I say, their partners - decided to include the Attorney General in the motion.

**Deputy Timmy Dooley:** Look what the Taoiseach is doing to his partnership.

**The Taoiseach:** Nothing could be more ill-judged. Let me take this opportunity to say publicly that I have absolute confidence in the Attorney General, Máire Whelan, and in her handling of the very serious issues that have given rise to the establishment of the Fennelly commission and other matters of State.

**Deputy Timmy Dooley:** There is the partnership arrangement.

**Deputy Róisín Shortall:** Circling the wagons.

**The Taoiseach:** She is a diligent and exceptionally hard-working Attorney General who provides outstanding service to the Government and the country.

In early 2016, the people of Ireland will have a clear choice between government and chaos. People can choose stability and progress or risk our economic recovery to those who wrecked it in the past or those whose policies would wreck it in the future. I look forward very much to presenting the case for the re-election of the Fine Gael-Labour Party partnership Government because we have the best plan and the best strategy to secure the national recovery and to ensure that its benefits are felt throughout the land and by all our people.

**Deputy Barry Cowen:** Will the Taoiseach be allowed out to do it?

**Deputy Richard Boyd Barrett:** The Government did a very good job on the housing situation.

**The Taoiseach:** I, therefore, commend the motion to the House.

**Deputies:** Hear, hear.

**Deputy Niall Collins:** Are the Government Members not going to clap?

**An Ceann Comhairle:** I call the Tánaiste

*(Interruptions).*

**An Ceann Comhairle:** I am sorry, but would you ever stay quiet please? There is a limited
time for the debate. Thank you. The Tánaiste, without interruption.

Deputy Timmy Dooley: The joint enterprise is not coming together.

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Before I begin, I want to apologise to the House because I cannot stay for the duration of the debate as I am due at-----

Deputy Timmy Dooley: RTE.

Deputy Joan Burton: -----the Joint Committee on Education and Social Protection.

Deputy Noel Grealish: Are the Fine Gael lads not staying for the speech?

Deputy Joan Burton: I am sure Members of the House will understand.

Deputy Robert Troy: It is about the importance of the Scandinavian child care model.

Deputy Joan Burton: The rule of law is essential to democracy.

Deputy Timmy Dooley: The Tánaiste should reverse the cuts that she would not discuss with Gavin Jennings.

Deputy Joan Burton: The Garda Síochána, which is charged with upholding the law, must also operate within the law. We owe the Garda a great deal. The force has been essential to the stability of this State and the preservation of security through some extremely turbulent times. Members of the force have lost their lives in the process. The difficult and dangerous job that members face must never be forgotten. The Garda has rightly long enjoyed the trust and respect of the overwhelming majority of citizens. The Cabinet met on March 25 last year amid a number of controversies that had beset the force and - I can say - were doing no favours to it. These controversies were threatening to erode the widely held trust and respect in the force. The Government did not want to see such a situation materialise. At the meeting, the Cabinet was briefed on an additional issue that had emerged, namely, the taping system in place at a large number of Garda stations. Faced with these serious matters, the Cabinet took a number of decisions. We agreed to establish a commission of investigation. We agreed to accept the retirement of Garda Commissioner Martin Callinan. Crucially, we reiterated our commitment to extensive reform of policing in this State through the establishment of an independent policing authority. In politics, Governments are frequently accused of failing to act on issues. This was the precise opposite: the Government took decisive action to have serious concerns investigated and serious reforms initiated. I stand by those decisions.

I have full confidence in the Taoiseach and I have full confidence in the Attorney General, who was central to ensuring the concerns around the force would be investigated fully and appropriately. The Fennelly commission was subsequently established and tasked with investigating, among other things, the taping system and its origins and legality or otherwise; the recordings and events linked to the investigation into the death of Sophie Toscan du Plantier; the furnishing to the then Minister for Justice and Equality of a letter that had been sent by former Commissioner Callinan to the Secretary General of the Department of Justice and Equality; and the sequence of events leading up to the retirement of Mr. Callinan. We now have the interim report of Mr. Justice Fennelly. I welcome that report, which deals with the issue of the letter and the retirement of the Garda Commissioner. As the report notes and I have mentioned, a number of other events that occurred in the period preceding the former Garda Commissioner’s
retirement, including the treatment of whistleblowers, embroiled the force in public controversy. The report makes it clear that the ultimate decision to retire lay with the then Garda Commissioner and that no directive was issued by the Taoiseach to Mr. Callinan. It is also clear from the report that Mr. Callinan dealt with the circumstances of his retirement in an extremely dignified fashion. It is clear that the Attorney General did her job, first, by ensuring potentially vital evidence in a matter of serious public concern was not destroyed and, second, by bringing her concerns rightly to the Taoiseach for onward submission to the Government.

3 o’clock

Now, the Opposition would have it that somehow all of this amounted to some massive overreaction by the Government.

**Deputy Timmy Dooley:** She changed her evidence.

**Deputy Joan Burton:** I want to make two points in relation to this. First, had we not established a commission of investigation into these matters the Government would rightly stand accused, particularly by the people gracing the Opposition benches. I think everybody knows that. The Members know that themselves but we established the commission and we ensured these matters would be fully and appropriately investigated. Second, the investigation into the wider matter of the taping system is continuing and has not yet concluded. Anybody attempting to downplay that particular issue to score points against the Government is prejudging Mr. Justice Fennelly’s independent work.

I remain clear in my view that these were matters of significant public concern and merited investigation, and I challenge anybody on the Opposition benches to say otherwise. In terms of process, Mr. Justice Fennelly’s interim report identifies a series of deficiencies that require careful consideration. In that respect, its findings are in keeping with the report of the independent review group on the Department of Justice and Equality, chaired by Mr. Toland, which examined the performance, management and administration of the Department. It is important to note that a series of actions are being taken to implement the recommendations of the review group report which will address deficiencies also identified by the commission.

The Government has already acted on what, in my view, is potentially the most important policing reform in many years. In keeping with long-standing Labour Party policy, the Government is establishing an independent policing authority to provide public oversight of policing services. The new authority will be able to demand reports and information and will hold regular public meetings with the Garda Commissioner and with senior Garda management. At these meetings the leadership of the Garda force will be required to account for their policies and priorities in an open and transparent forum. I believe this is a very positive development for the Garda because it will help ensure that trust and respect for the force is maintained and preserved. The policing authority is a fundamental, critical reform and the Government will not be found wanting if further reforms are necessary. In the same vein, the Government is delivering additional investment in the force to ensure it has the resources it needs, with more recruits and more vehicles coming on line and a commitment to invest in a significant update of its IT platforms. Indeed, I was delighted, only a few weeks ago, to attend the latest passing out ceremony in Templemore, a place that was shut down for recruitment purposes by the Fianna Fáil Party in 2009.

The track record of this Government has been one of delivery. We have delivered a suc-
cessful turnaround from the worst economic crisis this country has ever known and we are now working to cement the economic recovery and drive social renewal. Slowly but surely - too slowly for many of us - we can see signs of recovery and renewal. We have one of the fastest growth rates, if not the fastest growth rate, in the European Union. More important, however, 1,300 new jobs are being created every week, international investment is choosing Ireland, consumer confidence is increasing and, very significantly, two in every three people believe the country is on the right economic track.

Deputy Timmy Dooley: That is not what last night’s poll on RTE found.

Deputy Joan Burton: A capital plan to be published by the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, next week will increase investment in road, rail, broadband, housing, other essential infrastructure, such as schools and primary care centres, and job creation, both in terms of indigenous industry through Enterprise Ireland and foreign direct investment through IDA Ireland, and will create many thousands of new jobs to underpin future growth. A new, improved and enhanced apprenticeship system will drive opportunities for young people alongside places for people who wish to go to college. A budget will be published next month which will raise living standards for a second year in a row, helping low and middle income workers, families, retired people and the vulnerable. We have provided for free general practitioner care for children aged under six years and people aged over 70 years, new schools across the country and a record €3.8 billion social housing programme over the next few years. We have also introduced marriage equality and new gender recognition laws.

After harrowing and extremely difficult times for many people and businesses, including the loss of 330,000 jobs when the crisis caused by the bank guarantee unfolded, Ireland has made great progress in recent years. As a country, we now stand at a moment of great potential and we need to seize this potential for all the people in this country to provide a real recovery dividend that is felt across society not only in business, education and the community, but also in areas such as culture.

Most of the time, I see on the Opposition benches only parties and politicians who either ran this country down or talked it down.

Deputy Robert Troy: The Tánaiste must be looking in the mirror.

Deputy Joan Burton: The Government, in tandem with the people, is working to bring this country up-----

(Interruptions).

An Ceann Comhairle: We have one minute left.

Deputy Joan Burton: There are many things wrong with the country that we want to improve and make better-----

Deputy Barry Cowen: The Tánaiste is one of them.

Deputy Joan Burton: -----but there are also many things that the people have achieved. The Deputies opposite should at least have the perspective to be able to recognise and acknowledge these achievements. We have stability, recovery and renewal and we will realise our country’s potential to be better for all. As Tánaiste and leader of the Labour Party, I support the motion.
Deputy Micheál Martin: I do not intend to speak about the slogan “It’s Labour’s way or Frankfurt’s way”; that can wait for another day.

Deputy Joan Burton: It is now very much Labour’s way.

(Interruptions).

An Ceann Comhairle: Order, please.

Deputy Micheál Martin: As this Government reaches its final days-----

Deputy Joan Burton: You got your answer, Micheál.

Deputy Barry Cowen: The Tánaiste should speak a little louder than she did in Carlow-Kilkenny.

Deputy Micheál Martin: As the Government reaches its final days, its refusal to be straight with the people about anything-----

Deputy Timmy Dooley: Gavin Jennings got his way too.

An Ceann Comhairle: Would you respect your leader, please?

Deputy Niall Collins: Go on. Run out the door.

Deputy Micheál Martin: -----has become its defining feature. Through nearly every Department, it actively works to hide information and reject accountability. It is so obsessed with trying to sell a fairy tale of decisive leadership that it has no time to recognise, let alone address, the enormous and entirely avoidable crises that have emerged during its term. The withholding of information, twisting of statistics and refusal to answer questions has reached unprecedented levels, and this constant refusal to be open and honest with the people reached new depths in the Taoiseach’s behaviour during and after the events investigated by Mr. Justice Fennelly. The report is damning and the facts that it details are much worse than anything alleged in the House. It is a mark of how low Fine Gael and the Labour Party have now sunk that they claim as vindication a report that shows chaos at the centre of the Government and a Taoiseach incapable of owning up to the implications of his own actions. To them, accountability is merely something you demand of other people.

This debate has been stage-managed to avoid any hard questions yet again and to provide a platform for the Government’s ridiculous self-praise and empty politics. Not one member of the Government is capable of accepting the unequivocal evidence that the Taoiseach’s actions on 24 March 2015 represented the effective sacking of the Commissioner of An Garda Síochána. This is not some minor and insignificant issue. The departure of the head of an independent police force due to pressure from the head of the Government and an attempt to hide this pressure would be a major scandal in any democratic society. What the Fennelly report shows is a Taoiseach who panicked when he heard from the Attorney General about a serious issue. He reached conclusions without hearing all the evidence and has since then tried to hide, twist, turn and then deny the impact of his own actions. The Taoiseach did not even ring the Garda Commissioner to find out the full facts. The Taoiseach did not even ring his Minister for Justice and Equality the day the Attorney General came in. It is a fact that not one single piece of information concerning the events that led to the effective sacking of the Garda Commissioner was volunteered by the Taoiseach. Everything was dragged out of him. On the day of
the Commissioner’s departure, the Taoiseach informed the Opposition of the event two hours after it had appeared in the media. He then came into the House and praised himself for being so open and attacked me for asking for more information. He only confirmed that the Secretary General of the Department of Justice and Equality was sent with a message to the Commissioner’s house when I asked him a direct question on it the following day. Then, of course, he went on the attack again, saying it was beneath me to suggest that there was anything more to the story. The Taoiseach refused to answer detailed questions or to have any debate after which he or any Minister would answer questions. He has steadfastly refused to answer questions on this for 18 months and his only objective is to bury it as quickly as he possibly can. What the Fennelly report has shown is that there was a lot more that was being withheld from the Dáil and from the Irish people.

As has been said, because of how this debate has been structured by the Government, there is nowhere near enough time to go through the full range of damning evidence contained in the report. However, the basic facts concerning the Taoiseach’s behaviour during and after the main events are not complicated, and show that only the most partisan of hacks could believe his spin. The concerns raised by the Attorney General were serious and worth addressing immediately. What they did not warrant was the rush to judgment and scapegoating that the Taoiseach then engaged in. It is quite extraordinary that the Taoiseach did not contact the Minister for Justice and Equality after the Attorney General spoke to him. He was, after all, the line Minister responsible for justice matters. The Taoiseach admits that he had grave concerns, that these focused on the actions of gardaí and that he felt they merited an unprecedented late-night visit to the Garda Commissioner by a senior civil servant. He also admits that he decided that the Commissioner was to be given no opportunity to defend himself. What is shocking about this is that it was based on the entirely false belief on the Taoiseach’s part that the Commissioner had failed to inform the Government of the discovery of potentially illegal taping in Garda stations. The report shows that the Commissioner had fully discharged his responsibility to bring the issue to the attention of both the Attorney General and the Department of Justice and Equality - in the case of the Attorney General, four months in advance of that March date. The reason the Taoiseach rushed to judgment and denied the man a right to be heard was that, as always, he was putting politics first. He wanted it dealt with before Cabinet so he could stop political problems and defend the Minister and Attorney General whom he had appointed. It is striking that he has not had the decency to admit that he should have heard all the evidence before rushing to judgment. He has not been able to admit any error or express any regret.

If one goes beyond the fact that the Commissioner was pushed out on the basis of incomplete and incorrect assumptions, there is also the matter of the Taoiseach’s lack of honesty in refusing to admit the clear and obvious implications of a course of action for which he alone was responsible. The Government has put everything into spinning one line concerning his intent. It is as shallow a defence as it is cynical. Four people - the then holders of the offices of Tánaiste, Minister for Justice and Equality, Secretary General of the Government and Secretary General of the Department of Justice and Equality - knew about the Taoiseach’s actions, and all disagree with his version. They reject the Taoiseach’s claim that he had no idea that he might be forcing the Commissioner to resign. It is a well established legal principle that it is extremely hard to prove intent in the absence of recorded evidence. In this case, the Taoiseach says he had no intention of forcing the Commissioner out. Even those naive or blinkered enough to accept this face the reality that others believed his intention was to force the Commissioner out and that the Commissioner was in no doubt that he felt he was being forced out. More importantly, Mr. Justice Fennelly himself says that, irrespective of what the Taoiseach believed, the reason-
able interpretation was that the Taoiseach wanted the Commissioner gone and the actions he ordered achieved that intended outcome. Everyone else thought he was telling the Commissioner to go. The Commissioner thought - he was under no illusions - he was telling him to go and no alternative option was suggested. However, the Taoiseach is incapable of admitting this.

The fact that the Taoiseach had to be questioned more than once and that his answers evolved significantly is unmissable. So too is another piece of information that the Taoiseach withheld from the Dáil and the public - that he demanded that the resignation be effective immediately rather than taking place some months later. The report outlines how the Taoiseach had a sleepless night before he decided not to agree to the former Commissioner’s request to stay in position for another two to three months, yet he also said he was very surprised when he was told of the resignation of the Commissioner. The argument that delaying the resignation was legally impossible is nonsense. This happens all the time in the Irish public service. Announcing in advance that one will retire early is standard practice. In fact, the Government is currently deciding who to appoint as President of the High Court as the incumbent has announced that he will retire early at the end of the year. What makes this scandal more squalid is that the Labour Party and Fine Gael have reached a deal to support each other in order to protect their own. Nothing else explains how Labour refuses to say anything or how Fine Gael is leaving the Attorney General untouched. The Attorney General is an honourable person and it is a pity that she has failed to do the honourable thing and be accountable for her part in this affair. The fact is that her office was aware of the issue of the tapes four months before the events of March last year. She did not have or present the full information to the Taoiseach and contributed to the unprecedented forced departure of the Garda Commissioner. Yet we have a situation in which it is obvious that the Labour Party is supporting the Taoiseach as a *quid pro quo* to ensure the Attorney General remains in place.

In recent days, Ministers have been sent out to say that the report mainly shows problems in the Department of Justice and Equality. This is desperate and cynical in equal measure. The panic was not in the Department of Justice and Equality; it was in the Taoiseach’s own office. The only person not clear about the intent to force out the Commissioner appears to have been the Taoiseach himself. This is not credible, and deep down everyone in this House knows it. The report states that one of the biggest issues is the lack of any record - of any type - of either the discussions in the Taoiseach’s office or the decisions reached.

The Taoiseach will remember well that it took him nearly four years to withdraw a slur against his predecessor about destroying records of a decision when, in fact, 140 documents and everything had been retained. He even self-righteously said: “If the Taoiseach of the day meets a group from [a] constituency, [you] can be sure that whatever it is about, notes will be taken and be there for posterity.”

If this report were anything other than damning of the Taoiseach, he would not have put so much effort into manipulating coverage of its launch and contents. The report was made available to media and Members of this House at 5.40 p.m. on 1 September. However, media outlets were reporting for hours beforehand that the Taoiseach had been “vindicated”. The only interview the Taoiseach has done on the report was on “Six One News”, and this was before any journalist had been given time to read it. To date, he has refused a debate on the report, refused to answer questions, refused to publish the transcript of his appearances before Mr. Justice Fennelly, refused even to acknowledge the disturbing evidence of a panicked and politically driven atmosphere. The Government can spin all it wants; this report shows a deeply dishonest approach. It shows an inability to tell the blindingly obvious truth. It shows a willingness to put
politics first and to search for a scapegoat when trouble appears.

We should remember that the root cause of the panicked atmosphere in the Taoiseach’s office on those two days in March last year is that he had repeatedly stood by as the justice system was dragged into crisis after crisis. He dismissed urgent issues as they were raised here and in the media. He offered a blanket defence, particularly of his loyal Minister who was at the centre of the chaos. Reaching a situation where a Garda Commissioner was effectively fired on the basis of false assumptions about his failure to act was not an accident. It was the inevitable outcome of how the Taoiseach runs this Government. Whenever an issue emerges, the Taoiseach’s first reaction is to deny that there is any problem. He then tells us what a great job his Government is doing. Finally, he just attacks whoever is raising that question.

What makes this serious is that crisis after crisis is allowed to emerge while the Taoiseach and his Ministers carry on their obsession with political spin. In housing, homelessness, crime, hospital waiting lists, Northern Ireland, mortgage debt, unfair contracts, child care, Irish Water and many other issues, problems have been allowed to escalate until they reach crisis level. This is the direct and inevitable outcome of a Government that, from day one, has put politics first in everything. In this debate, we have already heard the greatest fairy tale of all, that of a strong leader lifting his country out of recession. He came to office driven by such a sense of urgency that he did not prepare a budget for nine months, published no new economic plans and only showed energy when breaking the many, many promises he had made in order to win votes. We all remember the promises that the Taoiseach made on the Roscommon emergency department, including the one he denied making until a journalist produced a tape. This type of shiftiness has not gone away. In fact, it has got much worse over the past four and a half years.

The Fennelly report is yet another inquiry report that has been buried in a political snow job in order to protect an arrogant Taoiseach and Government incapable of admitting error. It appropriately bookends his Government’s term. It started by ignoring Moriarty and will end by ignoring Fennelly.

The Taoiseach’s affection for overblown rhetoric is long established, but it is wrong to let this distract from the claims he makes on his own behalf and on behalf of his Government. In his first speech as Taoiseach, he stood up in this House, accepted the good wishes of all and said:

... today I enter into a covenant with the Irish people... honesty is not alone our best policy but our only policy. The new Government will tell the people the truth regardless of how unwelcome or difficult that might be. We will tell it constantly and unreservedly.

The Taoiseach’s basic inability to admit the obvious truth, his attempt politically to spin his way out of accountability and his dismissal of something as serious as the effective firing of the Garda Commissioner due to false and incomplete assumptions mean that Dáil Éireann has the right and obligation to vote no confidence in him.

Deputy Gerry Adams: Following the calamity of the economic crash under the last Fianna Fáil-led Government, the Fine Gael and Labour parties assumed office with a huge mandate for political change. The new Government had the chance and, in particular, the support of the majority of citizens in making a new beginning. Ach mar a dh’fhoghlaim muintir an Stáit seo go daor, nior tharla athrú ar bith. This is clear in the scandal surrounding the departure of the former Garda Commissioner.
Although the Fennelly report deals with a number of issues relating to the crisis within An Garda Síochána, including a damning indictment of the Attorney General, the most controversial aspect of the investigation is whether the Taoiseach sacked former Garda Commissioner Callinan. This is a serious allegation. The Taoiseach has always denied sacking him. Under the Garda Síochána Act 2005, the power to remove the Commissioner from his or her position can only be exercised by the Cabinet. For the Taoiseach to act alone would undoubtedly be an abuse of power. It would also be unlawful. Mr. Callinan stepped down just hours after a late night visit ordered by An Taoiseach to his home by the then Secretary General of the Department of Justice and Equality, Mr. Brian Purcell. We now know that this visit was the “immediate catalyst” for the Commissioner’s resignation. The Taoiseach, in sending Mr. Purcell against Mr. Purcell’s best instincts to Mr. Callinan’s home, in effect sacked the Commissioner. The commission found that the visit of Mr. Purcell to the Commissioner’s home was “an event without precedent”. It concluded: “When all circumstances are viewed objectively, the mission on which Mr Purcell was being sent was liable to be interpreted as suggesting to the Commissioner that he should consider his position.” It is accepted by the commission that Mr. Purcell explained to the Commissioner that the Taoiseach may not have been in a position to be able to express confidence in the Commissioner following the next day’s Cabinet meeting. The Tánaiste of the day, Deputy Gilmore, stated that the Taoiseach told him that this was his position. The Taoiseach denies this.

The Fennelly commission also accepted that Commissioner Callinan had “no option but to retire”. Although the commission report states that the decision to retire was still the Commissioner’s to make, “the Commissioner was not wrong to arrive at the conclusion that he was expected to consider his position”. The visit of Mr. Purcell is described by the commission as the “immediate catalyst” and “direct cause” for the Garda Commissioner’s decision to retire. The interim report tells of how the Taoiseach refused to allow the Commissioner time to clear his desk, as the latter had requested. The Taoiseach demanded that he go immediately.

When the Government published the report recently but before we and journalists had sight of it, the Taoiseach was doing interviews on this issue with journalists who had not read about what he was discussing. It was a classic case of media management. Is this the transparent government that Fine Gael and Labour promised? Is this the end of the old-style politics, which they were mandated to do?

The dubious actions of the Taoiseach and his inner circle in the events leading to the resignation of the former Garda Commissioner leads to unavoidable comparisons with the Fianna Fáil style of government. Let us be clear, in that Sinn Féin would not have objected or complained had the Taoiseach gone to the Cabinet and moved a motion seeking the Garda Commissioner’s resignation, given the months of scandals and revelations leading up to the actual retirement. This would be the view of the majority of citizens. That is what the Taoiseach should have done. He should have given the Commissioner the opportunity to give his side of the story. He should have consulted the Minister for Justice and Equality, but he did none of these things. He was not straight with the Commissioner or the Minister. That is my main point.

The Taoiseach carried this lack of straightness into his remarks today. He has yet to tell Members how many times he was interviewed by the Fennelly commission. Most of what has been revealed to the Fennelly commission was not reported to the Dáil. Most of what Members have learned was not learned here, where they are supposed to keep the Government accountable, but through reading this interim report. On this basis alone, Sinn Féin has no confidence in An Taoiseach or the Attorney General.
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However, it also has no confidence in the Government because the Taoiseach has made it clear repeatedly that he remains ideologically wedded to a destructive austerity agenda that is doing much damage to society when what is needed is a complete change in political direction. This society now faces a choice and the fundamental ideological difference between Sinn Féin and the deeply unpopular Government is that Sinn Féin believes in a real republic and a citizen-centred rights-based society.

The Government’s budgets have been among the most regressive in the State’s history. Society has become increasingly polarised under Fine Gael and the Labour Party. One third of children now live in consistent poverty. The crises in housing and health have escalated to an alarming degree. The disastrous economic policies initiated by Fianna Fáil and continued by Fine Gael and the Labour Party have seen more than €30 billion taken out of the economy in taxes and cuts.

Moreover, the Government’s mantra that we are all in this together is a monstrous untruth. Many citizens have suffered greatly, while those who were protected again are first in line to benefit under the Government. Those being forced to pay the price for Government policies are families on lower and middle incomes. Those paying the price are families who have been impoverished by the family home tax, the universal social charge and water charges.

The Government, like others before it, has embraced forced emigration as a policy. Half a million people, with huge damage societally to communities and families, have been forced to emigrate since 2008.

Deputy Simon Coveney: It is 50% down.

Deputy Gerry Adams: Young people continue to leave in their droves because of poor opportunities, low wages and a lack of access to housing and child care. Those paying for the Government’s policies include lone parents and others who have had their child benefit and back-to-school allowances slashed.

The folks in government sat around the Cabinet and took these decisions. They took decisions to remove discretionary medical cards from thousands of seriously ill and disabled children and adults. Collectively, the Government took the decision. Sick people were forced to go without medicine because the Cabinet decided to introduce prescription charges, despite promises not to so do. The Cabinet decided to cut home help hours, the mobility grant and annual respite care grants. The Cabinet took these decisions. As for public hospitals, one in eight people on a waiting list is in a queue for more than a year and in January 2015, there were 600 patients on trolleys. These people are paying the price for the Government’s policies. Some people must wait for four years before seeing a consultant. There are 90,000 families on the social housing waiting list and 104,693 households are in mortgage arrears. Under the present Government, legal proceedings to repossess homes have increased tenfold. Rents still are increasing and the number of homeless children continues to rise.

All these people, these citizens, these unfortunates, live in the best small country in the world in which to do business, but who did the Taoiseach protect? What did Fine Gael and the Labour Party do and whom did they look after? They certainly protected the property developers. NAMA has been allowed to pay developers’ salaries of €200,000 a year while the Government has taken medical cards from children. The Government protected bondholders and billions have been paid to international junior and senior bondholders who gambled on
unstable banks while the Government broke its social bond with the people. The Government protected the vulture capitalists and billions of euro worth of Irish assets are being subjected to a fire sale while the citizens pick up the losses. The Government protects the tiny wealthy elites in the State. Wealth tax and tax relief loopholes have been allowed to continue. The Minister for Finance refuses to come to the Dáil to account for the sell-off of NAMA’s Northern loan book or to answer questions about insider dealings. No, why should he? Why should he be accountable here?

The Minister for Finance and the Taoiseach are about protecting the elites, the golden circles and the insiders. In budget 2015, instead of easing the burden on those who have suffered the most over the past four years, Fine Gael and the Labour Party prioritised helping the richest 10%. They protected the banks. A total of €64 billion of the public’s money was pumped into the banks and then bank managers were allowed to pay themselves €800,000 a year while they kept mortgage interest rates high and threatened families with eviction. The Government objectively has failed to get a resolution to the problem of legacy debt. Instead, the Taoiseach stated he will not have “Defaulter” stamped on his forehead. He refused even to try to face up to the elites in the European Union.

Moreover, just like Fianna Fáil, Fine Gael and the Labour Party continued political appointments to State boards and failed to act on the high salaries for politicians, in banking or on State boards. The Government’s high regard for the arts was clear from the manner in which it appointed one of its own, John McNulty, to the board of the Irish Museum of Modern Art. It has ignored the demands of hundreds of thousands of citizens who have taken to the streets repeatedly to demand that it scrap domestic water charges. The Government’s first launch of the commemoration of 1916 was an embarrassment. It was a joke but it also was an accurate insight into the attitude of the Labour Party and Fine Gael to the Rising, to its leaders and, more particularly, to the Proclamation of 1916.

As for the peace process, the most significant political development on this island since partition, Fine Gael and the Labour Party have failed to act as co-guarantors of the Good Friday Agreement. Instead, to their shame, they have sought to use the peace process to attack Sinn Féin and the Government has acquiesced continually in the approach of the British Tory Government. The Taoiseach has failed miserably to press the British on legacy issues such as the Dublin-Monaghan bombings and the Pat Finucane inquiry. While the Taoiseach might mention it for the record at a meeting, he has no consistent strategic engagement with the British on all these issues. Most recently, the Taoiseach, the Tánaiste and the Fianna Fáil leader played politics with the brutal murders of two men in Belfast. The Taoiseach tried to pressurise the SDLP into supporting the adjournment of the Assembly while the Fianna Fáil leader went further and called for the suspension of the institutions established by the Good Friday Agreement, an agreement his party played an honourable role in bringing about. Time and again I have asked the Taoiseach to make the North a priority and he has refused to do so.

The Taoiseach assumed office with a promise of a democratic revolution as he is aware that is what the people want. The rhetoric rings true and those who write the Taoiseach’s script are aware there is an urgency and a desire among people for fundamental change. However, he has proved to be as adept as his Fianna Fáil predecessors in practising unaccountable Government and stroke politics. Irish Water now is a byword for unaccountability, the scandalous waste of public money and insider politics. The Government has characterised the forthcoming elections as a choice between stability and chaos, but there is no stability for low-paid workers, those on zero-hour contracts, and patients and front-line workers facing chaos in hospital acci-
dent and emergency departments. There is no stability for families facing the prospect of losing their homes because the Government will not put manners on the banks. It is easy to put manners on the poor but the Government will not put manners on the elites. The Taoiseach’s idea of stability is different from that of most citizens. His idea of stability is the maintenance of a deeply unequal status quo and that is not the stability the people need or want. The people seek change and if the Taoiseach really believes, for once, what he says, he should go to the people and let them have their day. He should resign now and let the people govern. The Taoiseach should call a general election now.

An Ceann Comhairle: The Technical Group speaking slot is being shared by Deputies Clare Daly, Ruth Coppinger, Mick Wallace, Maureen O’Sullivan and Michael Fitzmaurice. The Deputies have three minutes each.

Deputy Mick Wallace: Deputy Daly and I are swapping speaking slots. She is a bit shy.

An Ceann Comhairle: Is the Deputy shy?

Deputy Clare Daly: I am very shy.

Deputy Mick Wallace: I am too but I will try to overcome it.

I have only three minutes to address a 300-page report, all of which, believe it or not, I have read and found very interesting. I believe Mr. Justice Fennelly did a very thorough job, which must have been very difficult for him given his finding that senior people in government appeared at certain times to be contradicting each other 100%. I am sure that reading over the report of his investigation caused him to laugh a little because he would have known that there was no way he could have made any of it up.

Why in God’s name if the Taoiseach wanted more information on Sunday, 23rd and Monday, 24th did he not contact the Garda Commissioner and ask him in for a chat? The Attorney General appears to have taken the same position as the Taoiseach. She said that the people in possession of all the information about the circumstances were An Garda Síochána. Why, if the Garda Commissioner was the person who had all the information, did the Attorney General not contact him? It is blatantly obvious that former Minister for Justice and Equality, Deputy Shatter, was sidelined. Leaving aside that the Taoiseach did not reply to his text at Sunday lunchtime, he made only one attempt to telephone him and left it at that. Deputy Shatter was not asked to attend the meeting on Sunday night and was not even notified that he might be called on Monday evening. It does not stack up.

I find it hard to credit that the Taoiseach did not want to put some pressure on the Garda Commissioner to go. We know it was not only about the tapes because the Garda Commissioner was not responsible for them. Along with other Deputies, I called for his removal long before then. However, we would have suggested that he be removed within the rules of the game in here. In actual fact, he was pushed. If the Taoiseach did not want him to go he would not have sent the Secretary General to his house in the middle of the night to tell him that he was concerned. I do not think the Taoiseach would have sent the Secretary General there for that reason. The Taoiseach says he sent the Secretary General there to get more information. Mr. Purcell has a different interpretation of the situation and was horrified at the idea of even being asked to go to the Garda Commissioner’s house.

The Taoiseach says he did not want the Garda Commissioner to resign. Why then, when the
Commissioner asked for three months grace, which was later reduced to two, did the Taoiseach tell him he had to go immediately? If the Taoiseach did not want the Garda Commissioner to resign, could he not have refused his resignation? Could he not have called him in and had a chat about it? The Taoiseach wanted him to go because he had become a political liability but the manner in which he carried that out has left too much to be desired.

**Deputy Ruth Coppinger:** We are being asked today to vote confidence in the Fine Gael-Labour Party Government. I begin by expressing solidarity with the homeless families in Blanchardstown who are currently occupying a NAMA-built home. They stayed there over night and, by their actions, clearly have no confidence in the Taoiseach or his Government.

Last night, I slept on a concrete floor with some of the families who are the victims of this Government’s inaction. They asked me to deliver personally to the Taoiseach the message that they have no confidence in him and are now driven to desperation. This Government has done nothing to stop rents escalating, to introduce rent controls or stop repossessions, all of which factors have made tens of thousands of people homeless and left them dumped in hotels for months on end and forgotten. Now, they are saying: “We can’t and we won’t wait any longer for housing: it’s time for you to go.”

One woman, who is pregnant, slept in the house last night because she cannot face the idea of her third child being born into hotel life. Another woman who came to this country ten years ago for a better life has had to give up her PhD studies in favour of her child’s education because, as she and her child are homeless and living in a hotel, they are miles from her child’s school. That woman cried this afternoon while talking to journalists.

The previous Government slowed down council house building. This Government has completely stalled it. It has sat on its hands for two years as this crisis escalated and worsened despite many warnings. During the summer, some Ministers blamed the homeless agencies for not doing enough. Everybody is to blame but this Government. What is the solution? First, something must be done about rents. The Government has been talking for more than a year about doing something about rent controls and house building. Houses will not come through the Government’s friends, the private developers. That will never happen. They are not interested and they are not able. They could be provided through NAMA, the State agency that over the past two years sucked in billions of euros of taxpayers’ money, all of which proceeds go back to the banks and not into the public purse. NAMA should be turned into a vehicle for ending the homeless crisis. There are 120 families in Blanchardstown who are homeless and 120 houses currently being built in Diswellstown Manor by NAMA. Why should those houses be sold to wealthy people when poorer people need them? It is up to the Government to fund councils to build houses. It could also change NAMA’s brief and give it the authority to become a factor in the housing crisis. Is the Taoiseach willing to do that? Is the Tánaiste, who is largely responsible for this crisis, willing to do it? It is for the Taoiseach to answer those questions. People on the ground will not wait much longer and will take further actions such as that outlined.

**Deputy Clare Daly:** This is an insult to the population and this House. The manner in which the Taoiseach presented this previously was quite breath-taking. I do not know how many people here have read the report but I have read it more than once. The version of it which the Taoiseach has presented to this House belies its actual content. Let us look at what Mr. Justice Fennelly actually says about the Attorney General. He says that he is satisfied that she spoke in strong terms about the wholesale unlawful activity of the Garda, a conclusion not
reached by her assistant who did a report that was very different. He also says that the Attorney General substantially modified her evidence months after she was asked to give that evidence in the first instance. He further says it is inescapable that she presented an alarming picture at meetings and that she made no effort to contact the then Minister for Justice and Equality or the Garda Commissioner despite a senior civil servant offering a face-to-face meeting with the Garda Commissioner on Monday morning. The Taoiseach has the neck to come in here and ask us to express confidence in the Attorney General. We have no more confidence in her than we do in him.

The Taoiseach has today presented a picture of An Garda Síochána as an organisation that he has reformed. He also said that he has given protection to whistleblowers. Currently there are two serving whistleblowers in the Garda service, one of whom Assistant Commissioner Nolan, who is mentioned in the Fennelly report in relation to former Garda Commissioner Callinan destroying evidence, has been asked to initiate a disciplinary hearing in respect of a senior officer on foot of a complaint by one of those whistleblowers, despite having already leaked information to that same officer on foot of a complaint by another serving whistleblower. This is the Taoiseach’s newly reformed Garda Síochána. The Bill presented to this House is a watered down version of the heads of Bill presented last year and is a pale shadow of the legislation for a real independent Garda authority as presented to this House by Deputy Wallace.

Last night, many people around the country will have heard on a programme on RTE, which is hardly a vehicle for revolutionary propaganda, that on this Government’s watch the top 5% of this society have more wealth than the middle 60%. Not only are we not discussing the key issues of the day, but we are ducking, diving and hiding behind spin. It is an absolute disgrace. This Government’s legacy will be a lack of reform and a record that makes the previous Government look good.

Deputy Maureen O’Sullivan: Earlier, I voted against the proposal to extend the time allocated for this debate not because I disagreed with the proposal, but because I find it bizarre and out of touch that the first topic of discussion in this House following the summer recess is a vote of confidence in the Government, under the guise of the Fennelly commission and its report. The report is important. It should be debated and there should be an opportunity for questions and probing, but I do not think this should be done in the way it is being done today. In fact, the report is being diluted by being presented through the guise of the vote of confidence or no confidence.

As far as I am concerned the vote of confidence or no confidence is rather misplaced and mistimed because in two months’ or five months’ time the electorate will have time to show whether they have confidence in this Government. Why is the work of the Dáil, the normal Tuesday business, been diverted, cancelled and delayed? It would be fair enough if this was an emergency, but this debate is not an emergency. It is not an issue for which the Dáil business needed to be changed.

Another issue that is an emergency but which is not being seen as an emergency is housing. Others have alluded to this. There are 1,500 children living in emergency accommodation in Dublin, a 63% increase since last January, and the situation is worsening. Another emergency for which we could have changed the Order of Business - the Taoiseach met the group last week - relates to the disability group and the stark and heartbreaking findings they presented to the Taoiseach. I met them as well and I have met them previously on many occasions. Fully 68% of those using disability services say they are of poor quality while 93% of those in residential
homes have indicated that the homes have been found to be lacking in certain standards.

Whether the former Commissioner, Mr. Callinan, was pushed, shoved, encouraged or went of his own volition, what difference does it make to the real issues taking up the lives of the people I represent or those represented by others here? We are all public servants, we are all answerable and we are all here to serve the public. I know the Department of Justice and Equality needs reform but as far as I am concerned the emergencies involving real people and the issues they have to deal with in their lives are more of a reason to change the Order of Business, rather than this bizarre debate that we are having for three hours today.

**Deputy Simon Coveney:** That is the most sensible contribution I have heard so far.

**Deputy Michael Fitzmaurice:** When I read the Fennelly report I wonder whether it is like two lives. When I go to one page I read one thing but there is nearly a contradiction on the next page. I must question one thing. Were the participants or the players too big to give the real truth regarding what went on? I believe, and I do not think anyone in the country would disagree, that given what went on during the committee meetings with regard to Mr. Callinan, he had to go. There is no doubt about it. However, it is a question of the way the Government went about that. Mr. Purcell was sent off. It reminds me of the film “The Field”. He was The Bird. He was sent off to give the news to the widow and he went.

Let us consider other parts of the report. Mr. Callinan wanted two or three months and the Taoiseach pondered. There were ways of doing it and ways of ensuring it was done right. We talk about doing things differently and a different way of policing. The Taoiseach should bear one thing in mind. Our current Commissioner sat beside the former Commissioner, Mr. Callinan, at the time. If someone is a leader, she should stand up and say what is right. However, when remarks that were not true were made about people in the force, she did not stand up to be counted. We need to have people with bravery to lead the force and if something is said that is wrong, it is unacceptable.

Let us bear in mind the country and where we come from, a part of the world that has been neglected in recent years, namely, the west. We need to think of the hospitals, our elderly and everything that is going on this country. Let us consider David McWilliams’s programme last night in which he reported that 100 people increased their wealth more than the rest of our country. That shows us there is something seriously wrong. We heard of the cronyism going and of a different Ireland coming but, sadly, for many people, whether they be homeless, those with disabilities or those waiting on trolleys in hospitals, it is a worse Ireland than the country they had some years ago.

I call on the Taoiseach to reflect on the Fennelly report. As I said, I do not disagree altogether. I will say it clearly: Callinan had to go. However, it is a question of the way the Taoiseach did it. There are ways and means. The Taoiseach should bring in different Ministers, act in a united fashion and make it clear that it is a united decision by a Government.

I believe the Attorney General has questions to answer as well.

**Minister for Finance (Deputy Michael Noonan):** The interim report of the Fennelly commission has been published and the conclusions of the report are available for every Member and every member of the public to read. The great expectation from the Opposition to the effect that the report would confirm their versions of events has not materialised. The commission accepts that the Taoiseach did not intend to put pressure on the Garda Commissioner to retire.
Regardless of the actual conclusions of the commission, Fianna Fáil and Sinn Féin were united in their intention to use the publication of the report as an opportunity to table a confidence motion in the Taoiseach. Of course, that is their prerogative and they prioritise what they believe are the most important issues facing the country at present.

That is not to play down the significance of the interim report. The retirement of a Garda Commissioner is a very serious matter and the decision by the Government to establish a commission of investigation into this matter was the right one. The report identifies a number of failings within the system and these must be corrected. Indeed, they are being corrected by my colleague, the Minister for Justice and Equality, Deputy Frances Fitzgerald, who is leading her Department though a period of major transformation.

This debate is not about the interim report. It is another attempt by the Opposition to take the attention off the biggest issues and challenges facing the country in the weeks, months and years ahead. It is a blatant attempt to keep the focus on the past and undermine the major progress that this Government, led by the Taoiseach, Deputy Enda Kenny, has made in turning the country around. That is the Opposition’s priority today.

I know those in the Opposition do not want to talk about the recovering economy or the fact the public finances are under control. They do not want to talk about the thousands of people who now have a job. I know for certain that they do not want to talk about the future, a future from which, under the leadership of Enda Kenny, every family in the country will benefit. The policies implemented by the Taoiseach and this Government are designed to avoid the boom-and-bust policies of the past and create a future where people can have certainty about their incomes and pensions as well as access to the public services they need. The economic recovery we are seeing is real and is underpinned by the most recent national accounts released by the Central Statistics Office. In the second quarter of this year, real GDP rose by 1.9% relative to the first quarter, and, as a result, was 6.7% higher than in the same period last year. This comes on the back of an increase of 7.2% in the first quarter of this year.

The increase in economic activity is broadly based, unlike in the past when activity was excessively concentrated in the construction sector. We are now seeing the domestic-facing and exporting sectors performing strongly. Exports were strong in the second quarter, growing by 13.6%. The multinational sector is contributing but so too are Irish-owned firms. The competitiveness improvements we have seen in recent years are standing to us. Domestic demand is also growing strongly with consumer spending continuing to recover. These encouraging data are mirrored in strong employment growth as well as tax receipts. By the end of August, tax receipts had increased by almost 10% over the same period last year. Our overriding objective now is to build upon the gains we have made in recent years and secure the recovery. Under the Taoiseach’s leadership, this Government will continue to work to ensure the benefits of the economic recovery are widely distributed to families throughout the country and create further jobs.

The recovery that is under way is fragile and must not be taken for granted. Many people throughout the country have been very badly affected and have yet to feel the benefits of the recovering economy.

4 o’clock

While large numbers of jobs have been created, the rate of unemployment remains too high.
Too many people in work are living on fixed incomes and are still under pressure to make ends meet, and too many of our young people are still working abroad. Introducing policies to address these challenges is the priority of this Government.

The Taoiseach is the leader of a Fine Gael and Labour Party Government that has brought this country back from the edge of bankruptcy and a situation in which more than 300,000 young people were emigrating. He is the leader of a Government that has brought stability to the country. He is the leader of a Government that knows what the challenges facing the people are and is prioritising actions to overcome these challenges. His colleagues in government have absolute confidence in him, and later on this House will vote that it has absolute confidence in him as well.

In passing, I would also like to say that I have full confidence in the Attorney General. She is excellent at her job and is a most dedicated and patriotic woman who works all sorts of late hours to serve the Government with appropriate legal advice. Anyone who expresses no confidence in the Attorney General does not know the effort and work that Ms Máire Whelan puts into her job.

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Five years ago, the party with the audacity to table a no-confidence motion brought this country to within an inch of its life. The current Fianna Fáil leader was a member of that Government, but on that occasion he chose to save his political career rather than the country by jumping from that sinking ship. That he would table a no-confidence motion in respect of this Taoiseach is the finest exercise in brass-neckery I have come across in quite some time.

Like other Deputies who have spoken, I have read the Fennelly report very thoroughly. Most of us debated it at some length in the media three weeks ago, and we will have other opportunities to do so. I agree fundamentally with Deputy O’Sullivan that a confidence motion is not the best way of dealing with this matter.

Let us revisit the record of this Government over the past four and a half years, since we are debating a confidence motion.

Deputy Micheál Martin: Then get on with the proposals.

Deputy Niall Collins: Does the Minister want to discuss it at all?

Deputy Micheál Martin: The Taoiseach has a question.

Deputy Brendan Howlin: Before this House is a motion of confidence in the Government. Let us consider the record of the Government in which the Deputies opposite want us to vote no confidence. From being the economic punch bag of Europe in 2010, Ireland is on course to have the strongest economic growth in the European Union this year and next. Recent figures from the CSO show that GDP growth in the second quarter of the year was 6.7% higher than a year earlier and 5.3% higher in GNP terms. Unemployment, which peaked at 15.1% and was rising when we came into government, dropped to 9.5% in August of this year, and continues to fall. Critically, large reductions have been seen not just in the number of people who are short-term unemployed but also in the number of people who are long-term unemployed, which has dropped from a peak of 184,800 to 118,600 and continues to decrease. Some 66,000 individuals who were long-term unemployed have been given the dignity of work. Since the Action Plan for Jobs was launched in 2012, more than 120,000 additional jobs have been created,
exceeding the initial target of 100,000 and much earlier than the deadline we set.

As well as creating the best possible environment for the economy to flourish, we have also sought to ensure the stability of the State’s finances. As per our commitment, the budget deficit, which was 30% or more of GDP in 2010, will fall below 3% this year. Next year the target will be well under 2%. As a result, the debt burden is also falling. Having peaked at 120%, this year it will fall to 108% of GDP. The net debt figure is some 20 points below that when we take account of the assets the State has in its reserves in the form of bank shares and cash.

We fulfilled our key commitment to the Irish people - that is, to ensure Ireland left the Fianna Fáil troika programme at the end of 2014. We renegotiated the poor deal done by Fianna Fáil, which has saved the State and taxpayers billions. Critically, the promissory note negotiated by Fianna Fáil has been torn up and €3 billion in annual payments removed. The economic growth we are experiencing now is structural, sustainable and increasingly broad-based, and the domestic and exporting sectors show strong growth figures.

Jobs are being created in every region of the country. Businesses are investing. However, as a small open economy, we remain open to future shock. We must ensure that the fiscal crisis that befell this country and its people never happens again. That is why we will continue to pursue a prudent course in managing the public finances, investing wisely for the future and providing much-needed services and support to our people, but doing so in a sensible and sustainable way that will not undermine our future.

There are serious issues, many of which were touched upon by earlier speakers. We are dealing with the fallout of the worst crash in our history. That is the mess Fianna Fáil left us, and this Government, having brought us back from the brink, will now pursue the solutions to these problems with the same vigour we brought to bear in addressing the economic problems in the first instance.

The general election will take place in the next six months. The Irish people will be faced with a choice between electing this Government, which can offer stability and prosperity, and electing Fianna Fáil, which broke the country and the party, or Sinn Féin, which is so addicted to the politics of crisis that it is incapable of articulating any sensible, mature or coherent solution to our problem. The people will have their say soon. For today, I am sure that Dáil Éireann will vote confidence in this Government and its fine Attorney General, which have steered the ship of State from chaos to calm.

Deputy Niall Collins: There are many reasons this Government and the Taoiseach should face a motion of no confidence instead of a motion of confidence today. A motion of no confidence could be tabled due to the record number of families who find themselves homeless in this country due to Government policy. We could debate a motion on how this Government is the first in the history of the State to introduce a tax that loses money. A motion could be tabled condemning the fact that one in eight children in Ireland live in consistent poverty. We could discuss a motion of no confidence in our health service and the many graduates who are fleeing the country. We could discuss how many old people across rural Ireland and our cities live in fear of burglary and crime because of the Government’s withdrawal of Garda resources across the country. We could discuss how the Government has pulled up the ladder on many social welfare recipients by introducing consistent cuts to social welfare, its inaction on mortgage arrears, or the regional imbalance of the recovery.
All of these issues are a direct result of decisions made by the people sitting opposite us today. All of them would merit a motion of no confidence, but we are debating a motion of confidence in the Taoiseach as leader of this country. This is an Orwellian turn of events and is, perhaps, a perfect indication of the arrogance that has seeped into the heart of Government Buildings and personnel in recent years.

The Government put forward this motion of confidence in an effort to undermine debate on the failings of the Taoiseach and members of his Government as exhibited in the interim report of the Fennelly commission. After 18 months, the interim report of the commission has been published with a highly co-ordinated PR approach by the spin doctors in Merrion Street to limit damage. The three primary actors in the events - the former Minister for Justice and Equality, Deputy Alan Shatter, the former Garda Commissioner, Mr. Martin Callinan, and the former Secretary General of the Department of Justice and Equality, Mr. Brian Purcell - have all now been forced off the stage. The Attorney General has been heavily criticised in the report, leaving only the Taoiseach claiming he is entirely in the clear. He is not, of course, as he still has many questions to answer.

The report verifies the facts around the resignation of the former Commissioner, Mr. Callinan, and fully confirms our view that he was effectively sacked by the Taoiseach. He was, in effect, forced to walk the plank on the instruction of the Taoiseach, with an infamous midnight call to his house by a senior civil servant, which was unprecedented in the history of the State. The report finds that the Taoiseach’s confidence in the Commissioner was not guaranteed in the next day’s Cabinet meeting, despite the fact that the Commissioner had correctly dealt with the matter in respect of which the Taoiseach had lost confidence in him, namely, the issue of phone recordings in Garda stations. The Commissioner had carried out his legislative duty by informing the Minister for Justice and Equality in a previous letter, dated 10 March, of the matters surrounding the recording of phone conversations in Garda stations. Yet, it is put forward that the Taoiseach sought to breach illegally section 11 of the Garda Síochána Act 2005 which states that only the Government can dismiss the Commissioner. Despite the Commissioner having carried out his duty in informing the Department of Justice and Equality of the phone recordings, the Taoiseach sought to use the issue as a politically expedient smokescreen to remove Martin Callinan to buy cover for the embattled then Minister for Justice and Equality, Deputy Alan Shatter. He did this by instructing the Secretary General at the Department to call to the Commissioner’s home late on a Sunday evening and inform him that he no longer had confidence in him.

The Fennelly report notes the immediate catalyst for the resignation of the former Garda Commissioner, Mr. Martin Callinan, was the visit of the Secretary General of the Department of Justice and Equality to his home, and the message conveyed to him from the Taoiseach during that visit. The Commissioner would not have resigned if Mr. Purcell had not visited him that night. Mr. Purcell would not have visited him that night if it were not for the instruction of the Taoiseach to do so. Mr. Purcell described the meeting as one of the worst days of his career, a strong statement from an experienced public servant who, we recall, was shot in the leg, I think, when he worked in the then Department of Social Welfare, by the criminal known as “The General”. In effect, the Taoiseach sacked Martin Callinan.

The report also highlights the serious communication dysfunction at the heart of Government. Serious questions remain as to how senior managers at the Department of Justice and Equality did not know of the Garda recordings, given that it was revealed in November 2013 during the Ian Bailey case, and earlier that year as part of a GSOC report. The fact there was
no communication between the Attorney General and the then Minister for Justice and Equality about the matter until the fateful meeting in March in the Taoiseach’s office shows a level of dysfunction whereby members of the Cabinet simply did not trust each other on these issues.

It is now evident the Taoiseach misled the House with his statements that he did not order the circumstances which would result in the effective sacking of the Garda Commissioner. The report’s findings that the Taoiseach did not intend that outcome do not stand up against the evidence of other key witnesses. The underhanded and dishonest approach of the Taoiseach is at the heart of these events. It is also at the heart of the motion before us today.

This motion is extremely ironic following the revelations of the report. Those findings raise serious questions about the judgment of the Taoiseach in the execution of the powers of his office. The report raises even more questions on the credibility of the Taoiseach in the evidence he gave to the commission. The Irish people already appear to have made a judgment call on this matter, with the vast majority of the citizens of the State refusing to accept the Taoiseach’s account of why the Commissioner of An Garda Síochána resigned his post. A poll published by RTE during a “Clare Byrne Live” programme was very telling. It detailed that only 12% of those who responded stated they believed the Taoiseach’s version of events. This must be most distressing for the Taoiseach, who promised the people of this country a democratic revolution. It is clear the Government’s confidence in its leader can only have been undermined by the interim report.

When proposing Deputy Enda Kenny for the position of Taoiseach in March 2012-----

Deputy Brendan Howlin: It was 2011.

Deputy Niall Collins: -----the Minister of State, Deputy Simon Harris, who I am glad is here to listen to me, stated, “Deputy Kenny will bring to the office of the Taoiseach integrity, honesty and a work rate which simply cannot be surpassed”. The Fennelly commission raises serious questions surrounding the first two characteristics. The massive failings of the Government on health, housing and Northern Ireland would raise serious questions on the third.

On being successfully elected Taoiseach, Deputy Kenny stated in the House that we stand on the threshold of fundamental change, namely, that of renewal of what political leadership in Ireland should be about, leadership that cherishes responsibility, public duty and conscience over convenience. Does the Taoiseach think the former Commissioner, Martin Callinan, would agree this is a Government of conscience over convenience?

The so-called democratic revolution has given way to a democratic revulsion as to how the Government conducts its business. We have witnessed a total failure to reform the political institutions of our State as witnessed in the Fennelly report. If anything, we have seen the people’s trust in our political institutions fall even further under the watch of the Government. Stroke politics, cynical politics and politics for the elite are practised by Fine Gael and the Labour Party instead of the new politics they promised us after the election in 2011. The biggest disappointment of the Government is its failure to learn from mistakes of the past and deliver on its promises for the future. This is on what the people will judge it. This is what will be its undoing.

It is noteworthy that during his statement today in opening this motion of confidence in himself and the Government, the Taoiseach never once referred to the public comments, reported in the press, of the former Minister for Justice and Equality, Deputy Alan Shatter, who described
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the Taoiseach’s evidence as “fantasy”. These were his words and they have been reported. They have not been refuted by anybody. The Taoiseach also failed to address categorically the fact the Attorney General had to alter substantially and change her evidence to the Fennelly commission. Having read the report, as many others have, it has many stand-out moments which the Taoiseach glossed over and failed to record. I will record this, which is a direct quote from page 270, paragraph 8.14. The judge stated:

The Commission has already found that the message delivered by Mr. Purcell in all the attendant circumstances in explicit contemplation of the risk that at the next day’s Cabinet meeting the Taoiseach might possibly not be able to express confidence in him, carried with it the obvious implication that the Commissioner’s own position was in question. Accepting the Taoiseach assurances … that he did not intend to put pressure on the Commissioner to retire nonetheless viewed objectively Mr. Purcell’s mission was likely to be interpreted as doing just that.

These are the words of the retired Supreme Court judge whom the Taoiseach has quoted to us today and it is on the record.

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I wish to share time with the Minister of State, Deputy Simon Harris.

An Leas-Cheann Comhairle: Thank you.

Deputy Simon Coveney: I am glad to have an opportunity to express full confidence in the Taoiseach and also in the Attorney General, both of whom I have worked with. This is my first time to be involved in a government. The Government has faced difficult challenges, but I have to say the leadership that has come from the top has been extraordinarily powerful and positive, something which was not evident in the previous Government when it faced many challenges similar to those we faced when we took office. There is an irony in the fact the leader of Fianna Fáil, who was in government at that time and who left government before an election, has now decided to force a confidence motion in the Taoiseach who has solved many of the problems he totally failed to deal with.

In terms of the specifics of the issue at hand with regard to the Fennelly report, there is much in the report of concern. There is much in the Fennelly report which requires a Government response, and it is getting a Government response through what is probably the most fundamental reform of our justice infrastructure in Ireland we have seen certainly in my lifetime in politics-----

Deputy Micheál Martin: That is why we do not have a Secretary General.

Deputy Simon Coveney: -----and it is happening.

Deputy Brendan Howlin: You voted down the Garda authority Bill twice.

Deputy Micheál Martin: You do not even have a Secretary General.

Deputy Simon Coveney: The issue is unfortunately-----

Deputy Niall Collins: What is in the report that you are talking about?

Deputy Simon Coveney: It informs us all of the real weight behind the intent of Deputy
Martin today that, really, the contrived outrage we have heard today was given with a semi-smirk, which I think is-----

**Deputy Micheál Martin:** I beg your pardon, it was not.

**Deputy Simon Coveney:** -----which I think is-----

**Deputy Niall Collins:** Where did he give it with a smirk?

**Deputy Micheál Martin:** When?

**Deputy Simon Coveney:** We have had it for most of your contribution today, Deputy.

**Deputy Micheál Martin:** Not during my speech, no. How dare you.

**An Leas-Cheann Comhairle:** The Minister has the floor.

**Deputy Niall Collins:** At least tell the truth. You are talking nonsense.

**Deputy Micheál Martin:** You are talking through your hat.

**Deputy Simon Coveney:** I am not talking through my hat. The reality is, Deputy-----

**Deputy Niall Collins:** Where?

**Deputy Simon Coveney:** -----you are talking through your hat.

**Deputy Niall Collins:** Put up the evidence.

**Deputy Simon Coveney:** You are trying to rewrite a report-----

**Deputy Simon Harris:** Hear, hear.

**Deputy Micheál Martin:** I do not have to.

**Deputy Simon Coveney:** -----that has actually answered the question as to whether-----

**Deputy Micheál Martin:** You will not answer one.

**Deputy Simon Coveney:** You have been making the accusation for well over a year.

**Deputy Micheál Martin:** The Taoiseach has not answered one question in 18 months.

**Deputy Simon Coveney:** You do not want to hear it. That is the problem. You do not want to hear it when it does not suit your argument.

**Deputy Niall Collins:** No.

**Deputy Simon Coveney:** You do not want to read it when it does not suit your argument.

**Deputy Micheál Martin:** I have read it and there is not much to hear from you.

**Deputy Simon Coveney:** The truth is-----

**Deputy Niall Collins:** You are not entitled to your own facts.

**Deputy Simon Coveney:** -----this report states quite clearly that the commission accepts
that the Taoiseach did not intend to put pressure on the Garda Commissioner to retire, but you
will not accept that.

**Deputy Niall Collins:** Read the rest of it.

**Deputy Simon Coveney:** You will not accept it because you do not want to accept the facts
that have come from a commission of inquiry and a senior judge, as they do not suit your politi-
cal argument. The truth is that you bet the house on a different result-----

**Deputy Simon Harris:** Yes.

**Deputy Simon Coveney:** -----and it did not transpire. Now that it has not transpired, you
have actually ignored-----

**The Taoiseach:** Correct.

**Deputy Simon Coveney:** -----the assessment of the only person who has interviewed ev-
erybody involved in the issue.

**Deputy Micheál Martin:** Do you believe that?

**Deputy Niall Collins:** Only 12% of people believe him.

**Deputy Simon Coveney:** That is the reality.

**Deputy Simon Harris:** It is similar to your poll rating.

**Deputy Niall Collins:** You are part of the 12%.

**Deputy Simon Coveney:** It smacks a little of desperation when Deputy Collins’s strongest
argument is a poll on an RTE television show.

**Deputy Micheál Martin:** The strongest argument is Fennelly.

**Deputy Simon Coveney:** That is the basis-----

**Deputy Micheál Martin:** The strongest argument is Fennelly.

**An Leas-Cheann Comhairle:** Order.

**Deputy Simon Coveney:** That is the basis for the strength of that argument.

**Deputy Micheál Martin:** The strongest argument is the Tánaiste’s testimony and that of
the former Minister, Deputy Shatter-----

**An Leas-Cheann Comhairle:** Please. The Minister has the floor.

**Deputy Micheál Martin:** -----and the Secretary General.

**Deputy Simon Coveney:** The truth is-----

**Deputy Niall Collins:** The Minister dismisses the public at his own peril.

**An Leas-Cheann Comhairle:** Please.

**Deputy Simon Coveney:** I have not dismissed anybody except you.
Deputy Simon Harris: That is your job.

Deputy Niall Collins: You are dismissing the public. That shows the arrogance that surrounds you.

An Leas-Cheann Comhairle: Deputy Niall Collins, please. The Minister has the floor.

Deputy Simon Coveney: This is a confidence motion that should not have been necessary. Deputy Jan O’Sullivan was absolutely correct.

Deputy Niall Collins: The Government did not want to discuss this at all.

Deputy Simon Coveney: We have some serious issues that need to be resolved in Ireland right now regarding homelessness, housing, the challenges of child care and poverty. There are continuing challenges in the economy on which we are continuing to work and from which we are getting good results. That is what we should be debating on the first day back, when people are listening to their politicians and leaders. We have had a lengthy break over the summer months and people want to hear what we have to say; they want us solving their problems and not playing the kind of party politics that Deputy Martin is playing with a motion of no confidence that was announced immediately, more or less, after the Fennelly report was published. By the way, that happened the day after it was given to the Taoiseach, and I am not sure if we have ever seen that kind of pace in publishing a report of this complexity. It was an indication that the Taoiseach was anxious to get it out there and deal with the issue as soon as he could.

Instead of judging the report from what is in it, the Deputies opposite are trying to create another political controversy in order to get some negative momentum around the start of a new Dáil term. That is a reflection of where those Deputies are coming from.

Minister of State at the Department of Finance (Deputy Simon Harris): I, too, am pleased to have an opportunity to contribute to this motion of confidence in the Taoiseach and the Government. I am pleased to have the opportunity but also frustrated, along with Deputy O’Sullivan, that we will spend such a significant amount of time on the opening day of this Dáil session discussing a report that has been out in the public domain for quite a long time already. I am pleased to reiterate my support for the ongoing efforts of this Government, being led by An Taoiseach. It is a Government that is attempting to secure and embed economic recovery in this country and ensure that the economic recovery is felt in every home and community. We need to be careful that people do not fall for - or are not tempted to fall for - the efforts by the Opposition to convince them to take that recovery for granted. We now have stability and a recovery that is unfinished but could not have been imagined even a few short years ago. That task has not been easy; it has not been easy for the Government or the people. It has not been easy because of the actions and inaction of the last Fianna Fáil Government, in which Deputy Martin played a key role. In many ways, we could be having a motion of no confidence in him today, except that that vote already took place in 2011, when the people of this country left him and his party in no doubt about their view of his record and legacy of destruction.

Deputy Martin and others made a political charge against the Taoiseach in this House and on every media platform they could find. The Taoiseach accepted the recommendation of an all-party committee and asked a retired Supreme Court judge to assess that political charge, and the judge has reported. Sadly for Deputy Martin, the findings are not convenient for the Opposition. He wanted to debate the issues in a vacuum and pretend there was no crisis in justice. I often wonder what he would have done if he were Taoiseach and somebody came to him late
on a Sunday evening saying there were serious issues regarding security in the State. What would he do? Would he pop off to bed with a cup of cocoa and say that we would talk about it tomorrow?

**Deputy Micheál Martin:** No. I would bring it to the Minister for Justice and Equality.

**Deputy Simon Harris:** This was a serious time of crisis.

**Deputy Micheál Martin:** I would meet the Minister for Justice and Equality.

**Deputy Simon Harris:** The Deputy’s *faux* outrage-----

**Deputy Micheál Martin:** I would also give the Garda Commissioner a call. That is what I would do.

**Deputy Simon Harris:** Please do not shout me down. The Deputy’s *faux* outrage is hard to take, but it is made all the more galling in the absence of genuine outrage at so many pivotal points during his tenure in ministerial office. Where was his outrage when he came to this House and voted confidence in Bertie Ahern when he could not produce a tax clearance certificate? Where was his outrage when the former Taoiseach could not explain where he got the money and he said he made it on the horses? Where was the Deputy’s outrage when he had a Fianna Fáil Minister for Finance who did not have a bank account? Where was his outrage when his then ministerial colleague swore a false affidavit? Where was his yearning for answers when his Government set up meandering, expensive tribunals that did not get to answer burning, important questions for the taxpayers of this country for many years? More importantly, where was his concern for the 300,000 people who lost their jobs during the last 18 months of his tenure as a Minister? The Deputy’s fixation on one man’s job, which a Supreme Court judge has already examined, is in stark contrast to his inaction in saving the jobs of hundreds of thousands of people.

It is fair to say the Opposition has been taken aback, because before this Taoiseach it would not have seen such a quick and efficient examination of issues by an eminent judge, followed by publication of that report in full within 24 hours.

**Deputy Micheál Martin:** He is the first Taoiseach to refuse to answer questions on any report.

**Deputy Simon Harris:** Facts are inconvenient at times for the Opposition, but one salient fact is worth remembering. There has only ever been one Garda Commissioner dismissed in this country whom the courts found was unfairly dismissed. That was a Garda Commissioner dismissed under a Fianna Fáil-led Government.

With regard to Sinn Féin, I apologise to Deputy Adams for not getting along to his little talk to the chamber of commerce today in Dublin. He left us with a lovely quote, and I look forward to debating these issues during the election. He was asked a question about figures. I will paraphrase but be quite accurate on this. He said, “I do not want to get into figures, because when I get the figures wrong they come back to haunt me.” Well, Deputy Adams, at some point we are going to debate the figures and we are going to debate the economy.

**Deputy Micheál Martin:** Some of this will come back to haunt the Minister of State.

**Deputy Simon Harris:** There is no doubt that there are many issues that need to be ad-
dressed, as my colleague, the Minister, Deputy Coveney, has said about the justice system. That is already happening due to the reforming programme being pursued by the Minister for Justice and Equality, Deputy Frances Fitzgerald, which includes the setting up of an independent policing authority, reform of the Department in line with the Toland report, and a renewal of Garda recruitment - which Fianna Fáil stopped - along with investment through increased funding for Garda cars and numbers.

I know the Opposition does not want to debate the economy. Who can blame it? However, that is what the people want us to work on and that is what the people need us to focus on. It is not just for the sake of the economy, or having the economy as an end in itself; it is so we can deliver the society we want to deliver for all our people, one that our people need and deserve. Our economy is growing at the fastest rate in Europe, as is job creation. The troika has gone home and our sovereignty has been restored. Exports are up and reforms are under way in so many other areas. We will not be distracted or deterred by theatrics.

Deputy Finian McGrath: Tell that to David McWilliams.

Deputy Simon Harris: Perhaps when this latest political set piece ends, we can get back to debating the real issues.

Deputy Niall Collins: Is there any update on Moriarty? The Minister of State forgot to mention that.

Deputy Mary Lou McDonald: I trust the Minister of State, Deputy Simon Harris, has not been distracted by his own theatrics. I am impressed at the way in which all the best boys in the class are lined up to defend the honour of An Taoiseach.

Deputy Paschal Donohoe: The Deputy is good at that herself.

Deputy Patrick O’Donovan: The Deputy is a good measure of that.

Deputy Finian McGrath: We are getting Jan in there.

Deputy Mary Lou McDonald: The best girl will stand there presently. I wonder did they all bring apples to the Taoiseach this morning-----

Deputy Patrick O’Donovan: The Deputy does a good job of that herself.

Deputy Mary Lou McDonald: -----and leave them on his desk to curry favour.

Deputy Niall Collins: Those opposite have voted confidence before.

Deputy Mary Lou McDonald: The Minister, Deputy Noonan, in his somewhat monotone contribution earlier, seemed to be labouring under the misapprehension that the Fennelly report was merely a fig leaf, an excuse we had all waited for to table a motion of no confidence in the Taoiseach. Far from needing to conjure any pretext to table a motion of no confidence, the objective conditions on the ground and the experiences of families right across the State leave us in no doubt about the very many fronts on which we could have moved a motion of no confidence in the Taoiseach.

Today, at the top of the news, we were told that homelessness agencies have now declared the issue a humanitarian crisis. That is how severe and acute the chaos is within the areas of housing and homelessness in our society. The gentlemen and gentlewoman opposite have pre-
sided over that. Over the summer, and for some months before that, we still saw record numbers of people lying on hospital trolleys. That is the Government’s chaos, record and form of governance. It has persisted, of course, with the madness that is Irish Water and domestic water charges. Those are only three examples, but I could go on.

I should say to the Minister of State, Deputy Harris, that we are more than happy to debate the figures. We will debate the figures with him any time. How about the number of families on the social housing waiting list? Would he like to discuss those? Would he like to discuss the number of households in mortgage arrears? Do the gentlemen opposite like those figures?

**Deputy Simon Harris:** Those are coming down.

**Deputy Simon Coveney:** They are coming down, if the Deputy knows her figures.

**Deputy Mary Lou McDonald:** I am very sorry to hear that it has not been easy for the Minister of State in government.

**Deputy Simon Harris:** Or for the people.

**Deputy Mary Lou McDonald:** I can hear the hearts of the nation breaking on his behalf because it has been so difficult for him. Boohoo. That pales into insignificance beside the hardship it has visited on people right across the country. The Government’s rhetoric about recovery and its bombast rings very hollow, certainly in the constituency that I represent-----

**Deputy Simon Coveney:** Not if a person has a job.

**Deputy Mary Lou McDonald:** -----because no recovery is evident there and the hardship that families are undergoing is real. The Government’s half-hearted, mealy-mouthed nod in the direction of those families is, at this stage, insulting. If the Government were politically smart, it would stop doing that.

Now I come to the Fennelly report itself. For a person who has talked up Fennelly, the Taoiseach demonstrated a marked reluctance to come clean and give all the information to that commission. I have some sympathy for the position in which he has found himself. When the former Garda Commissioner attended the Committee of Public Accounts and said the whistle-blowers Maurice McCabe and John Wilson were “disgusting” - that was the word he used - I gave him the opportunity to withdraw or qualify those remarks and he refused to do so. In my view, the moment that he chose to stand over that “disgusting” remark, the Commissioner’s goose was cooked, if I could use that expression. It is my view that the Commissioner had to go. His credibility was shot and public confidence in him and, by extension, in the Garda at the time, was under incredible pressure. I think that Commissioner had to leave.

What Fennelly demonstrates very clearly is the truly remarkable turn of events where the Taoiseach chose to put a serving senior civil servant under the most incredible pressure to carry out an instruction that he believed to be wrong. That is the term he used: “wrong”. The Taoiseach used that individual as a proxy, as a mechanism to do his dirty work. He put arms-length and deniable distance between himself and the resignation of the Commissioner. I believe he did that in a very deliberate and very calculated fashion. I think he was conscious of the provisions in law under the Garda Síochána Act 2005. He knew that what he should have done was to go to the Cabinet, state his case and allow the Cabinet to take a decision that I believe would have been inevitable in respect of the Garda Commissioner. However, because the Taoiseach
was spooked, or maybe even because he was furious with the Commissioner for landing him in it again, he decided to do things his own way. He said at the beginning of his own contribution that he welcomed the fact that Fennelly expressed confidence in the Government and in the Attorney General. The Fennelly report does nothing of the sort. Yes, it falls short of saying that the Taoiseach said, man to man, Taoiseach to Commissioner, “You must go”. He did not do that, but he unquestionably sent a person on his behalf to deliver that message. He had lost confidence in the Commissioner and the Commissioner had to go, which is precisely what happened.

Fennelly is absolutely damming in respect of the Attorney General. Fennelly says, in his own words, that he was left perplexed by the evidence given, and subsequently modified, by the Attorney General. The Attorney General, the senior law officer in the State, the legal adviser to Government, left Fennelly perplexed because of the nature of her testimony. He was perplexed by her inconsistencies and by the fact that she had to revise her testimony. He was equally perplexed at the fact that the Attorney General took it upon herself, unilaterally it seems, not to inform a serving Minister of matters of which she should have informed him. This House will know I do not hold a candle for the former Minister, Deputy Shatter; far from it. That is not the point. The point is that he was the duly appointed member of the Cabinet but the Attorney General sidestepped all of that. It is a matter of some concern to me that when we raise important issues like this, for a senior officeholder such as the Attorney General, the Government tries to bat them away and to depict them as nit-picking by the Opposition or the Opposition looking for a soft target. People properly expect that the Taoiseach operates not just within the letter of the law, in this case the Garda Síochána Act 2005, but also the spirit of that law, and we should expect that the Attorney General discharges her functions competently, fully, in accordance with established procedures and in recognition of the office she holds. Fennelly reflects that this was not the case. The Government’s word of the season, which we have picked up on, is “chaos”, which it attributes to those of us on this side of the Dáil. If ever there was irony, that is it. The chaos within the Department of Justice and Equality; the chaotic manner in which the Taoiseach convened that meeting in March - the one he had no notes on; the absolute chaos of applying onerous pressure on a civil servant to go, under cover of darkness, to deliver the Taoiseach’s message to the Commissioner; the chaos of his Attorney General giving information to a commission, revisiting it, and deciding she would not communicate information to a senior Minister - that chaotic scenario is just a sample of the generalised chaos in which the Taoiseach operates. The really tragic thing - I will finish on this - and the reason we support a motion of no confidence in the Taoiseach, is that the chaotic enterprise that is this Government has delivered not only chaos but also huge hardship for families the length and breadth of this State.

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I stand to express my confidence in the work of the Taoiseach and in the work of the Government. As I offer that confidence, I am reminded of a number of occasions on which I sat over here, in various seats on these benches, and heard the Opposition make a number of claims. The first claim was that the Government would not put in place a process to investigate the very serious events we are debating this evening.

**Deputy Niall Collins:** Who said that?

**Deputy Micheál Martin:** We never made that claim. We only asked for the questions to be answered in the Dáil.

**Deputy Paschal Donohoe:** The second claim was that if that was put in place, it would not
report before a general election. Deputy Micheál Martin stood up here on a number of occasions, demanding that this report be published before any approaching general election.

**Deputy Micheál Martin:** I actually demanded that we get questions answered in the Dáil by the Taoiseach and he refused. At Leaders’ Questions he refused.

**Deputy Paschal Donohoe:** He stood up in the same spirit, asking if an interim report was made available, when it would be published. The cold reality of where we stand at the moment for Deputy Martin, is that he made claim after claim and laid down pretence after pretence regarding what would be in this report. He claimed the report would not be published. He claimed it would vindicate the claims he had been making about the Taoiseach and the Government. The report came into the Taoiseach’s office on a Monday and it was published on a Tuesday.

**Deputy Micheál Martin:** He had it a month before that, in fact. For God’s sake.

**Deputy Paschal Donohoe:** All the charges he made in respect of the Taoiseach have been proved unfounded by this report—

**Deputy Micheál Martin:** Have they, all of them?

**Deputy Finian McGrath:** That is not true.

**Deputy Micheál Martin:** Have all of them?

**Deputy Finian McGrath:** Read the report.

**Deputy Micheál Martin:** What report did the Minister read?

**An Leas-Cheann Comhairle:** Order, please.

**Deputy Paschal Donohoe:** It is so entertaining. I think this is the first time in at least four years that I have heard Fianna Fáil come in here and talk approvingly about RTE opinion polls. While I always look forward to and respect the view of the people and the decision of the people, which they will make clear at a ballot box at some point in the future, I would rather see my justice and the search for truth administered by a retired Supreme Court justice than overseen by an opinion poll, as the Deputy appeared to suggest earlier.

**Deputy Niall Collins:** That was not suggested at all.

**Deputy Paschal Donohoe:** I listened with great interest to what Deputy Niall Collins had to say earlier. He walked in here and treated us to some kind of stream of consciousness where he went through all the different motions of confidence that he could put down about the Government.

**Deputy Niall Collins:** Motions of no confidence.

**Deputy Paschal Donohoe:** He talked about all the different things that had unfolded regarding the economy and said that he could put down a motion on any of these, but the reality is that he did not.

**Deputy Niall Collins:** We have, later on.

**Deputy Paschal Donohoe:** The reason Deputy Niall Collins did not do this is——
Deputy Niall Collins: We have, later on.

Deputy Paschal Donohoe: -----that on every one of the claims he made about the economy, two developments are apparent to most, although I acknowledge that so much more needs to be done.

Deputy Micheál Martin: We did it in the health area and they got rid of the then Minister, Deputy Reilly. We did it in the justice area and they got rid of the former Minister, Deputy Shatter.

Deputy Paschal Donohoe: What is first apparent to most is that the very kind of recovery Fianna Fáil claimed was impossible and would never happen is now under way in our country.

Deputy Niall Collins: When did we say that?

Deputy Paschal Donohoe: The second point that is apparent to most is that-----

Deputy Niall Collins: No. When did we say that?

Deputy Paschal Donohoe: -----while much is still wrong, there are so many challenges that need to be fixed and there are so many social ills that we need to remedy, what we now have is an economy that is at least capable of doing that. What we now have is an economy that is delivering growth and creating jobs. Tens of thousands of jobs have been created, with over 125,000 jobs having been created since our strategy to create employment was put in place. This compares with the wreck of an economy this Government faced when we came into office due to the decisions made by Fianna Fáil.

I listened with interest to what my constituency colleague had to say when she praised Members on this bench for their loyalty. I can tell Deputy McDonald that we could take lessons from her in her coming in here and expressing undying loyalty to her leader.

Deputy Mary Lou McDonald: I stated that the Minister, Deputy Donohoe, was the best boy in the class. Was I being nasty? He should take the compliment.

Deputy Paschal Donohoe: We could take lessons from her on the number of times she has come in here and sat beside her leader, and stood up and defended him. I respect her right to do so, but she has done so in an undying fashion and in a manner that did not recognise the reality that was apparent to the rest of the country and to this Dáil.

We all accept that there are many challenges that have to be faced. We in this Government do so, and I certainly do so as somebody who deals with the challenges that families in my community face on a daily basis.

An Leas-Cheann Comhairle: I thank the Minister.

Deputy Paschal Donohoe: The Government has created the ability of the country to respond to the challenges that still exist while overcoming, due to the consent and support of the people, the very challenges which Fianna Fáil created, the very wreck of the economy that this Government had to deal with when we came into office and the other challenges which all members of the Opposition said could never be overcome. That is the track record over which I stand and I express confidence in the Taoiseach, the Government and the work of the Attorney General.
Minister for Education and Skills (Deputy Jan O’Sullivan): Listening to the debate this afternoon I am reminded of Tom Kettle’s reflections on politics:

... there will be always joy and loyalty enough left to keep you unwavering in the faith that politics is not as it seems in clouded moments, a mere gabble and squabble of selfish interests, but that it is the State in action. And the State is the name by which we call the great human conspiracy against hunger and cold, against loneliness and ignorance; the State is the foster-mother and warden of the arts, of love, of comradeship, of all that redeems from despair that strange adventure which we call human life.

The beginning of this Oireachtas term was an opportune moment for the Opposition to kick-start an informed and, indeed, critical debate on this Government’s record - its achievements, of which there are many, and also the areas where we have failed to reach the mark. Moreover, it would have been even more beneficial for citizens interested in this debate - I wonder what those listening to this debate think are our priorities in here - for all parties in the House to honestly and credibly set forward their vision for Ireland.

Unfortunately, the parties opposite chose a different tack. They have, in Kettle’s words, revealed themselves “as mere gabble and squabble of selfish interests”. This is epitomised by the tawdry attempt of those on the Opposition benches to cast aspersions on the role of the Attorney General, a departure that ignores the facts available to us and flies in the face of the content of the commission’s report.

I am proud to place on the record of this House my full confidence in the Taoiseach and my admiration and faith in the professionalism, judgment and dedication of the Attorney General. Any fair reading of the commission’s report would endorse the Attorney General’s actions. At all times she acted as the impartial and objective legal counsel to the Government, not a part of the Government nor a party in government, but to the Government as a whole, led by the Taoiseach. This is in keeping with the remarkable commitment to public service that the Attorney General has displayed since her appointment. The attempts by some Members opposite to besmirch that hard-earned reputation through a malign mixture of innuendo, supposition and what-if folly is pathetic.

As I mentioned earlier, this was the opportunity to have a frank and honest debate about this Government’s record and, more importantly, about how we build a thriving, compassionate, nurturing society in the coming years. Instead, the Opposition turned its back on that debate, which is telling in itself.

A debate about future policy direction is particularly valuable in the vital area of education. Last year was the first year in recent times that we secured an increase in the education budget. It was a modest increase, but I am determined to see this as the beginning of increased investment in the important area of education.

In addition to the extra resources that the budgetary increase provided, I have, with the assistance of colleagues, in particular, my colleague, the Minister for Public Expenditure and Reform, Deputy Howlin, secured additional support during the year for children with special educational needs. I have ensured that every child with Down’s syndrome will have an equal right to resource teacher support. As many in this House will be aware, we had a situation whereby parents of children with Down’s syndrome whose condition was diagnosed as “mild” were not guaranteed access to resource teachers, and I am glad to say that is no longer the case.
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Also, in July, I received sanction and Government support to recruit up to 620 additional SNA posts starting this month. This represents an 11.7% increase since the Government came into office, yet I still hear Members opposite clamour about the cut back in SNA positions, which is a complete distortion of the truth. They may have loud voices but at times they are not very good at sums.

This is a missed opportunity to have a debate about values, competence and the future of the country, and we need to have that honest debate. I do not pretend to have all the answers and I would have welcomed the opinions of those on the Opposition benches, as would my colleagues. Unfortunately, others gained the whip hand in the lead in to this debate but, then again, perhaps that is what they want - all bluster and no substance.

An Leas-Cheann Comhairle: I understand Deputy Donnelly is sharing with Deputies Thomas Pringle, Finian McGrath, Shane Ross and Paul Murphy.

Deputy Stephen S. Donnelly: That is correct.

Did the Taoiseach put pressure on the former Garda Commissioner to resign? He claims he did not and that the Fennelly report vindicates him, but it does nothing of the sort. The Fennelly report states: “The Taoiseach has assured the Commission in evidence that he had no intention of putting any kind of pressure, direct or indirect on the Commissioner and that he was genuinely very surprised when he learned that the Commissioner had decided to retire.” The report goes on to list the evidence that makes these claims impossible to accept. It states: “Mr Purcell was... instructed to tell the Commissioner that... the Taoiseach would be proposing the appointment of a Commission of Investigation and that there was a possibility that he, the Taoiseach, would be in a position where he might not be able to express continued confidence in the Commissioner.” No pressure.

The report states that Deputy Shatter, in his written statement to the commission, said that the Taoiseach was clearly of the view that the Garda Commissioner should resign or retire. Again, no pressure. Deputy Shatter is quoted as viewing the nocturnal visit has having “the intent of a message going to the Commissioner that indicated very clearly to him that his position was in great difficulty or that he should consider his position”. No pressure. The report states that the Taoiseach and the Attorney General gave evidence on the issue of no confidence and that it was not one of the concerns to be conveyed to Mr. Purcell, but Mr. Purcell, Mr. Fraser and Deputy Shatter, on the other hand, “were in no doubt that it was part of the message to be conveyed to the Garda Commissioner”. Again, no pressure. The report states: “It was decided at the meeting that, for reasons that are not clear to the Commission, simply telephoning the Garda Commissioner was not sufficient but that the message should be conveyed by Mr Purcell in person.” No pressure.

The report states:

Mr Purcell was thus instructed by the Taoiseach to visit the Garda Commissioner. He was to visit his home, something which neither he nor, so far as he was aware, any of his predecessors had ever done before.

No pressure.

Based on the evidence, clearly, the Fennelly report shows evidence that it is impossible to conclude that the Taoiseach had no intention of putting pressure on the Garda Commissioner,
and 88% of the people do not believe it to be the case. For this reason, the motion of confidence should be voted against.

**Deputy Thomas Pringle:** The motion is about the Fennelly report. The Minister for Education and Skills has just said the debate should be about values and competence. The debate certainly is about values and competence. It is about the Taoiseach’s values and how he dealt with the Garda Commissioner when the information came to light, and about how he did not use the proper channels to convey his message to the Garda Commissioner. He sent a late night visit to the Commissioner from the Secretary General of the Department of Justice, Equality and Law Reform, and to quote a famous film, he “made him an offer he couldn’t refuse”. He was left with no choice as to what he had to do. While the Taoiseach might not have said, “I want you to resign”, he certainly left the Commissioner knowing what he had to do, and that is what the Commissioner did.

In his earlier contribution, the Taoiseach said had he seen the letter that was in the Department of Justice and Equality for a number of weeks before the information came to light, things would have been different. However, are we seriously to believe that the Secretary General whom he sent to deliver the message to the Commissioner had not seen the letter and did not know about it? Did he not mention it to the Taoiseach at any stage during the debacle? It stretches credulity to believe it would have happened. The Taoiseach delivered a message that he wanted the Commissioner to resign, and the Commissioner took the message on board, although it was not laid out in black and white for him.

There are many reasons to have a motion of no confidence in the Government, and they have been highlighted over recent years. The Taoiseach went to Switzerland and told our European masters we had all “partied”, while here in the House he said we were not responsible for the crisis. The Taoiseach said he had not increased taxes during the lifetime of the Government when, clearly, everybody here knows he did. Last week, we had the spectacle of the Tánaiste opening a food bank in the city, which shows the culture and competence of the Government, given that opening a food bank in our capital city could be seen as progress.

**Deputy Finian McGrath:** I thank the Leas-Cheann Comhairle for the opportunity to speak on this very important debate on the interim report of the Fennelly commission and the issue of confidence in the Taoiseach, the Attorney General and the Government. I do not have confidence in the Government and the result of the Fennelly commission of investigation is just one big reason, among many others such as trust, integrity and the performance of the Government, for the lack of confidence. The people have lost confidence, and during recent weeks most people are fed up with the Government’s carry on. The motion is about trust and confidence, and people believe the Taoiseach played a major role in the sacking of the Garda Commissioner. Most people I know do not believe the Taoiseach and have major concerns about the credibility of the Taoiseach and the Government. That is the bottom line, and when one digs deeper into the interim report, particularly on page 212, on the issue of Mr. Purcell’s visit to the Commissioner’s home, we see, for example, “Mr Purcell agreed with the conclusion that, although it was certainly not something he wanted to do [it was] the least worst option”. He was also “extremely uncomfortable” about finding himself in this position. The bottom line on the debate is that the people have lost confidence in the Government and the issue of lack of respect for the justice system, and I will vote accordingly.

**Deputy Shane Ross:** The whole sorry episode began at the Committee of Public Accounts when the then Commissioner described two whistleblowers as “disgusting”. He went on to talk
about “my force” and to be arrogant in a way which was symptomatic of a man who felt he was embedded in power and irremovable. What was wrong with the episode was that the Commissioner, Martin Callinan, should have been sacked the next morning. After he had said what he said in a public forum, undermining the work of good gardaí who had been judged in a Garda kangaroo court guilty of something of which they were not guilty, the Government should have immediately sacked the Commissioner on that day. Instead, it spent months defending him, going into political contortions to do so. At the end, the episode occurred, which we are discussing today, the subject of the vote of confidence.

The Government decided that because he was politically disposable and too hot to carry politically, he would then be fired. The Government fired him in a way which was obviously unacceptable. It was against every protocol known and, possibly, against the law, given that he was fired without the consent of the Cabinet, and behind closed doors. It was typical of what happens in the Government, given that the same happened to the former Minister for Justice and Equality, who made mistake after mistake but was fired only when he became too hot to carry politically. It is part of a pattern of the Government continually using and abusing the system to gain political kudos and capital for itself and disposing of people at the wrong time, possibly unconstitutionally, when they become politically disposable.

**Deputy Paul Murphy:** Minutes after the publication of the Fennelly report, we were treated to a master class in spin by the Government and, again, by Government party Deputies today. The report has been presented as a whitewashing of the Taoiseach while, in reality, the details of the report are anything but that. It is a very good reason not to have confidence in our Taoiseach, Government and, incidentally, the Attorney General. There are many other very good reasons not to have confidence in the Taoiseach and the Government. Like Deputy Pringle, I was struck, as were many, by the image of the Tánaiste, Deputy Burton, happily cutting the ribbon on a food bank as a symbol of the recovery that is supposedly under way. It symbolised precisely what is happening, what was exposed so well in last night’s documentary on RTE, namely, the nature of the recovery.

The Government is presiding over a recovery for the rich, the corporations and the high earners at the expense of the rest, and over a situation in which almost one in three people and almost one in two children is suffering from multiple deprivation experiences. Those statistics have doubled since the start of the crisis and have significantly increased since the Government took office, while the wealth of the super-wealthy has gone from €50 billion to €84 billion and Denis O’Brien’s personal wealth has more than doubled. It sums up the reality of the Government’s actions and the slogan and rhetoric of recovery on which it will stand for election and seek re-election and a vote of confidence from the public. That is who the Government stands for and represents and it will not get the votes of confidence of the public when it comes to an election in the coming months.

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** We are here debating the motion because the Opposition has decided the best use of Dáil time after the summer break is, once again, to assert a false claim which has been rejected by a former Supreme Court judge. Rather than focusing on the issues that affect people every day of their lives, such as job creation, housing or improving our health services, the Opposition would prefer that we spend today discussing a claim which does not stand up. Time and again, the Opposition made the false assertion that the Taoiseach effectively sacked the Garda Commissioner. Despite these claims, the Fennelly inquiry clearly finds that the former Commissioner took his own decision to retire. I have full confidence in the Taoiseach in how he handled the
lead-up to the retirement of the former Commissioner, much like I have full confidence in the Taoiseach in his handling of the economy over the past four and a half years.

5 o’clock

Under the Taoiseach’s leadership, this country has been brought back from the brink. Back in 2011, we had lost our economic sovereignty, our international reputation was in tatters, unemployment was out of control and we had no money to invest in public services. I will give two apt examples of what is happening now. We are recruiting new gardaí and we are investing in the Garda fleet. As Deputies might remember, Fianna Fáil halted Garda recruitment in 2009 because it had destroyed the economy and had no money to take on new recruits. Between 2012 and 2014, this Government spent more than €400 million on the Garda budget than Fianna Fáil had proposed for the same period.

Such investment would not have been possible if this Government, with the support of the people, had not taken painful steps to repair the economy and get this country back on a sustainable footing. By continuing to create jobs, we are sustaining the recovery. As more people are at work, we have more money to invest in public services like the Garda Síochána. We would not be in a position to invest in such services in the absence of the calm and considered leadership of the Taoiseach and his focus on improving the lives of people in this country. He has led this country through one of the most difficult times in its history. He has shown conviction in the face of adversity and courage in the face of difficult decisions. As a nation, we are now seeing the benefits of that. Some 120,000 jobs have been created. Ireland has the fastest growing economy in Europe. The unemployment rate has decreased from 15% to 9.5% and is continuing to fall.

Step by step, under the leadership of the Taoiseach, the Government has repaired the old broken Fianna Fáil model and replaced it with a sustainable economy based on enterprise and innovation. The more we move away from the failed policies of the past, the more we can deliver prosperity for the people. Just one question that needs to be asked in the context of this confidence motion. Is this country a better place now than it was when Deputy Enda Kenny became Taoiseach? The only answer anyone can give to that question is “Yes”. I have full confidence in him as Taoiseach and as leader of Fine Gael. I will be giving my full support to this motion.

Minister for Children and Youth Affairs (Deputy James Reilly): It is difficult to understand why this motion is before the House.

Deputy Gerry Adams: It is a Government motion.

Deputy Róisín Shortall: There is some difficulty with that all right.

Deputy James Reilly: The facts speak for themselves. The Government established an independent commission to investigate the circumstances surrounding the retirement of the Garda Commissioner. These circumstances were investigated for months by a retired Supreme Court judge. The commission has now considered all the evidence and concluded that the Garda Commissioner decided to retire and could have decided otherwise.

This motion is old-style cynical politics at its worst. Fianna Fáil is attacking the Taoiseach for the sake of attacking him. This cynical approach to politics has served this country poorly in the past. Where is responsible opposition? Where is Fianna Fáil’s desire to put the country
ahead of the party? Have its members learned nothing? After the painful recession from which we are now emerging, the public expects better from politicians. This is the type of behaviour that makes the public switch off from politics. It is the exact opposite of what we experienced last May, when people who had never even voted before knocked on doors in every constituency in the country to campaign for their rights and the rights of others. The decisive result that emerged at the end of that campaign provided a new optimism regarding what politics can achieve. Fianna Fáil may not have noticed this. It may have been oblivious to the new mood, given that it barely lifted a finger to participate in the process in question. It is now reverting to type by engaging in the type of politics that disillusioned young people to the point where they do not even register to vote. Is it any wonder that the public has turned its back on Fianna Fáil? Is it any wonder that one of its brightest young leading lights has turned her back on the party?

The toxic culture of the Fianna Fáil Party devastated this country. Its reckless approach hurt every family in the country. No home was left untouched. As others have said, unemployment soared, taxes increased and the most vulnerable were walloped. The country was humiliated. Fianna Fáil walked off the pitch after wreaking havoc on the country. Many Ministers did not even bother to go to the polls. The small rump of leftovers has now tabled a motion of no confidence in the leader who cleaned up their mess. It is not surprising that Sinn Féin is voting with Fianna Fáil today. The members of that party are not comfortable when they have to deal with the facts. Rather then listening to the evidence and accepting an impartial judgment, they prefer their traditional approach of being judge, jury and undertaker. They would even like to remove our Attorney General. Having worked with her on complex legislation, I have seen at first hand her unrivalled professionalism and her commitment to her job.

Fianna Fáil and Sinn Féin are telling us that they have no confidence in the Taoiseach who has turned this country around. Under the Taoiseach’s leadership, this country is coming back from the brink. We now have the fastest-growing economy in Europe. Some 1,300 jobs are being created every week. The unemployment rate has fallen from 15.1% to 9.5%. We knew that the man who rebuilt our party was the man to rebuild the country. The recovery was not just about rebuilding our economy; it was about rebuilding our pride, self-esteem and confidence. The recovery remains fragile in uncertain times, however. The Chinese stock markets are tumbling. The European economy has slowed to a crawl. Our largest trading partner is actively considering leaving the European Union. In these uncertain times, the man who brought this country back from the brink is the man to secure our fragile recovery and ensure its benefits are felt by every individual, by each family and by all households. I commend the motion to the House.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Damien English): The leader of Fianna Fáil and many other Opposition Deputies constantly talk about Government spin. They do not realise that this Government deals in facts. I wish to deal with facts during this debate, in the first instance when speaking about the Fennelly report. The central charge made against the Taoiseach by the Opposition is that he sacked the Garda Commissioner. The conclusions of the Fennelly report show that this charge does not stand up. I will set out the facts of the report. Conclusion 14 in the report is that “there was no question at the meeting on 24th March of any proposal being made that the Government consider the removal of the Commissioner from office”. Conclusion 15 in it is that “the Commission accepts that the Taoiseach did not intend to put pressure on the Garda Commissioner to retire”. Conclusion 22 is that “the Commissioner decided to retire; he could have decided otherwise, but he did not wish to become embroiled in legal or other conflict with the Government”. That
In turning to the motion of confidence in the Government, it is important that we remember where we were back in early 2011. There were dark clouds hanging over this country. We were on the brink of bankruptcy. We were facing mass unemployment. The rate of unemployment was heading up to 20%. The nation was gripped by despair. There was no hope. When we went to the doors and met people on the streets, we could see fear in their eyes. They feared for their jobs and prospects, but they had a greater fear for the future of this country and the future of their children and grandchildren. They did not have hope. They were genuinely afraid. Four and a half years on, under the leadership of the Taoiseach, this Fine Gael-Labour Party Government has brought hope back to people. Confidence has been restored. When we meet people now on the streets and at the doors, they have hope and they see a future for themselves and for their children and grandchildren.

Members would be wrong to think I am saying everything is perfect out there. We are not delusional on the Government side. We know things still have to improve. Most people say they believe things are going to get better. If one talks to those who are involved in small and medium-sized enterprises, most of them will tell one they intend to increase the number of people they employ. There is hope and there is belief in the future. The restoration of confidence is the most important thing. This hope is backed up by the facts, as opposed to imagination and spin. It is a fact that unemployment was at 15% and was heading to 20%, but is now at 9.5%. It is a fact that we were losing thousands of jobs each week, but we are now winning 1,300 new and real jobs each week. It is a fact that the budgetary deficit, which was €22 billion in 2011, will be under €5 billion this year. The cost of Government borrowing was 15% but is now down to 1.63%. The economy has now recovered to the same size that it was before the crash. This time it is real instead of being based on a property bubble. These are facts rather than spin. We do not need to spin this recovery. It is real, it is sustainable, and, most importantly, it is delivering jobs - real jobs. This is an enterprise-led recovery built on exports. It is a sustainable recovery that will give the Government the ability to pay for the improved services that the people of this country deserve. Our job now is to future-proof the economy by investing in skills, research and innovation and in our young people. This charge is being led by the Taoiseach, who has given clear example. He can show real leadership, which, I am sad to say, I have not seen anywhere on the Opposition benches for the last four and a half years. He has shown real leadership and has made real decisions in real time.

Deputy Róisín Shortall: With the approval of the House, I would like to share my time with Deputy Billy Timmins.

The central question that arises in this debate is “Does it matter whether the Taoiseach tells the truth?”. I think it matters quite a lot, and the public thinks it matters as well, in spite of the impression that is being created - or that the Government is trying to create - that nobody is really interested in this. I heard a reporter on RTE saying that the Fennelly report does not matter and that nobody is interested, but I do not think that is the case at all. The public is very exercised by this because it goes to the very heart of politics and whether one can believe a senior politician. For that reason, it is quite disappointing that Fennelly did not reach a clear conclusion on the central point of the inquiry, in spite of the fact that there was so much evidence from almost everybody else who was interviewed to support the contention that we are getting something less than the truth from the Taoiseach. That does matter to people.

The report paints a picture of quite staggering incompetence and panic on the part of the
Taoiseach and a complete disregard for proper procedures. It also portrays quite serious dysfunction across a number of State offices, which should be a matter of concern to us all. The report is littered with contradictions, and any fair reading would lead one to conclude that the Taoiseach’s claims of vindication simply do not stand up. In fact, the way the Taoiseach has portrayed this is reminiscent of Albert Reynolds in respect of the beef tribunal. The whole approach, in terms of honesty in politics, is very similar to what happened on that occasion.

We all know that the Taoiseach had a political problem. There had been relentless controversies emanating from the Garda and from the Department of Justice and Equality. It would appear that the Taoiseach used senior officials to help him to solve that political problem. Clearly, this was completely inappropriate and improper. There seemed to be a view that if the Garda Commissioner stepped down it would help to quell controversies. If that was what the Taoiseach wanted, he should have followed proper procedures and got Cabinet approval to remove the Commissioner. Instead, he sent a senior official to the Commissioner’s home late at night to tell him that the Taoiseach could not express confidence in him. This, of course, meant one thing and one thing only, and that was that the Commissioner was sacked. If this was not the intention in sending Brian Purcell to the Commissioner’s house that night, then what was the point of the visit? Many feel that the Taoiseach is treating the public like fools, but they are not fools. The public knows what the score is in this regard. Again, if the purpose of sending Mr. Purcell out that night was not to get the Commissioner to resign, then what on earth was the purpose of that visit? The report itself is quite clear in this regard. It says that the commission accepts the Taoiseach’s assurances that he did not, by sending Mr. Purcell to visit the Commissioner, put pressure on the Commissioner to retire. However, it goes on to say: “Seen objectively however, Mr. Purcell’s message ... on behalf of the Taoiseach ... late at night, was likely to be interpreted as doing just that.” The other issue is that while the Taoiseach claims one thing, everybody else in the room that night understood exactly what was involved. Everybody in the room that night was absolutely clear that the Taoiseach was sending Mr. Purcell out to sack the Garda Commissioner. For the Taoiseach to deny this is simply not believable. Irrespective of how he has spun the release of the report, it is just not believable.

I want to speak now about the role of the Attorney General in all of this. Fennelly described her actions as perplexing and puzzling. Certainly, it is very hard to know why she had a crisis meeting with the Taoiseach about phone taping on 23 March when her office had been told about the phone taping the previous November. Indeed, her office was involved with the Garda Commissioner’s office right throughout the month of February with regard to taping in respect of the Bailey case. Reports that she was called back on four occasions would indicate that there were very serious problems with the evidence being given by the Attorney General. There are very serious questions to be answered regarding the functioning of her office.

In respect of the Department of Justice and Equality, an important letter came from the Garda Commissioner addressed to the Minister, but this was not passed on. Was there an awareness of that letter? Was the Taoiseach told about that letter on the night? Did Mr. Purcell tell him about the dysfunction within his Department that resulted in such an important letter not reaching the Minister?

One must also ask about the level of awareness of the taping of calls going into and out of Garda stations. Everybody seems to be claiming they did not know this was happening - that it was news to them. The system for taping phone calls was put in during the 1980s in a number of Garda stations, so it was not a question of its being done secretly. Furthermore, the system was upgraded in the 1990s and some half a million euro was spent on further upgrading it in
2008. How was it that nobody in the Department of Justice and Equality or in the Attorney General’s office seemed to know anything about this? This raises massive questions about dysfunction at the very heart of Government and the Civil Service. Of course, critical questions also arise with regard to the functioning of the Civil Service and the relationship between the Civil Service and senior Ministers. We have a situation at the moment whereby Secretaries General hide behind Ministers and Ministers hide behind the Secretaries General. Deputy Rabbitte has drawn attention to this on numerous occasions but, of course, nothing has been done to reform this area. What advice did Martin Fraser give the Taoiseach concerning his powers in this regard? Are we not entitled to see that advice?

All of this is very important. We have had eulogies from all of the Ministers today who spoke about the Leader of the Government and what he has done. The leader of the Government has doubled child poverty and is responsible for the fact that there are half a million people on hospital waiting lists. The Leader of the Government is responsible for the increase in the housing waiting lists to 130,000 and has overseen a massive transfer of wealth from the poor and the middle classes to the wealthy. The Leader of the Government used the budget last year to widen the gap between rich and poor. And, most importantly, the Leader of the Government cannot be believed or trusted. That is why we cannot vote confidence in him.

Deputy Billy Timmins: In many respects, this confidence motion is irrelevant. It is born out of an adversarial system that has ill served the public. The outcome is well known in advance, the debate predictable. The Opposition comes in and casts a jaundiced eye on the workings and failures of Government and Cabinet Ministers and others line up like King Lear’s daughters, protesting their undying obedience and confidence in the Taoiseach and the Government.

This Government has done some good and some bad. However, with respect to the issue at hand, namely, the interim report of the Fennelly commission - the Government has not covered itself in glory. The Taoiseach has a view that he did not sack the Commissioner, a view I believe he genuinely holds. However, his actions, which resulted in the visit by the Secretary General of the Department of Justice and Equality to the Garda Commissioner’s home, caused the Commissioner to resign. Irrespective of the rights and wrongs or how the Commissioner was performing in his role, a public servant does not deserve that treatment but deserves fair process, whether he or she is the highest ranking member of the Garda or the lowest. This view is shared by the majority of people. This was a case of government by innuendo, which is not how things are meant to be. While both sides of the House can selectively quote from the interim report, members of the public will draw their own conclusions and will not come down on the side of the Government.

I would like the Minister for Justice and Equality to address a few minor issues arising from the interim report before the final report is published. I refer to the failure of the management team to inform the Garda Commissioner about the tapes and the shredding of ten bags of material, which I understand took place ten days after the Commissioner resigned. Under section 42 of the Garda Síochána Act 2005, the Minister has the power to appoint a relevant person to carry out an investigation into such matters. It would be helpful if such an investigation were completed before the publication of the final report.

An attempt was made to manipulate the media in respect of the publication of the report. It should be a requirement in future that such reports be laid before the House at the same time as they are received by the Government.
This debate will be ignored by members of the public who have made up their minds and moved on. Is it not regrettable that we cannot approach this debate with open minds, rather than adopting partisan positions with predetermined outcomes?

**Deputy Pat Rabbitte:** The context of this first Fennelly report is the controversies that engulfed the Garda Síochána and about which several Members of the House spent months jumping up and down criticising the former Garda Commissioner. The same Members now cry a river of crocodile tears about the manner of the former Commissioner’s retirement.

The interim report of the Fennelly commission is careful to state several times that, after 15 months, it ventures no opinion as to the legality of the Garda station recordings, although it is possible to infer from the report that the Attorney General was expected to reach a conclusion on legality over one weekend. While we await the second Fennelly report, the House appears agreed on the potentially grave implications for the administration of justice of the capture of telephone traffic in and out of Garda stations, a fact unknown to the then Minister for Justice and Equality or Garda Commissioner apparently. We are fortunate to have a law officer advising the Government who spelled out those grave implications. What a pity we did not have a similarly patriotic watchdog to advise the Government of Deputy Micheál Martin of the grave economic implications of the Fianna Fáil Party policies being pursued before the country went over the cliff.

**The Taoiseach:** Hear, hear.

**Deputy Pat Rabbitte:** Deputy Martin thinks the then Garda Commissioner, having announced his retirement, should have been allowed to stay in office for three months. Is this not what happened when Mr. Bertie Ahern stayed on as Taoiseach for months after announcing his departure while the country went down the tubes? I do not recall Fianna Fáil observing any courtesies when the then Minister, Mr. Gerry Collins, sacked the then Garda Commissioner who subsequently won compensation in the courts. Moreover, Deputy Martin has never been able to find the file last seen on his desk, according to the Travers report, when his inaction cost the Exchequer €110 million.

**Deputy Micheál Martin:** That is a lie.

**Deputy Pat Rabbitte:** I await with interest information on who authorised the recordings in Garda stations - if they were authorised. In the interim, I have confidence in the Taoiseach, Attorney General and Government and nothing Deputy Martin, the ghost of bailouts past, had to say today changes my opinion.

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** I listened to the contribution of Deputy Niall Collins who, on every occasion available to him in this House, tries to blacken the good names of public representatives and make allegations about Members. Given that he presents himself as an alternative Minister for Justice and Equality, I propose to point out one or two things to him. Last year, the Deputy wrote to a judge asking that a convicted drug dealer be allowed to go free. Just two weeks ago, he called on the Taoiseach to publish all details, including transcripts, of his evidence to the Fennelly commission. He should know that to do so would be illegal as the Commissions of Investigation Act, which was introduced by the Fianna Fáil Party in government in 2004, specifically prohibits anybody from publishing any evidence given or the contents of any documentation produced by a witness. This prohibition is set out in black and white in section 11(3) of the Act,
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which also provides, in section 11(5), that a person who publishes such evidence is guilty of an offence. How can anyone treat Deputy Niall Collins seriously when he is not familiar with the legislation his party introduced?

The Taoiseach has been one of the best, most honourable and most decent Taoisigh to have sat in this House. There have been no scandals or whiff of scandal associated with him.

Deputy Micheál Martin: This is a scandal.

Deputy Michael Ring: The cheek of you to even open your mouth.

An Leas-Cheann Comhairle: Please speak through the Chair.

Deputy Michael Ring: When you were a member of Government all you could do every time there was a scandal was ask for another report. You stood over Bertie Ahern, Pádraig Flynn and every scandal that was raised in this House and pretended nothing was going on. People do not treat you seriously, which is the reason they do not have any confidence in you or the Fianna Fáil Party, as you will find out in a few months when we go before the electorate. People know what you stand for and what the Taoiseach and Government stand for.

I heard speakers discuss the problems the country has. You remember this, Micheál Martin-----

An Leas-Cheann Comhairle: Deputies must speak through the Chair.

Deputy Michael Ring: -----the 100th anniversary of the 1916 Rising falls in 2016. The troika came into this country when it was under the care of Deputy Martin’s party. We fought for independence and a Republic, yet Deputy Martin’s party handed our independence over to the troika. We will take every opportunity we get to tell people in every corner of the country what the Deputy’s party did in destroying this country not once or twice but three times. Fianna Fáil will not be forgiven for what it did. People are sleeping rough because of the policies of a party that condemns the Government at every opportunity for doing what is right.

The Taoiseach is a good and honourable man who has led the country out of the worst recession since the foundation of the State and people will remember that when they go to the polls.

Deputy John O’Mahony: How does one follow that?

Deputy Micheál Martin: I would not advise the Deputy to try.

Deputy John O’Mahony: I express my full support and total confidence in the Taoiseach on the issue of the Fennelly commission report and his actions during the period in question. While the report clearly outlines the various breakdowns in communications and so on, the bottom line is that it makes clear that neither the Taoiseach nor anyone else sacked the Garda Commissioner and that the Commissioner had other options available to him.

I was present during Leaders’ Questions on numerous occasions during that period and I remember Sinn Féin, Fianna Fáil and Independent Deputies jumping up and down looking for a commission of inquiry to examine the relevant events. They got an inquiry but are not happy with its findings. In other words, it produced the wrong answer. I ask them to take a leaf out of the book of the Kerry football team which, after being beaten fairly and squarely by Dublin in the all-Ireland final, accepted the result and moved on.
I have known the Taoiseach for the past 40 years. During that time, I have had many dealings with him, including a few rows. I will say, however, that he is a man of the highest integrity and honesty and a person who does what he says he will do. It is as simple as that and history will judge his legacy accordingly.

**Deputy Michelle Mulherin:** I, too, express every confidence in the Taoiseach, the Attorney General and the Government. It strikes me that one always hears Deputies speak about political reform. While it may be possible to change rules, improve accountability or have things run more smoothly, it is not possible to account fully for human nature. This motion is an example of Deputies playing silly buggers. It wastes time that could be spent discussing ongoing issues that need to be addressed. Fianna Fáil Deputies in particular cannot speak about economic success and recovery given that the Taoiseach has taken us back from the precipice to which their party led us. We were about to fall over but he has put the country on the road to recovery with the support of Government and all on the backbench. What we should be debating is the fallout of Fianna Fáil in government and how we are trying to fix legacy issues, whether it is housing or the many other issues we face as a consequence of the bad management, to say the very least, of Fianna Fáil.

I pay tribute to the Attorney General. Fair play to this Government for appointing her as the first woman to that office. We have an outstanding Attorney General in Máire Whelan. I spent at least four hours with her alongside another colleague, debating and exploring my concerns about the Protection of Life during Pregnancy Bill. Not only is she extremely competent, she is deeply motivated to serve in her office for the common good. This Attorney General has overseen probably the greatest amount of reforming legislation in the history of the State. She has a deep commitment to the public interest. In relation to the 30-year Garda recording controversy, the Attorney General demonstrated this deep commitment by her action to ensure that the rights of citizens were not adversely prejudiced by the potential destruction of recordings that could possibly contain exculpatory evidence. Those on the Opposition benches are doing their best to put her down and rubbish her. The way the old boys standing together on the Opposition benches are attempting to gang up on her smacks more than a little of male chauvinism.

**Deputy Michael McGrath:** Listening to the previous speakers, one would think this was all very clear-cut. Unfortunately, it is not clear-cut and I find it remarkable that many of the Government speakers feel we should not be discussing the interim Fennelly report at all. If we had three hours' debate it would be a disgrace, but we have had nothing like three hours because most people have not even spoken about the Fennelly report because they have not read it. That is very evident from the speeches that have been made.

There is a certain irony that some of those on the Government benches who are being wheeled out today to defend the Taoiseach were themselves only five years ago pushing ahead with their own motion of no confidence in Deputy Enda Kenny. Five years is almost a lifetime in politics. Back then, those individuals voted to remove Deputy Enda Kenny from his post having no confidence in his ability even to lead the Opposition. Their judgment of his abilities then was better than their judgment of the Fennelly report today. Today, they will loyally defend the leader they once sought to depose but the tale of utter mismanagement set out in the Fennelly report has proven them right.

The Taoiseach’s defence to the charge that he sacked the Garda Commissioner has been a weak one. It seems that he relies on the pedantic defence that he did not sack the Commissioner but merely forced him to leave office - a wafer-thin distinction that the public can see through.
immediately. Only the Taoiseach knows what he was thinking when he sent the Secretary General of the Department of Justice and Equality on the nasty mission of forcing the Garda Commissioner to resign. While the Fennelly commission refrained from concluding against the Taoiseach on the key issue of intent, how could it do otherwise when the Fennelly commission could not get into the Taoiseach’s mind? On that very narrow point, the Taoiseach has built his entire defence. Mr. Purcell was an experienced civil servant, however, and he knew the import of what he was being asked to do. Indeed, even the Taoiseach was forced to concede to the commission that he could not dispute the fact that the Commissioner would be compelled to resign if the Taoiseach stated publicly that he did not have confidence in him.

No one who actually read the report could credibly state that the Taoiseach was exonerated by it. Repeating the mantra that the Taoiseach was exonerated a thousand times does not make it true. The fact is that the Taoiseach’s evidence was rejected by the commission on a number of points. The Taoiseach’s evidence was that Mr. Purcell’s brief was to apprise the Commissioner of concerns and ascertain the Commissioner’s views on that. Indeed, the commission notes that it was his evidence on several occasions that he wanted to have the view of the Commissioner. The commission rejected the Taoiseach’s evidence on this point, finding explicitly that the Taoiseach in fact did not instruct Mr. Purcell to obtain the views of the Commissioner on any question. The commission noted that the Taoiseach was forced to concede in evidence that the Commissioner would be compelled to resign if the Taoiseach stated publicly that he did not have confidence in him. The commission also found that Mr. Purcell was instructed to tell the Commissioner that that was exactly what was on the cards; that the Taoiseach would be in a position where he might not be able to express confidence in the Commissioner. To any ordinary person it is very clear what the import of that was. While one would not think it to listen to Government Members today, we must remember that the fundamental finding of the commission was against the Taoiseach. It was that the immediate catalyst for his decision to retire was the visit of Mr. Purcell to the Commissioner’s home and the message he conveyed from the Taoiseach during that visit. The simple reality is that the Taoiseach ignored the legal process that was in place for the removal of a Garda Commissioner. That process is a key protection in the national interest of any democracy. Equally, he ignored the requirements of fair procedures and constitutional justice provided for in the Garvey judgment.

The Taoiseach has offered a weak defence to these charges and it is a weak defence the public has already made its judgment on. No defence weak or otherwise, however, can be offered by the Taoiseach to the charges that he completely mismanaged this crisis. Not only did the Taoiseach show a complete lack of leadership, he shut down essential communication with the Garda Commissioner and the relevant Minister and kept himself deliberately in a position of wilful ignorance of key facts. In its own polite and professional tone, the commission is also scathing of the “serious information deficits and multiple failures of communication” over which the Taoiseach presided. The crisis being dealt with was a considerable one. Even now, we do not know if the final report of the Fennelly commission will conclude whether the systematic recording of Garda station calls was legal. The Attorney General stated that there had been “wholesale violation of the law by An Garda Síochána”, describing this as “criminal activity”. In her own words, speaking to the Fennelly commission, this was “a most grievous matter”.

An Leas-Cheann Comhairle: Thank you, Deputy.

Deputy Michael McGrath: I have ten minutes.
An Leas-Cheann Comhairle: I am afraid the time-----

Deputy Michael McGrath: The clock is not working.

An Leas-Cheann Comhairle: The time is actually up because there are only five minutes left for the Government.

Deputy Micheál Martin: The clock seems to work for the Government side, but not the Opposition.

Deputy Michael McGrath: I will conclude.

Deputy Micheál Martin: The Taoiseach was ten minutes late. Could the Leas-Cheann Comhairle not allow that ten minutes?

Deputy Sean Fleming: Take it off their time.

Deputy Michael McGrath: Is the Leas-Cheann Comhairle asking me to conclude?

An Leas-Cheann Comhairle: I ask the Deputy to conclude. He has actually had about six minutes.

Deputy Micheál Martin: Keep going.

Deputy Michael McGrath: The mismanagement by the Taoiseach of this crisis, his deliberate keeping of the Minister in the dark, insistence on keeping himself in a position of wilful ignorance, refusal to seek out key facts, and refusal to abide by his constitutional obligation to afford the Garda Commissioner fair procedures and natural justice all combine to create a situation where all of us should agree that the House cannot have confidence in him as Taoiseach. I note that the Taoiseach did not offer any apology to the former Garda Commissioner, Martin Callinan. At minimum, the Taoiseach made the decision to send Mr. Purcell out to Mr. Callinan’s home late at night when the Taoiseach did not have the full facts at his disposal. As such, the Taoiseach owes that man an apology. Perhaps some of the Taoiseach’s own party front bench should visit him in his home late at night and inform him that, if asked the following day, the vast majority of his parliamentary party would not express confidence in him. Maybe then, the Taoiseach would understand the very hollow distinction between being sacked and merely becoming resigned.

Minister for Health (Deputy Leo Varadkar): I rise to support the motion of confidence in the Government, Taoiseach and Attorney General and oppose the Opposition motions. We have had the Fennelly commission and people, of course, are entitled to their own opinions about the circumstances that gave rise to the Commissioner’s retirement. However, there are some things that no one can dispute. We had a commission of inquiry established in law and chaired by Mr. Justice Nial Fennelly, a respected retired Supreme Court judge. He is the only person who interviewed all of the key people involved and reviewed all of the evidence that was available. His conclusions were clear that the central claim made by the Opposition against the Taoiseach was not true. Despite these findings, we are having a debate today for some reason on a motion of confidence. I remember when Deputy Micheál Martin first became leader of his party, one of his preferred catch phrases was to say “That’s old politics”. To me, this is classic old politics; getting personal rather than focusing on the issues; scoring points, slingling mud in the hope that some of it sticks; and trying to get one over on the opposing party. It is old politics. There is a new leader, but it is very definitely the same old Fianna Fáil.
In assessing whether the House and the country have confidence in the Taoiseach, the Attorney General and the Government, we need to remember where we were before Deputy Enda Kenny was elected as Taoiseach to lead the country. Four years ago, the economy was in free fall. Europe and the IMF were calling all of the shots. Unemployment was soaring, forced emigration had returned and home values and incomes were plummeting. Today, we are the fastest growing economy in Europe, perhaps growing even faster than China. Some 120,000 jobs have been created in the past three years. Unemployment has decreased from 15% to 9.5%, we are turning the tide on emigration, incomes, home values and living standards are starting to recover and the national debt is decreasing again. Surely any reasoned or fair analysis would have to give the Taoiseach and the Government some credit for the leadership that brought about this turnaround, but the Members opposite cannot bring themselves to do so. Rather, they would try to bring someone down, just as they would like to bring the country down again by returning to the politics and economics of the past.

I wish to state my confidence in the Attorney General. Here we enter into important constitutional territory. Whatever about the rights and wrongs of motions of no confidence in a Taoiseach, we can all at least understand that they are a regular part of the Punch and Judy political process with its own history and traditions. However, there is something deeply disturbing about the way one party has attempted to drag the Attorney General into this dispute. In doing so, it is playing politics with the Constitution itself. The position of the Attorney General is governed by Article 30 of the Constitution, which provides that the Attorney General shall not be a member of the Government. Mr. Justice Kingsmill Moore, in McLoughlin v. Minister for Social Welfare, stated in the Supreme Court that the Attorney General “is specifically excluded from being a member of the Government, which again underlines his special position”, in this case her position. The role of the Attorney General could be considered as “the adviser of the Government in matters of law and legal opinion”, as prescribed by Article 31, and as guardian of the public interest. The Attorney General is also the key institutional link between the Executive and the Judiciary. What this means, and what the Opposition has chosen to ignore, is that, given the nature of the role of the Attorney General, he or she ought not to be dragged into political controversy or made subject to gratuitous attack. This does not mean that an Attorney General cannot be held to account,-----


Deputy Leo Varadkar: -----but it does mean that he or she should not be subjected to the same kind of political attacks as politicians are, namely, votes of no confidence in Chambers where he or she does not sit and cannot even respond or defend himself or herself.

The Opposition has not just made a mistake in trying to drag the Attorney General into this artificial contest to attack the Government. It has also exposed a dangerous lack of understanding about the Constitution and how it is protected. Fianna Fáil used to boast that it was a “slightly constitutional” party. Sinn Féin has been so desperate to steal its clothes and, indeed, votes, that it seems to have stolen this as well, except that Sinn Féin is more accurately a slightly unconstitutional party. For too many years, it tried to subvert the Constitution. Now, it damages by accident where once it tried to do so by design.

This motion is a tired distraction from a bored and frustrated Opposition, one with no vision or programme and possessed only of carping negativity. Its only desire is to court popularity by being all things to all people, offering to get rid of taxes and spend more on every worthy project but with no plan on how to fund that. As the one-time ally - Syriza in Greece - of some
on the Opposition benches has found out, government requires that one take realistic positions and decisions.

We in the Government have full confidence in the Taoiseach and the Attorney General. We stand over the inquiry that has vindicated them. We vote to set aside this distraction from the business of government and from the concerns of people. We reject the distorted claims of the Opposition, we reject a motion that was born out of ignorance, and we have answered it with the facts.

An Ceann Comhairle: A division has been challenged. As this is a motion of confidence in the Government, in accordance with Standing Order 71(1), the division will proceed through the lobbies.

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Ministerial Rota for Parliamentary Questions: Motion

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

That, notwithstanding anything in the Order of the Dáil of 25 September 2014 setting out the rota in which questions to members of the Government are to be asked, questions for oral answer, following those next set down to the Minister for Arts, Heritage and the Gaeltacht, shall be set down to Ministers in the following temporary sequence:

Minister for Finance
Tánaiste and Minister for Social Protection
Minister for Public Expenditure and Reform
Minister for Education and Skills
Minister for Agriculture, Food and the Marine
Minister for Defence
Minister for Justice and Equality
Minister for Children and Youth Affairs
Minister for Health
Minister for Foreign Affairs and Trade
Minister for Jobs, Enterprise and Innovation

whereupon the sequence established by the Order of 25 September 2014 shall continue with questions to the Minister for the Environment, Community and Local Government.

Question put and agreed to.

**Topical Issue Matters**

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Caoimhghín Ó Caoláin - the need to address issues surrounding allegations of sexual abuse against a child and any subsequent criminal proceedings against the accused person;

(2) Deputy Anthony Lawlor - concerns relating to the failure of some banks to change their variable interest rates;

(3) Deputy Seán Conlan - the need to retain departmental offices at Ballybay, County Monaghan;

(4) Deputy Derek Nolan - the need to ensure a secure and effective air service for the people of the Aran Islands;

(5) Deputy Mary Mitchell O'Connor - the need to raise awareness of dementia prevention;

(6) Deputy Thomas Pringle - the need to address funding concerns for the Rosses Community Development Project, County Donegal;

(7) Deputies Noel Coonan and Niall Collins - the need to address the recent spate of crime in rural and urban areas of the country and plans to increase policing in all areas;

(8) Deputy Jerry Buttimer - the need for increased respite services for adults with intellectual disabilities in County Cork;

(9) Deputy Olivia Mitchell - the need to identify permanent locations for the four schools planned for the Dublin Rathdown constituency;

(10) Deputy Dan Neville - the need to discuss the new national strategy for suicide prevention;

(11) Deputy Joe Costello - the need to reassess the policy of a VAT reduction on services
provided by the hospitality sector;

(12) Deputy Terence Flanagan - the need for increased measures to tackle the misuse of drugs; (13) Deputy Mattie McGrath - the plans to tackle the increased use of emergency accommodation for homeless persons;

(14) Deputy Eric Byrne - the need to protect the Cairns at Tibradden, County Dublin;

(15) Deputy Noel Harrington - the need for funding to address flood damage caused in areas of west Cork in recent weeks; (16) Deputy Pearse Doherty - the need to identify alternative accommodation for a HSE-operated training centre for people with disabilities at the Cleary Centre, Donegal town;

(17) Deputy Mick Wallace - the need to discuss Ireland’s response to the current refugee crisis in Europe;

(18) Deputies Micheál Martin and Jonathan O’Brien - concerns regarding the proposed merger between Cork city and Cork county local authorities;

(19) Deputy Brendan Smith - the need to discuss the response to the humanitarian and political crisis in the Middle East and north Africa and the actions being taken by Irish Aid;

(20) Deputy Clare Daly - the need to discuss Ireland’s response to the current refugee crisis in Europe;

(21) Deputy Ruth Coppinger - the need to build social housing and use land available to NAMA to provide for this need;

(22) Deputy Michael McGrath - the need to discuss the overcharging of tracker mortgage customers and investigations currently in place to deal with the issue;

(23) Deputy Colm Keaveney - the need to improve services for people with disabilities, especially in light of recent HIQA reports;

(24) Deputy Maureen O’Sullivan - the need to address the funding issues of the greater Dublin independent living group;

(25) Deputy Richard Boyd Barrett - the need to declare a housing and homelessness emergency; and (26) Deputy Michael McNamara - the need for a timeline to be provided for ongoing works on the N67.

The matters raised by Deputies Micheál Martin and Jonathan O’Brien, Noel Coonan and Niall Collins, Derek Nolan and Olivia Mitchell have been selected for discussion.

Message from Seanad

An Ceann Comhairle: Seanad Éireann has passed the Urban Regeneration and Housing Bill 2015, without amendment, the Civil Debt (Procedures) Bill 2015, without amendment, the Personal Insolvency (Amendment) Bill 2014, without amendment, the Environment (Miscellaneous Provisions) Bill 2014, without amendment, and the Children (Amendment) Bill 2015, without amendment.
Deputy Michael Moynihan asked the Minister for Communications, Energy and Natural Resources if he will provide an update on Government policy to maintain the existing post office network nationwide; and if he will make a statement on the matter. [31800/15]

Deputy Michael Moynihan: I am seeking an update from the Minister for Communications, Energy and Natural Resources on Government policy to maintain the existing post office network nationwide.

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Joe McHugh): I thank the Deputy for his question. The post office network plays an important role in serving the needs of business and domestic customers alike. However, the postal sector is undergoing systemic change, with migration towards electronic communications resulting in significant core mail volume decline year-on-year. It remains Government policy that An Post remain a strong and viable company.

In recognition of the changing commercial environment the Minister established the post office network business development group, of which I a member, earlier this year. The group’s remit is to examine the potential from existing and new Government and commercial business that could be transacted through the post office network. The group presented its initial report to the Minister in May 2015 and outlined, in summary, that the future of the post office network would be best secured by seeking out opportunities in the following areas: financial services, including basic banking for the unbanked, Government services, social capital and enterprise, and white labelling of financial and other products.

To gain further insight into these areas, a public consultation exercise was held from 16 June to 28 July. Interested parties were invited to submit their views on the initial report. A total of 16 responses were received, and a summary of these responses together with the initial report is published on the Department’s website. It is clear from the responses received that there is a strong public desire to maintain the nationwide network of post offices. While An Post remains a trusted brand, with 1,132 active company- and contractor-operated post offices as well as 125 postal agencies, it needs to further diversify into areas such as financial services and continue to develop attractive products and services that customers want and need. The consultation responses will assist the group in identifying opportunities that can benefit the post office network and will inform the final report, which I expect to be submitted to the Minister later in the autumn.

Deputy Michael Moynihan: I thank the Minister of State for the reply. The post office network and its maintenance have been matters of debate or discussion in this Chamber for 20 years or more. I will be bringing forward legislation - I hope it will be taken in this Dáil session - that will change the memorandum of understanding of An Post to ensure there is a universal obligation for An Post to maintain the business network as it currently is. Anything else only amounts to paying lip-service to the post office network. I have always said that unless we have measures enshrined in legislation to the effect that the post office network must be maintained,
retail outlets in communities throughout the country will continue to dwindle. We have seen what the Department of Social Protection has done in recent times. In a debate in this House in early spring of this year, we were informed by the Minister of State in that Department that the letters in question had been withdrawn by the Department. However, all the new social welfare reforms encourage people to use banks rather than the post offices. The point I am making is that regardless of the rhetoric or goodwill that exists in terms of the post office network, if the Government continues to encourage the preference for banks rather than using the post office network, we are at nothing.

**Deputy Joe McHugh:** We had the debate in the House regarding the letters that went out. I believe we were in unison in that regard. The option of the banks was difficult-----

**Deputy Michael Moynihan:** They are still going out.

**Deputy Joe McHugh:** There was a difficulty, and it was expressed on both sides of the House. The social welfare contract is the kernel of the matter and is critical to post offices at the moment. We have to look at the broad spectrum, including services that are available in other departments within counties.

Let us consider the consultation process. Deputies can see all the submissions on the Department’s website. We should listen to the post office people themselves. A campaign is under way at the moment as part of which post office proprietors are inviting politicians in. I have met a number of them. In one particular town a postmistress came up with the idea of having a one-stop shop and tourism information outlet along the Wild Atlantic Way. We have to look at all the options. We have to look at footfall, but we have to look at the bread-and-butter issues as well, and the Government contracts are critical to that.

**Deputy Michael Moynihan:** The post office network will not be maintained unless the social welfare service is the key anchor tenant of the post offices, for the want of a better phrase. It was stated previously that the encouragement to use banks rather than post offices would be withdrawn. Will the Minister of State take this matter back to his Department and make the case for withdrawing these statements in the vast majority of new social welfare forms which encourage people to use banks instead of post offices? Will the Minister of State do that? When the small tranche of legislation that I will introduce to ensure a universal network of post offices materialises, will the Minister of State and his Department accept it?

**Deputy Joe McHugh:** The Minister for Social Protection, Deputy Joan Burton, is clear on this. A communiqué went out in the aftermath of the sending of the letters. She has been clear in saying that no further letters will go out. That answers the first question.

The Minister for Communications, Energy and Natural Resources, Deputy White, will be looking at all legislation that comes before him in this House. No doubt we can have a conversation at that time.

**Renewable Energy Generation Targets**

88. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natural Resources if he expects Ireland to reach its renewable targets for 2020, as set out by European Union law; and the recommendations that will be contained in the White Paper on energy
to reach these targets. [31916/15]

**Deputy Michael Colreavy**: Cuirim fáilte roimh an Aire Stáit go dtí an Teach. Does the Minister of State expect that Ireland will reach its renewable energy targets for 2020 as set out by the European Union? What recommendations will be contained in the White Paper on energy to ensure that we reach those targets?

**Deputy Joe McHugh**: The 2009 EU renewable energy directive set Ireland a legally binding target of meeting 16% of our energy requirements from renewable sources by 2020. To meet this target, Ireland is committed to providing 40% of its electricity energy, 12% of its heating energy and 10% of its transport power from renewable sources. Provisional figures provided by the Sustainable Energy Authority of Ireland for 2014 show that 8.6% of Ireland’s overall energy requirement was met by renewable energy. While the progress to date is encouraging, significant challenges remain, especially in the heat and transport sectors. Meeting our renewable electricity targets will require the delivery of critical grid infrastructure and the construction of additional renewable electricity generation capacity.

To further support the use of renewable electricity and heat, the Department launched two separate consultations on 31 July 2015 on support schemes, one for renewable electricity and one for a proposed renewable heat incentive. While the initial phase of both consultations closed on 18 September 2015, there will be two further opportunities to contribute at key stages in the design of any new scheme. Subject to Government approval and state aid clearance from the European Commission, the new schemes will become available in 2016.

Ireland aims to meet its target for renewable transport mainly through the use of sustainable biofuels. Increasing usage of electric vehicles will also make a contribution. Further increases to the obligation rate in the biofuels obligation scheme will be required in the context of achieving our 2020 target. The Minister, Deputy White, intends to initiate a consultation on this over the coming weeks.

The Minister is finalising a White Paper on energy policy, which will be published by the end of the year. The overall objective of the White Paper is to provide a coherent joined-up policy statement aimed at ensuring that Ireland has a modern, sustainable, secure and cost-effective integrated energy system which will support the transition to a largely decarbonised society and economy by 2050. The White Paper will be set in the context of broader EU energy policy, as recently articulated in both the Energy Union strategy and the EU 2030 climate and energy framework document for coherent climate and energy policies.

**Deputy Michael Colreavy**: Reaching our targets is not simply something we have to do; it is something we should be doing. A lack of energy strategy has caused us to fall behind somewhat on our targets at the minute. It was scary to see the kind of ham-fisted attempt that was made to impose the massive wind farms in the midlands with little real discussion with the people living in the midlands. I expect the White Paper on energy will give clear guidelines on how we will approach our energy needs in the coming years in a way that respects and enjoys the support of the citizens of this land.

Will it take into account the prediction last weekend from the chief executive of the ESB that one third of Irish households will be generating their own electricity and moving towards self-sufficiency within ten years? Will this aspect be taken into account in the White Paper? What impact will that have on our ability to reach the targets?
Deputy Joe McHugh: I share Deputy Colreavy’s concerns on the need for joined-up thinking and the need to put a plan in place. My predecessor, the former Minister, Deputy Pat Rabbitte, worked very hard on a bilateral agreement with the United Kingdom that did not come to fruition. It is off the agenda now. A good deal of focus went into that at the time. Anyway, the White Paper is an opportunity to pursue the agenda of the three main pillars, namely, security of supply, competitiveness, and - this relates to Deputy Colreavy’s second point - self-sufficiency over a period. As I have said before, we have to learn from the mistakes of the past. Mistakes were made in the approach by the private sector regarding what went on in the midlands, such as the forward planning announcements of vast numbers of turbines without consulting the community. If any lesson can be learned from that, it should be that we should be big and mature enough to put up our hands. If we are to have an energy supply challenge, we will need to develop the grid in a mature and responsible way, in consultation with communities.

Deputy Michael Colreavy: I thank the Minister of State. I assume the White Paper will also cover aspects of retrofitting and maximising the efficiency of dwellings and businesses.

On wind turbines, in the absence of revised guidelines there is still a very great fear that the old guidelines are being used by companies that are imposing wind turbines on populations. I argued at the time that there should be a moratorium on the development of industrial scale wind turbine farms - I am not referring to individual or small numbers of wind turbines - until such time as the new guidelines were put in place. If we go through another episode of imposing unwanted solutions on a captive population, it will do a disservice to the development of renewable energy in the nation.

I am concerned to hear that there may be differences of opinion between the Departments of Communications, Energy and Natural Resources and the Environment, Community and Local Government on, for example, set-back distances. Will the Minister of State comment on that aspect?

Deputy Joe McHugh: On possible new schemes in 2016, following consultation, there will be the possibility of funding schemes for SMEs and households for things such as renewable heat incentives. Once those proposals and policies come to the fore, we will be in a position to elaborate further on them.

On tensions between Departments, I do not see what happened as a tension. There is ongoing engagement and it is important to note that all of the experience of the past has to be part of the conversations on new guidelines.

On whether we can put a moratorium on any type of development between periods of time, there are inherent challenges. The biggest lesson we can learn has two fronts. First, the community has to be pivotal in the conversation and local authorities can play a major role in that regard. Second, there is a great opportunity for communities to have self-sustaining energy production. I was in a secondary school a number of months ago which has an electricity bill of around €10,000 a year. If it had the option of generating and providing its own electricity, it would be a win-win from community, security of supply and affordability points of view. A lot of very concrete and competent submissions have been made to the White Paper at a community level. That is where we must have a focus.
89. **Deputy Maureen O’Sullivan** asked the Minister for Communications, Energy and Natural Resources his views on whether a high speed broadband service is vital for rural communities; the role of his Department in supporting the roll-out of broadband services for our off-shore islands; and if he will make a statement on the matter. [31880/15]

**Deputy Maureen O’Sullivan:** My question concerns high speed broadband and how vital it is for rural communities. I also want to ask the Minister of State about the role of his Department in supporting the roll-out of broadband services for the offshore islands.

**Deputy Joe McHugh:** I thank the Deputy. The national broadband plan draft intervention strategy which was published on 15 July 2015 sets out a series of detailed proposals by Government in respect of the proposed State intervention. It sets out the key elements of the intervention, what services are proposed and how they will be delivered. It outlines various aspects of the proposed intervention, including the type of network envisaged, the minimum speeds envisaged, the length of the contract for services and whether the network should be public or privately owned.

The draft intervention strategy has been developed following intensive engagement with industry and wider stakeholders. In addition, the European Commission has set out detailed guidelines on what is required to obtain state aid approval for Government interventions in the broadband sector. The Department of Communications, Energy and Natural Resources has followed these guidelines when formulating the proposed intervention strategy. Through ongoing commercial investment, most of our cities and towns will benefit from high speed broadband over the coming years. The areas that are not covered by commercial investment are the target for State-funded investment.

Last November, the Minister published a national high speed coverage map for 2016, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). The map shows Ireland with two colours, blue and amber, and was developed based on the most up-to-date information available at the time of publication. The areas marked blue represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services by the end of 2016. The areas marked amber represent those areas where the State intends to intervene to ensure those areas will have access to high speed broadband services and this includes all the offshore islands.

The Department is currently in the process of updating the map, taking into consideration any new information received or operator announcements made of any new plans. It is expected that an updated version of the map will be published before the end of this year. The national broadband plan’s ambition is to achieve 100% access to high speed broadband by the end of 2020, with 85% of all premises covered by 2018. I assure the Deputy that communities in offshore islands will be served either through commercial investment or State intervention.

**Deputy Maureen O’Sullivan:** We can all agree that a high speed broadband service is vital in the battle against rural decline, especially when we take into account the number of closures that have happened, such as Garda stations, post offices, banks and other services. It is also important in preventing further depopulation of the islands. Broadband could provide employment, online education and online help for start-up businesses, as well as combating isolation. Islanders do not have the access to night classes, entertainment, etc., that we have on
the mainland.

I have visited practically all the islands and I have a long association with one in particular. Its mobile phone service is also on the decline and the broadband service causes problems. The national broadband plan states “[It] aims to radically change the broadband landscape in Ireland” and the Minister of State mentioned the intervention strategy. The strategy for the islands is very much on the long finger and the Minister of State needs to re-examine the issue. I ask for direct engagement with islanders because they are the ones who know exactly what is needed to serve their communities.

Deputy Joe McHugh: I do not disagree with any of the Deputy’s points on ensuring that we provide mobile phone or broadband coverage on the islands. This debate is important because the national broadband plan will go to public procurement by the end of this year. As part of that intervention, it will target the 30% of Ireland, including the islands, that is not commercially viable. The winning bidder or bidders in the procurement process will be in a position to provide that service. No decision has been made on where we start or which areas should get broadband first. It is important to have that debate and this is an opportunity to highlight the potential of the islands.

As the Deputy knows, the islands are an integral part of the Wild Atlantic Way along the west coast. Given that hundreds of thousands of people intend to visit the area and will need broadband services when they are on holiday, we should include it in the debate. It is an important area which needs priority broadband intervention.

Deputy Maureen O’Sullivan: I will take up the Wild Atlantic Way with the Minister of State another time because some of the islands feel highly aggrieved that they were very much sidestepped. That is another debate. We have to accept that islands and islanders are different. My experience is that islanders are dedicated to their community and want to stay on the islands. Broadband is a major step forward.

The Minister of State mentioned 2020, which is another five years down the line. The Blasket Islands are a glorified museum today and we do not want any more of our vibrant islands to lose their population. Eir has begun a nationwide competition to find the next Belcarra and is looking for a village or community to connect to fibre broadband. It involves an investment of €750,000 and one of the offshore islands has applied. Why is the same type of investment and encouragement not in place for all islands? A competition which one island may or may not win should not be the solution. Will the Minister of State ensure that the islanders are engaged with directly through the national broadband scheme?

Deputy Joe McHugh: I thank the Deputy again for raising this matter. It is important to point out that 85% of the 30% intervention area will be completed by 2018, but this work will start next year. In the Deputy’s contribution she spoke about the potential on the islands and those living on the islands. To give a particular example, I met a person last week who works in Scotland and on Arranmore Island, who is looking for direct connectivity between Glasgow and Donegal and Arranmore Island. She highlighted the absolute need for broadband in the work in which she is involved. I completely take the Deputy’s point and her proposal or suggestion to engage with the islands on the issue. This engagement has started because there has been much public discourse coming from the islands. The Deputy also mentioned education. The Department funds an art course on Sherkin Island and broadband is a prerequisite for that course.
90. Deputy Michael Moynihan asked the Minister for Communications, Energy and Natural Resources the current state of mobile phone coverage nationwide; the steps being taken to improve signal coverage; and if he will make a statement on the matter. [31801/15]

Deputy Michael Moynihan: Will the Minister of State outline the current state of mobile phone coverage nationwide? Will he take steps to improve the signal and commence a national audit of mobile phone coverage throughout the State?

Deputy Joe McHugh: The provision of mobile telephony services is subject to a requirement to secure access to the required radio spectrum by way of licence. The management of the radio spectrum is a statutory function of the Commission for Communications Regulation, ComReg, under the Communications Regulation Act 2002, as amended. Licences issued by ComReg apply terms and conditions on mobile network operators, such as quality of service and minimum population coverage obligations. However, given that mobile services are a radio-based technology, services can be affected by several factors. These include topography, the capacity of the network and, more generally, the level and quality of access customers have to mobile phone antennae. Difficulties for service providers in erecting masts and antennae due to planning issues can also impact negatively on the quality of coverage experienced by consumers.

In terms of improving the quality and coverage of mobile services in all areas throughout the country, there are various initiatives under way to achieve this aim. The commercial telecommunications sector is investing approximately €2.5 billion in upgrading and modernising both fixed and mobile networks. This includes some €850 million invested in acquiring spectrum under the 2012 multi-band spectrum auction run by ComReg. Since then, the mobile operators have all continued to invest in rolling out 4G and enhanced 3G services nationwide. These investments are improving both the coverage and quality of voice and data services throughout the country, although I understand that some temporary disruptions to service have been encountered when upgrading mobile services nationwide.

Local authorities also have an important role to play in terms of facilitating the siting of necessary infrastructure such as masts and antennae. The Telecoms and Internet Federation, TIF, which is part of IBEC, has been quite proactive in seeking to meet local authorities and public representatives to discuss fully the various issues around mobile coverage and the factors that can impact on the quality of service consumers experience. I encourage all local authorities and public representatives to engage with the TIF on these important issues.

Deputy Michael Moynihan: Does the Minister of State accept mobile phone usage has become universal over the past 20 years? There are misconceptions. Yesterday, when taking part in a debate with me, a leading member of the media made the point that at this stage it is only the tops of mountains and the bottoms of bogs which do not have mobile phone coverage. Parts of Dublin city have very poor mobile phone coverage. Our local radio station, County Sound, did a trawl and took complaints from different parts of County Cork on which we are trying to follow up. The same could be done by every local radio station the length and breadth of the country, no more, I am sure, than in the Minister of State’s county of Donegal.

It is a crisis. What were blackspots 15 years ago at the turn of the new millennium are still blackspots. I contend that some parts of the country have got worse. I was quite shocked and
worried by the debate we had yesterday that people would accept or think there is almost universal mobile phone coverage. There is no ten miles in any county outside of the cities where one can travel where one’s phone call would not be dropped. It is time the Minister and the communications regulator took it upon themselves to audit what is out there and what type of mobile phone coverage we have. It is a tool of modern-day living, no more than any other modern convenience.

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

**Deputy Michael Moynihan:** I cannot stress this enough. Will the Minister of State, together with the communications regulator, embark on an audit of mobile phone coverage in the country? I believe he and commentators would be quite shocked with what would be found.

**Deputy Joe McHugh:** I thank the Deputy. There is no point saying there are no problems because it is a difficulty. One hears many reasons. When the Deputy made the point yesterday on the radio, he heard technical reasons it is not happening, but the texts coming in from the public were in support of the Deputy’s point that coverage has deteriorated. There are all sorts of reasons and I will not waste the Deputy’s time or the public’s time on whether it is because data gets priority over phone calls or whether it is because of an increase in data being communicated. There are antenna challenges. I take the Deputy’s point on doing an audit of mobile phone coverage on a national basis. It is something about which we cannot be complacent. Mobile coverage is as important as broadband. People do business on their hands-free kit on the road. There is nothing more frustrating than dropping a call, and it does happen. It happened to me a couple of times today on the way to Dublin from Donegal. It happens quite regularly in Northern Ireland also. Perhaps we could widen the debate. I will certainly speak to my colleague, Deputy Frank Feighan, who is Chairman of the Joint Committee on the Implementation of the Good Friday Agreement to see whether different factors are involved in Northern Ireland, whether it is looking to do things differently and whether there is something we could learn together. The same sequence of dropping calls happens there as it does in the South when I am *en route* to Dublin.

**Deputy Michael Moynihan:** At a meeting our party had with some of the industry providers in June, they spoke about examining some areas and perhaps turning up the power in those areas. This type of language frightened me because they were saying that if they increased the power there would be better coverage, but why is this not the case? According to legislation and statutory instrument there must be 70% coverage of the population. This should be increased to 100% of the population. The people from Kishkeam, Rockchapel and Freemount in my area, or any other towns, villages and communities with bad or no mobile phone coverage from Kerry to Donegal or Galway to Dublin, should not be disenfranchised. Why should they be without mobile phone coverage? RTE had 99.9% coverage back in the 1960s when it was first established. The technology has developed beyond what was contemplated 50 years ago. Why do these companies not provide mobile phone coverage? It is a crisis. Will the Minister of State not move it to a committee but rather take it on himself, with his senior colleague and the communications regulator, to embark within a couple of weeks on finding out the mobile phone coverage available to the citizens of the State in every community the length and breadth of the country?

**Deputy Joe McHugh:** I will certainly pass on the Deputy’s sentiments to the Minister, Deputy White. There is a critical mix of stakeholders, be it the industry or local authorities. We can look at what did not go right in the past, when we built new motorways, and if there was
enough engagement between the Government and the National Roads Authority, NRA, in the building of antennae beside motorways. We can look at what went wrong but the critical issue is to move forward. We should do anything we can as a Department to increase the engagement with different providers in the private sector. In my constituency, where there have been gaps, lapses or an unwinding of the service in certain areas, representatives of the private sector have met people in the community. We need to do more of that and I encourage service providers to let people know what is planned in a particular area and, if there are deficits, we need to meet them head on.

Emergency Services Personnel

91. Deputy Maureen O’Sullivan asked the Minister for Communications, Energy and Natural Resources if he is aware of a recent paper stating that the emergency call answering service has performed to a consistently high standard, with the average speed of answer for a caller being 0.6 seconds, which is one of the fastest in Europe; and that the workers have concerns regarding conditions and cover for this vital service. [31881/15]

Deputy Maureen O’Sullivan: My question relates to the emergency call answering service, particularly the professionalism and performance of the operators. The workers have concerns about the conditions and cover for the service, so I ask if the Minister of State is aware of these concerns.

Deputy Joe McHugh: I am aware of these concerns and I have received documentation from individuals. I thank the Deputy for raising the issue. I fully appreciate the fact that the emergency call answering service, ECAS, has been operating to an extremely high standard, with the dedication of the operators and the quality of the service they provide being a major contributor to this. The ECAS operators handle calls effectively and efficiently, often in response to stressful and distressing situations for citizens. The service answers more than 2 million calls annually and has one of the fastest emergency call answering times in Europe.

BT Ireland has operated ECAS on behalf of my Department under a concession agreement since July 2010 and is responsible for the conditions and resourcing of the service. BT Ireland employs a third party contractor, Conduit Ireland Limited, to provide operators to answer calls. Operators at ECAS call answering centres in Navan, Ballyshannon and Dublin process emergency calls and forward these to the appropriate emergency service as quickly and effectively as possible. BT Ireland uses an industry standard model to determine the number of operators required across each centre. It forecasts the number of operators required to meet the necessary operational requirements on a monthly basis and notifies Conduit six weeks in advance. BT Ireland has a health and safety policy of having a minimum of two operators on each site at any one time. This facilitates appropriate breaks, ensures the work environment is safe and allows operators time to recover if they have taken especially stressful calls. In addition, BT line managers directly answer calls if required.

The number and cost of operators is assessed annually by the Commission for Communications Regulation as part of its annual review of the cost of the ECAS service. An expert report commissioned by ComReg is appended to this review. The latest expert report was appended to a decision on costs by ComReg published in January 2015. The expert report states that ECAS “is run effectively against the service targets and quality requirements and overall is approaching ‘leading practice’ from a performance perspective”. Furthermore, ComReg’s review
concluded that an increase to the operator’s hourly rate was reasonable and notified BT Ireland accordingly. This is a matter now for BT and Conduit and I understand that discussions between the two companies are advanced, with a view to addressing ComReg’s findings. I hope, therefore, that the matter can be dealt with quickly, given the important service that ECAS operators provide.

Deputy Maureen O’Sullivan: I thank the Minister of State. I also acknowledge the professionalism and efficiency of the emergency call answering service. It operates 24-7 all year round, engaging with services and, occasionally, the Coast Guard. It is absolutely vital. However, there is a high turnover of staff at one centre, at East Point in Dublin. This high turnover of staff means there is a loss of very valuable skills and expertise, and the Minister of State may ask why this is so.

The Communication Workers Union did a survey and found 100% dissatisfaction with the rate of pay. In the ComReg review, it was indicated that the hourly rate should increase. We know the work is essential to the safety of the public and yet the employer continues to ignore legitimate concerns from the workers. The Minister of State indicated that he hoped this is a matter for BT and Conduit and that the companies will engage, but this is a public contract awarded by the Department responsible for communications. The workers want to be treated with dignity and respect and they want the right to be recognised by a trade union. In other words, they want the right to collective bargaining. That was also supported overwhelmingly in the survey. I ask the Minister to use his influence to ensure the company respects the workers’ basic right to collective bargaining, as that is where these issues can be addressed.

Deputy Joe McHugh: I thank the Deputy again for raising this important issue. In the correspondence I have seen, as the Deputy has correctly alluded to, people use the two words, “dignity” and “respect”. I am hopeful that the ongoing conversation between Conduit and BT Ireland will lead to a conclusion to this that will be favourable. I am not in a position to say whether this will happen or what will be the outcome, but I am hopeful that when people are talking and engaged in the matter, we will get an outcome that can be accepted by the workers.

Deputy Maureen O’Sullivan: Unfortunately, the employer has been ignoring all requests from the Communication Workers Union to meet. I know the workers who handle the calls to the ambulance and fire service are members of SIPTU but the emergency call answer personnel are being denied this right. ComReg also indicated that because of the critical nature of an emergency call, the system cannot be run like a fully commercialised call centre. I am not too sure if that has been taken into account.

One other aspect concerns staff cover, which affects annual leave. I know some workers were finding it difficult to get annual leave to which they are entitled because of the cover aspect. I do not share the Minister of State’s confidence that the companies will deal with these matters in a fair way that respects workers’ rights. If that does not happen, will the Minister then use his influence to ensure the companies - the employer - will respect worker rights, and especially the right to join and engage with a trade union?

Deputy Joe McHugh: I am in danger of repeating myself. I am clearly not involved in negotiations or conversations between BT Ireland and Conduit but I am led to believe that conversations are ongoing. I am hopeful there will be a successful outcome. The Deputy asked if the Minister can intervene if that is not the case. At this stage we must focus on a successful outcome, which is important from the workers’ perspective. It is also important because we are
talking about a stressful environment and these people are at the coalface. They receive phone calls that can be very stressful from time to time. It is important we highlight this. The Deputy has raised this issue publicly and I encourage BT Ireland and Conduit to take the issue seriously. I have no doubt they are doing so. I hope we can have a favourable outcome for the workers.

Other Questions

Post Office Network

92. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the progress that has been made by the Post Office Business Development Group established by the Government to identify and implement new business opportunities for the post office network; and if he will make a statement on the matter. [31756/15]

**Deputy Michelle Mulherin:** I am seeking an update on the progress made by the post office development group established by the Government to identify and implement new business opportunities for the post office network. It is timely for us to have an update on this. The issue of post office closures, particularly in rural areas, is an old chestnut. What is envisaged as the way forward by the development group is for post offices to be put on a sustainable footing. We know there has been a change in the number of people using the postal system, so post offices have had to diversify. Equally, we know that in rural areas there is a deficit in services like banking and so on, so it would seem that post offices could be in a position, if properly supported, to step into that breach and provide vital services to rural communities. There is also the issue of social welfare payments into banks. If the post offices had a range of services to receive money in that fashion, it could address the issue of such payments having to be made to banks.

**Deputy Joe McHugh:** A similar question was asked before this one. I could read the prepared reply into the record for the Deputy’s benefit or speak to the issue in general.

**Deputy Michelle Mulherin:** The Minister of State probably does not want to repeat himself.

**Deputy Joe McHugh:** I sat on the business development group and Mr. Bobby Kerr was very sincere and genuine in his approach to pulling together all the various stakeholders. The Minister of State, Deputy Ann Phelan, and I are on the group so there is political input. There are other representative groups and stakeholders as well. From day one, Mr. Kerr was consistent in saying that he wanted outcomes and proposals to go directly to the Minister. Later in the autumn, after all the consultation input has been collated, we will be making proposals that will not only be going to the Minister, Deputy White’s desk, but to Cabinet. Within that, as we discussed with Deputy Moynihan earlier in respect of social welfare and other Government contracts, there are bread-and-butter issues with the post office which needs these contracts to survive. That has been the focus and has been very much the way Bobby Kerr has steered this. I would like to take this opportunity to acknowledge Bobby’s role in this.

It is not finished; there is still a lot of work to do. It is not about convincing the electorate that things might happen. Key commitments must be given by various Departments, whether the Department of Social Protection, the Department of Agriculture, Food and the Marine or the Department of the Environment, Community and Local Government, where there are services through local authorities that could potentially help post offices. The Deputy’s raising of this
question today helps to feed into this process and I thank her for that.

**Deputy Michelle Mulherin**: As the Minister of State speaks to the wider context, I would like to think that, in terms of the vision for rural Ireland that we are developing, we look to the small towns, which may lack post offices, banking or doctors. Maybe there should be a minimum requirement that people would have these basic services in their small market towns and we should have a reasonable ambition of how this might be delivered. I do not mean every town, but that people would not have to travel beyond a certain radius to access some basic services that people in cities and big urban centres take for granted but for which increasingly people in rural Ireland must travel to avail of. That would consolidate communities. The post office is vital, but it is part of a bigger picture of services that we need to copperfasten for rural Ireland. Often these issues are dealt with in a more ad hoc way. I know this is more the portfolio of the Minister of State, Deputy Ann Phelan, and it requires looking at the bigger picture, but the post offices are crucial.

**Deputy Joe McHugh**: I share Deputy Mulherin’s concern and that of all the Deputies. Whether one is on Tory Island, where the postmaster has told me that is where people meet on pension day, where they talk and congregate, or in Letterkenny, Castlebar or Westport, one will be meeting people in the post office and that must be the focus. The bread and butter issue in respect of the service providers, the postmistresses and postmasters is keeping the offices open. That does require Government contracts and we must keep the focus there. As I said earlier, a certain person who runs a post office suggested to me that there is a role for the Wild Atlantic Way. As a Mayo person, Deputy Mulherin can think of post offices along the Wild Atlantic Way, in small villages and towns, which could be information points for people coming in and wanting to know about the services in a particular area. Ideas like that are critical in forming the basis of Bobby Kerr’s report and it is important that we continue to feed into it as legislators and remain vigilant. We have to look at other countries too. I saw a photograph recently of a post office in Australia, which was a hub, a place where people congregated, no different from in Ireland. It is the same the world over, but we have to ensure their survival through continued Government intervention.

**An Leas-Cheann Comhairle**: Does Deputy McNamara want to ask a question?

**Deputy Michael McNamara**: Yes, a supplementary question. Further to Deputy Mulherin’s question, as the Central Bank is pushing towards a cashless society and as more moneys, including social welfare moneys, are lodged to bank accounts, can the Minister of State explain to the House the obstacles to An Post providing banking services and, in particular, every post office having an ATM, not just inside it, but one that is accessible to the community through the weekend as well? Many communities do not have an ATM, which is now a real hindrance as people carry less cash for a variety of reasons. The Minister of State mentioned the Wild Atlantic Way. I made a submission to the group with regard to tourist information offices. It is not only on the Wild Atlantic Way that we need tourist information and post offices are ideally equipped to provide tourist information, both on a national basis and information that is particular to the locality. Maybe they could charge commission for some tourist services. Is there an obstacle to that? What is the obstacle to a greater array of banking services being provided by post offices?

**Deputy Joe McHugh**: I will take the Deputy’s first point about the tourism. I must say, I admire that, as a Clare man, he is looking to spread the tourism outwards.
Deputy Michael McNamara: Eastwards, anyway.

Deputy Joe McHugh: Hopefully he will send a few upwards, because I heard a projected figure of 1.2 million tourists visiting the Cliffs of Moher this year, so they are doing well. I compliment everyone in the tourism sector in County Clare in that regard. He is right that there are opportunities. I am glad he made that submission as well. That is a proactive way of doing that. I do not think there are any obstacles to providing the card. When we think of providing a card for a post office, we do not have to be looking at the possibility of an ATM at a post office because if a person has a current account and has a card, they can use it anywhere, in any other banking outlet. There is work going on in respect of that. Key discussions about financial services and opportunities are happening. To instil confidence in the public, we have to ensure that this agenda stays live.

Deputy Michael McNamara: Tourism.

An Leas-Cheann Comhairle: Deputy Thomas Pringle has the next question.

Deputy Joe McHugh: Sorry, on tourism?

Deputy Michael McNamara: Tourism services.

Deputy Joe McHugh: Yes, I raised that because it was a submission made by a postmistress in Dunfanaghy, County Donegal, and I am glad to see that Dunfanaghy is on the same wavelength as County Clare.

Post Office Network

93. Deputy Thomas Pringle asked the Minister for Communications, Energy and Natural Resources if he will provide an update on the role his Department has played in promoting greater financial inclusion; his views on establishing a standard bank account in post offices to ensure everyone, especially those on low incomes, have access to financial services relevant to their needs; and if he will make a statement on the matter. [31793/15]

Deputy Thomas Pringle: This question is indirectly related to the previous one. It deals mainly with the Minister of State’s role and that of his Department in providing for greater financial inclusion, specifically in the establishment of the standard bank account and the role the post office network can play in the roll-out of that. I wanted to see where that factored into the work the Minister of State’s Department is doing.

Deputy Joe McHugh: The Strategy for Financial Inclusion, which is being led by the Department of Finance, called for the nationwide launch of a standard bank account as a first step in promoting financial inclusion. A pilot project for a standard bank account was completed in March 2013 after a nine-month pilot period. A total of 205 accounts were opened during the pilot. The report of the working group on the pilot project noted a number of reasons for the low level of take-up, including the view of stakeholders that one of the key elements required as part of the preparations for a successful national roll-out of a standard bank account is greater involvement by An Post and the credit unions.

The Department of Finance is currently transposing the payment accounts directive, which requires that all consumers legally resident in the EU must have access to a payment account
with basic features, regardless of their financial circumstances. The directive must be transposed by September 2016 and the Department of Finance is considering how to make progress on this issue in light of the experience of the standard bank account pilot project.

The initial report of the post office network business development group was presented to the Minister in May 2015. The report identified the provision of financial services, including those for the unbanked, as fundamental to the future viability of the post office network. There are several advantages in offering basic banking services through the post office network, including the trust factor and the community focus of the network. Successfully aligning these advantages with the provision of suitable basic banking products has the capacity both to support financial inclusion and enhance the role of the post office network.

While it is too early to indicate the contents of the final report, financial services will be an important component of it. I expect the final report to be submitted to the Minister later in the autumn.

**Deputy Thomas Pringle:** Some 17% of people in Ireland are unbanked and that is why the financial inclusion project was set up. The Minister of State mentioned in his response the pilot project that was run by the Department of Finance. The remarkable thing about that was that An Post was not included in the pilot project. That is why there was such a low uptake of the standard bank account, because people simply did not trust the banks enough to open an account with them. The vast majority of the 17% of people who are unbanked are probably people in receipt of social welfare who use the post office network to get their payments. The fact the post office should be able to have the standard bank account makes perfect sense in terms of financial inclusion and promoting financial inclusion. Unfortunately, the only people who do not seem to see that are those in Government.

7 o’clock

The Minister mentioned that the post office development group launched its consultation in May. On the same day it published its six-point consultation, the Department of Social Protection was sending out forms to clients encouraging them to open bank accounts and to move away from the post office. There are different Departments working to different agendas and there is not a united vision across Government in this regard. Unfortunately, that is the area in which the Minister of State’s Department is falling down. He must get a grip on it and ensure there is a uniform response right across Government.

**Deputy Joe McHugh:** To take Deputy Pringle’s last point on a uniform response, my confidence lies in the fact that this business development group’s report will land not only on the Minister, Deputy White’s desk but in front of the Cabinet. It will be subject to discussion by Cabinet which will also discuss acceptance of the proposals. It has to be uniform, united and proactive. Otherwise, there would have been no point doing this in the first place. I am not here to be part of a business development group which is not serious about what it intends doing. There has to be an outcome, be it financial or through Government intervention.

The Deputy referred to trust in banking. Credit unions and post offices are in the community. Those in the banking sector, including many who are retired, would speak of the lack of community engagement today whereas bankers knew their communities 15, 20 or 25 years ago. The credit unions and the post offices know the people in their communities and they are now at an advantage in terms of winning the trust of the public. What we have got to do is build on
Deputy Thomas Pringle: No doubt it has to be built on. I would be worried about the commitment of other Departments to build on that, particularly considering the Department of Finance did not even include An Post in the initial roll-out and trial project for the standard bank account and has been dragging its heels on including An Post in it ever since. Given what the Department of Social Protection did on the day the working group published its consultation, how one will achieve that within Government will be key to the success in ensuring financial inclusion is achieved and the post office network is protected and allowed to build and develop. That is the big task the Minister of State has ahead of him.

Deputy Joe McHugh: The Government is committed to the retention of the post offices. That is why we have a business development group and why Mr. Bobby Kerr was appointed. However, there is no point having a group if one does not do anything with it. Mr. Kerr and all the members of the group are intent on putting proposals to Government, because it has to feed back in and those proposals must be tangible. Deputy Pringle is correct that the letters issuing from the Department of Social Protection eroded confidence in the future viability of post offices and created difficulties, and we need to be united. It needs to be a Government approach. The Government commitment is there and it is about following through on the commitment. That can only be done by having proposals, listing them and stating where we will follow through.

That is also subject to procurement. Government cannot provide all these services merely by stating it is providing them. There are difficulties, and the House will be aware of the difficulties that arose with a certain service that is being rolled out at present.

Renewable Energy Generation Targets

94. Deputy Maureen O’Sullivan asked the Minister for Communications, Energy and Natural Resources if he is confident that Ireland will reach its 16% target for renewable energy by 2020; the measures that are being taken by his Department to ensure this target will be met; and if he will make a statement on the matter. [31763/15]

Deputy Maureen O’Sullivan: Is the Minister of State confident that Ireland will reach its 16% target for renewable energy by 2020 and will he outline the measures that are being taken by the Department to ensure the target will be met?

Deputy Joe McHugh: The 2009 EU renewable energy directive set Ireland a legally binding target of meeting 16% of our energy requirements from renewable sources by 2020. To meet this target, Ireland is committed to meeting 40% of electricity demand, 12% of heating and 10% of transport power from renewable sources. Provisional figures provided by the Sustainable Energy Authority of Ireland, SEAI, for 2014 show that 8.6% of Ireland’s overall energy requirement was met by renewable energy. More specifically, the SEAI has calculated that 22.6% of electricity, 6.7% of heat and 5.2% of transport were met from renewable sources. While the progress to date is encouraging, significant challenges remain, especially in the heat and transport sectors. Meeting our renewable electricity targets will require the delivery of critical grid infrastructure and the construction of additional renewable electricity generation capacity.
Regarding renewable electricity, the Renewable Energy Feed In Tariff, REFIT, schemes underpin the development of a range of technologies, including hydro, biomass combustion, biomass combined heat and power, landfill gas and onshore wind. These schemes will be closed to new applications at the end of this year. In terms of renewable heat, in addition to existing measures such as Part L of the building regulations, the 2014 draft bioenergy plan recommended the introduction of a renewable heat incentive for larger heat users to change to heating solutions that produce heat from renewable sources.

On 31 July, the Department launched two separate consultations on new support schemes, one for renewable electricity and one for a proposed renewable heat incentive. While the initial phase of both consultations closed on 18 September 2015, there will be two further opportunities to contribute at key stages in the design of any new scheme. Subject to Government approval and State aid clearance from the European Commission, the new schemes will become available in 2016.

As regards renewable transport, Ireland aims to meet its target mainly through the use of sustainable biofuels. Increasing usage of electric vehicles will also make a contribution. Further increases to the obligation rate in the biofuels obligation scheme will be required in the context of achieving our 2020 target, and the Minister intends to initiate a consultation on this over the coming weeks.

**Deputy Maureen O’Sullivan:** I note that in 1990 we were 98% dependent on imported fossil fuels and, in 2013, we were still importing 90% of our energy needs. Hydro power counts for only 0.5% of our energy and other renewables 6%. Even though there is an increase in gas power, which generates lower emissions, nevertheless it is still a fossil fuel.

There are reports that we will not achieve the 2020 targets, and yet the Sustainable Energy Authority of Ireland report tells us that clean renewable energy has saved Ireland €1 billion in fossil fuel imports. The point I would make is we cannot afford to miss the 2020 targets because we will face significant fines if we do.

My question is about the new technologies, such as offshore wind energy. Does the Minister of State accept that offshore wind energy can deliver significant amounts of the renewable energy shortfall for Ireland?

**Deputy Joe McHugh:** The Deputy is correct in her observation about our reliance on fossil fuels and the statistics back up that observation. We import coal from Poland. We import coal on ships from Colombia. That is the reality of the world we live in.

With the price of oil being so low at present, the consumer-led consumption of that product from an economic point of view is great in that it is cheaper for consumers, but at the same time we still must keep the focus on renewables. That is why we must be as proactive as ever, through the university sector, in the progression of offshore wind, hydro and tidal wave. While that research and development is going on within the universities and they work closely with industry, we must up the ante. I note one particular submission to the White Paper is looking at floating turbines off the west coast. We must be ambitious.

A big focus of this House over the past four and half years has been on the economy and trying to get us out of the mess we were in. We must look at new technologies, how quickly technology is changing, and be ambitious and creative around that engagement between the university sector and industry. Government must support that in whatever way possible.
Deputy Maureen O’Sullivan: The word is “urgency”, and the other important word is “creativity”. If we can bring the two together, then I think we might see some progress. According to new figures published, we are more reliant on imported energy than almost every other country in the European Union. Among the new technologies is wave technology, and wastewater is also a resource.

I accept that wind technology and wind farms are controversial. In that regard, I will go back to my favourite island, which, in 1986, had a pilot project using wind turbines with a German firm because both the ESB and the powers that be did not want to know. The project, which went on for ten years, produced wind energy which they sold in to the national grid as well. It cut down diesel consumption, but then the ESB came along with the underground cable. It is an example of where a new technology was community driven. It was community led and it was very much a community approach. There is a need to be more creative when it comes to those issues.

Deputy Joe McHugh: I agree with the Deputy’s last point about urgency and creativity. We must be bold at a European level, and while we were unsuccessful in the bilateral between the UK and Ireland, France is also an option in terms of linking into the European grid. If we can provide offshore floating wind turbines, as an example, we should be examining and harnessing that potential. My colleague, the Minister for Agriculture, Food and the Marine, Deputy Coveney, is in fisheries, and there are proposals around Ireland’s ocean wealth. Within that there is the ongoing research, urgency and creativity around what we can use off our west coast, and off our east coast, for that matter.

Energy Policy

95. Deputy Maureen O’Sullivan asked the Minister for Communications, Energy and Natural Resources his views that with Ireland’s high level of dependency on energy imports, in excess of 90%, this country is in a precarious position and vulnerable to geopolitical conflicts due to its high reliance on imports of fossil fuels; his further views that there is a need to be more self-reliant as is the case with other European Union countries; and if he will make a statement on the matter. [31764/15]

Deputy Maureen O’Sullivan: My question is to ask the Minister of State his views on Ireland’s high level of dependency on energy imports, in excess of 90%. We are in a precarious position and are very vulnerable to geopolitical conflicts due to this high reliance on the import of fossil fuels. I ask the Minister of State to examine our need to be more self-reliant, as is the case with other European Union countries.

Deputy Joe McHugh: We dovetailed into this question in the previous one.

Deputy Maureen O’Sullivan: Yes.

Minister for Communications, Energy and Natural Resources (Deputy Joe McHugh): Two creative minds are a dangerous thing in the House. I thank the Deputy for the question. The overarching objective of the Government’s energy policy is to ensure secure and sustainable supplies of competitively priced energy to all consumers. A well-balanced fuel mix that provides reliable energy, minimises costs and protects against supply disruptions and price volatility is essential to Irish consumers. While fossil fuels will remain part of the energy mix as
we transit to a largely decarbonised energy system by 2050, significant progress is being made in increasing the share of renewables in the mix. Provisional figures provided by the Sustainable Energy Authority of Ireland, SEAI, for 2014 indicate that energy import dependency fell to 85% in 2014. This was driven by lower demand for coal, oil and gas coupled with increased indigenous production of energy. The bulk of the increase in indigenous energy was from renewable sources and the remainder from peat.

In summer 2014, the European Commission, under the European energy security strategy, carried out stress tests in the event of a Russia-Ukraine gas disruption. This stress test was coordinated for Ireland by the Commission for Energy Regulation, CER. The results showed that Ireland was likely to be one of the countries that would be least likely to be adversely affected. The results also showed that, in the event of such a disruption, gas prices would be likely to increase. The European energy security strategy also proposes to increase energy production in the EU and to diversify supplier countries and routes. Energy security is a key pillar of the European Commission’s recently published European energy union strategy, which Ireland strongly supports.

In Ireland we have a policy framework that is incentivising both an increase in indigenous renewable energy and the exploration and production of indigenous non-renewable fuel sources. Both of these energy sources contribute to reducing import dependency. Meeting our renewable electricity targets will require the delivery of critical grid infrastructure and the construction of additional renewable electricity generation capacity.

Additional information not given on the floor of the House

There are a number of other important measures which also enhance our energy security such as EU funding for infrastructure, EU legislation that promotes co-operation on energy security, energy demand reduction measures, good emergency planning and oil storage reserves.

Deputy Maureen O’Sullivan: There is no doubt that we have a very high dependency on imported fossil fuels and I saw a figure of €6.5 billion that we are spending on it. We are very vulnerable and are at the mercy of international markets and prices. We saw what happened to Ukraine with its reliance on natural gas from Russia. Over the weekend I read a story about a green plan by firefighters at the fire station in Kilbarrack who are using old batteries. The green plan was applied to every station in Dublin and has generated €7.5 million in public sector savings. Dublin Fire Brigade has cut its energy consumption by 44%. There is the creativity coming in. We should take those examples and see them as urgent, and examine making more carbon-neutral workplaces. We are very energy inefficient in this country.

Deputy Joe McHugh: Ireland is not in a position to solve all our energy issues in isolation and we have no intention of doing so. We are part of the European Union, a collective grouping of countries with the same sense of responsibility. Whether it is EU funding for infrastructure or EU legislation that promotes co-operation on energy security or energy demand reduction measures, we must work together. It is critical that we continue that co-operation and we cannot be exposed. Although I am very conscious that we are an island, we are also connected in other ways, be it at European Commission or European Parliament level. My colleagues in the European Parliament are very focused on energy security issues. There is an electorate in this country that is very genuine, sincere and passionate about climate change and, politically, we must tap into that new energy - pardon the pun - and vibrancy in a young, smart, intelligent electorate that wants to contribute to meeting the challenge.
Deputy Maureen O’Sullivan: I was struck by the fact that three years ago Denmark was able to export energy after securing all its own needs. I want to put the issue in the broader context of climate change. We are moving into sustainable development goals and Ireland has been playing a very strong role at EU and UN level. However, we are giving with one hand - and we have a very strong reputation regarding development aid - but taking with the other unless we address the climate change issues and tackle our emissions. As well as our own energy needs, there is the broader picture for our planet. One of the new sustainable development goals, which replace the millennium development goals, is about seriously tackling climate change. We cannot be hypocritical about this, giving all this development aid - and we have a high reputation there - and taking on the other hand because we are not supporting measures to combat climate change.

Deputy Joe McHugh: I can blame myself for introducing climate change into the question. The Deputy is right. It is important and it is a wider context within the climate change Bill, which will be discussed in this House and the Seanad. There must be an integrated departmental approach. I recently met a group in Letterkenny regarding climate change and energy security. As legislators, we are faced with difficult decisions. We must use our place at a global level, and Ireland can do it, as the Deputy correctly pointed out, at a UN and European level. We are doing it, and we must use our strong voice in these different corridors to push for an overall global, European approach to these very challenging issues.

Broadband Service Provision

96. Deputy Michael Colreavy asked the Minister for Communications, Energy and Natural Resources the projected cost to the Exchequer if the State is to build a broadband network in areas not reached by commercial operators. [31748/15]

Deputy Michael Colreavy: Given that we are running out of time, I will cut to the chase. The questions refers to the roll-out of broadband to areas which are not commercially viable for the commercial operators. Do we know how much it will cost and will ring-fenced funding will be made available to ensure the more remote areas will have broadband services? Do we have an idea as to what roll-out period will be involved? Is it the Minister’s intention that the network infrastructure will be in public or private ownership?

Deputy Joe McHugh: The Deputy has broadened his question. I will take the broader aspects and then read into the record. We are not putting the costs down in this phase of the conversation. As the Deputy knows, it will go to a public procurement process. There will be money available for this Government intervention. The Department would not have spent time contacting the European Commission to ensure all the t’s are crossed and the i’s dotted regarding State-led intervention without having the backup, and the Government is committed to it. There is no plan yet as to which areas will be done first. While 30% of the land mass is not commercially viable, this could change over the next six months if operators decide to intervene in particular locations. If the likes of Eircom - now known as Eir - or other companies come in and propose to provide broadband to certain towns, it is important that there would be a commitment there. My officials are working very hard and very closely with the operators that announce that they will provide broadband in a particular town and there must be the question of responsibility at a private intervention level and at Government level.

Deputy Michael Colreavy: I attended the launch in Sligo and I am delighted to say that in
Sligo there will be 1 GBps from mid-2016. The Minister of State will understand the concern of people who live outside the areas of population, because it would not be the first time something that was supposed to be a national development went as far as the bigger areas of population and then the money was gone. Such populations are afraid that they are going to be left in the very same state. Australia, which is a tad bigger than Ireland-----

**Deputy Joe McHugh:** Slightly.

**Deputy Michael Colreavy:** -----probably had a more challenging environment in which to roll out broadband. It is informative to see how well it was handled there.

**Deputy Joe McHugh:** Perhaps the Deputy has extra information, anecdotal or otherwise, on the Australian experience. I do not doubt that my officials have done their research and examined the best possible solution. I know that under the SIRO solution in towns, houses are being connected in Cavan at the moment. There are plans for large towns like Castlebar, Westport and Letterkenny. The Deputy is correct when he alludes to the age-old core-periphery argument about whether services should always go into more populated areas in the first instance and what happens rural areas in such circumstances. No decision has yet been made on how this will be rolled out in the 30% of areas that are de facto rural areas. That decision will probably be made in co-operation between the Department and whoever the preferred bidder or bidders, or successful company or companies, will be. Deputy Maureen O’Sullivan raised issues relating to the importance of the islands. These are big questions that keep being raised. As a Sligo man who also represents a large rural population in County Leitrim, Deputy Colreavy wants to ensure there is equity and balance. I take his points.

**Renewable Energy Generation Targets**

97. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which the number of alternative non-fossil fuel energy projects have been developed or are in course thereof, with particular reference to meeting EU and UN targets; if such projects are sufficiently advanced to address any threat of carbon penalties in the course of the next ten years; and if he will make a statement on the matter. [31754/15]

**Deputy Bernard J. Durkan:** This question is similar to other questions that have been raised. It relates to the extent to which renewable and alternative energy targets can be attained within the specified time.

**Deputy Joe McHugh:** The 2009 EU renewable energy directive set Ireland a legally binding target of meeting 16% of its energy requirements from renewable sources by 2020. To meet this target, Ireland is committed to meeting 40% of electricity demand, 12% of heating and 10% of transport power from renewable sources. On 31 July last, the Department launched two separate consultations on new support schemes, one for renewable electricity and one for a proposed renewable heat incentive. While the initial phase of both consultations closed on 18 September last, there will be two further opportunities to contribute to this. Ireland aims to meet its renewable transport targets mainly through the use of sustainable biofuels. Increased use of electric vehicles will also make a contribution. Further increases to the obligation rate in the biofuels obligation scheme will be required in the context of achieving our 2020 target. The Minister intends to initiate a consultation over the coming weeks. The details requested by the Deputy concerning the sources of renewable electricity generation projects that have
been developed, or are in the course of being developed, are available on the EirGrid and ESB Networks websites. Greenhouse gas emissions targets are a matter for the Minister for the Environment, Community and Local Government.

Deputy Bernard J. Durkan: Is the Minister of State reasonably satisfied regarding the attainment of the targets in relation to the combination of the various alternatives? Does he believe we are likely to remain on target? If not, what corrective measures need to be made in the interim?

Deputy Joe McHugh: It is a fair question. I am reasonably satisfied because I have met many people from the various groups that have made submissions on the White Paper. I am more than reasonably satisfied with some of the submissions that have been made. While the Government has a role to play in this, obviously the private sector will play a big role too. I am looking forward to the collation of all the submissions that have been made through the White Paper regarding the three pillars of heat, transport and energy. I think it is critical that we are serious about it. I am confident that the intricate relationship between the Government and the creative sector within business will provide the solutions. There are smart people with solutions out there and we have to respond to them.

Written Answers follow Adjournment.

Topical Issue Debate

Local Government Reform

Acting Chairman (Deputy Bernard J. Durkan): Deputies Martin and O’Brien have four minutes, or two minutes each.

Deputy Micheál Martin: In the brief time available to me, I would like to articulate my view that the majority conclusion of the Smiddy report is fundamentally wrong in terms of the future of Cork City Council and Cork County Council. I happen to agree with the thrust of the minority grouping report, which is that cities drive regions. I think the amalgamation of Cork city and county councils would have a very negative impact on the capacity of the region to attract foreign direct investment into the future. I am particularly in favour of a governance structure for the city that would be focused on the development of the city in the cultural, economic and social spheres. I think the solution that has come forward is an unworkable one. I believe the Minister, Deputy Kelly, was unduly hasty in accepting this particular proposal. I note that one of his colleagues on the Government benches, Deputy Ciarán Lynch, has strongly criticised the officials in the Department of the Environment, Community and Local Government. He has blamed that Department for the momentum towards the amalgamation process.

I disagreed with the decision of the Minister’s predecessor, Phil Hogan, to abolish town councils. I still disagree with it. The Minister, Deputy Howlin, displayed breathtaking cynicism when he arrived on the scene and said that the decision to get rid of the urban and town councils was a bad mistake and that he would reinstate them if he had his way all over again. He suggested that the Labour Party might even consider reinstating them in a new Government. For how long more will the public be treated to this kind of theatrics and be taken for fools?
This whole agenda is politically driven. The Minister, Deputy Kelly, has clearly driven this particular agenda in relation to Cork. I happen to know from talking to people in Kilkenny that the amalgamation of city and county is not working there.

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): It is working in Tipperary.

Deputy Micheál Martin: It is not working in Waterford. The people of Waterford city are very upset about the declining capacity of the urban centre of the city to market itself. I refer the Minister to the submission to the review panel that was made by William Brady, Jonathan Hall and Brendan O’Sullivan of the UCC department of planning. I do not believe they had discussions with the review panel. They have spoken publicly and in detail about how they believe the recommendations will not work. They have emphasised the need for Cork to concentrate on carving out a niche urban identity, as its competitors are doing. They suggest that this urban identity will be lost if the merger goes ahead. They have said that the second challenge is to maintain an identity with Cork’s large rural agriculture and food sectors. They suggest that the towns, villages and coastal communities must equally be considered. They believe there needs to be a rural counterweight to represent these citizens.

Acting Chairman (Deputy Bernard J. Durkan): I ask the Deputy to conclude as his colleague’s time is being eroded.

Deputy Micheál Martin: Fundamentally, the planning people in UCC are saying that this will provide the worst of both worlds: an oversized and unworkable entity that will never be able to meet fully the needs of the two core constituencies.

Acting Chairman (Deputy Bernard J. Durkan): Deputy O’Brien has a shrinking two minutes.

Deputy Jonathan O’Brien: Unfortunately, some of my time has gone, but I would agree with everything that Deputy Martin has said. There is no doubt that this is fundamentally wrong for Cork. Like Deputy Martin, I believe this is being driven by the Minister, Deputy Kelly. He arrived down to Cork the night before a press conference. He called people in when he was down in Carrigaline. He asked them to attend the press conference the following day and to row in behind the decision that had been made.

Deputy Alan Kelly: That is not-----

Deputy Jonathan O’Brien: That is the information we have got from people who were in the room.

Deputy Alan Kelly: They would want to declare it.

Deputy Jonathan O’Brien: The Minister has pushed this agenda since this report came out. I remind the House that the report was only passed on the basis of the chairperson’s casting vote. In an unprecedented step, the CEO of Cork City Council came out and outlined the reasons this should not happen. I accept that the chief executive of Cork County Council, Tim Lucey, is now saying he is in favour of it. Just two years ago, when he was the chief executive of Cork City Council, he was saying the best option for Cork was to look at a boundary extension. He was producing maps and writing to the Department to urge those responsible to get off their backsides and look at extending the city boundary. Now we have a situation where Cork
City Council is taking legal action. The council has directed the chief executive to take legal action through a section 140. It has been debated a number of times in Cork City Council and there is total agreement in the council regarding this issue.

**Acting Chairman (Deputy Bernard J. Durkan):** Thank you Deputy.

**Deputy Jonathan O’Brien:** Cork County Council has not even debated the issue in public yet. The council has not even debated the issue in public and the Minister is determined to bring it to Cabinet and push it through as quickly as possible.

**Deputy Alan Kelly:** I thank the Deputies for their question. The timing is optimal because this topic is being debated a lot at present. I established the Cork local government committee on 15 January 2015 to carry out a review of local government arrangements in Cork city and county, including the boundary of Cork city and to make recommendations with respect to whether the boundary of the city should be altered or whether Cork City Council and Cork County Council should be unified.

Since receiving the report on 2 September 2015 I have had an opportunity to consider it and on 8 September 2015, after a lot of analysis, I signalled my agreement with its main recommendation to establish a new unified Cork local authority. I am persuaded that a unified local authority for Cork has the potential to achieve important benefits, above all strengthening local government. Other anticipated benefits include eliminating administrative duplication, securing greater efficiency through economies of scale, promoting economic and social development and, ultimately, improving service delivery. The case for unification rests primarily in stronger more effective local government speaking with one voice that can deliver a much better future for the people of Cork in terms of social and economic progress and quality of life and I presume that is what we all desire.

However, I would like to stress that the model that is being proposed for Cork involves more than just a merger as in the cases of Limerick, Tipperary and Waterford, which are working well. I know this because I am representative of one of those counties. The report points out that there would be a strong case for major devolution of powers to what would be by far the largest unit of local government within the State. Fragmentation and weak local government structures have inhibited devolution up to now. Stronger, more coherent local authorities can help to reverse this and reduce centralisation. The report also sees scope for stronger leadership of a new authority and I see a continued role for the Lord Mayor of Cork in providing civic leadership and underlining the status, customs and traditions of the city, of which I am well aware.

Since publication, much has been made in public commentary of the fact that the report was a “majority” report. However, this masks important aspects about which the committee was in full agreement, for example, the conclusion that retaining the status quo is not a realistic option and the need to acknowledge and develop Cork city as a driving force in the economic and social development of the region. The requirement for a new enlarged metropolitan area was also a matter of agreement but the committee differed on how best to achieve such an extension. I believe a boundary extension while maintaining two authorities would really mean the city taking a substantial share of the county’s population and resources, with implications for the future viability of the county. Equally, the suggestion that Cork city would suffer economically or socially in a unified authority is simply not well founded.

It is essential that there is a clear overall vision for Cork and an approach that will achieve
added value and strengthen local government. Unification can, I believe, achieve all of the benefits of addressing the boundary issue while avoiding the disadvantages and complexities for both authorities which would arise with extending the city boundary only. A unified authority with improved strategic capacity can act as a leader and facilitator of change to support and develop Cork and the wider region in social, economic and environmental terms and can facilitate the delivery of efficient and effective customer services through innovative local government.

I remind the House that, in signalling my agreement with the main recommendation to establish a unified authority rather than simply extending the city boundary, I indicated that I would give further consideration to all of the details in the report. A considerable amount of work remains to be done to develop further the committee’s high-level recommendation. The detail of what a unified system of local government in Cork would involve needs to be fully developed, including governance arrangements, functions, arrangements to maintain the status of the city and indeed addressing, as necessary, issues raised in the minority report. I will be making a submission to Government on the approach to be followed in light of this further consideration.

Deputy Micheál Martin: I expected better, to be frank - more than just a bureaucratic presentation by the Minister in terms of Civil Service speak----

Deputy Alan Kelly: The Deputy will get more.

Deputy Micheál Martin: Fundamentally, there is a fundamental flaw in it----

Deputy Alan Kelly: Fundamentally there is a fundamental flaw.

Deputy Micheál Martin: Cork County Council and Cork City Council worked exceptionally well in the 1970s and 1980s, for example, in terms of the land use and transportation study. Officials in the Department of the Environment, Community and Local Government confirmed that. It was an exemplar in terms of how to do planning. That was followed by CASP, the Cork Area Strategic Plan, another excellent model in terms of how to do planning and proving that there can be efficient, harmonised synergies between two local authorities serving side by side. Historically, the attraction of FDI into the city and county has worked, in terms of the pharmaceutical industry, for example, in the Lower Harbour, Ringaskiddy and across the county and with technology companies such as Apple and EMC. This is all mythology, the idea that a new unified structure will somehow create a Nirvana and give a better outcome. The proof of the pudding lies in the fact that very significant results have been achieved in key macro areas. The waste water treatment development plan, for example, for Little Island came out of synergies, as did the main water drainage scheme, with massive investment by both county and city. At the heart of this----

Acting Chairman (Deputy Bernard J. Durkan): Thank you Deputy.

Deputy Micheál Martin: I agree with Deputy Kieran Lynch on one point. I do not know whether he has spoken to the Minister or not. So far he has absolved the Minister of any criticism but has blamed everyone else. I accept his point that fundamentally there is an anti-politician attitude at the core of this. Let us abolish politicians. It is like that headline that Fine Gael had with regard to the Seanad election----

Acting Chairman (Deputy Bernard J. Durkan): Thank you Deputy. Deputy O’Brien will soon be abolished if he does not----

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Deputy Micheál Martin: “Vote Yes - less politicians”. Urban councillors are gone----

Deputy Alan Kelly: The Deputy has the wrong party.

Deputy Micheál Martin: I said Fine Gael.

Urban councillors have been abolished across the length and breadth of the country.

Acting Chairman (Deputy Bernard J. Durkan): Deputy Martin is sharing time----

Deputy Micheál Martin: It is the myth that better local government means less politics or fewer politicians.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy has overtaken----

Deputy Micheál Martin: I would like the opportunity to have more time to debate this issue----

Acting Chairman (Deputy Bernard J. Durkan): I have no problem with that but it cannot be now.

Deputy Micheál Martin: ----because two minutes is pathetic and is not a reasonable amount of time.

Acting Chairman (Deputy Bernard J. Durkan): It cannot be now. Deputy O’Brien.

Deputy Jonathan O’Brien: I agree with everything Deputy Martin has said. There is a number of falsehoods being put out there by independent people who are in favour of it and I will point them out to the Minister. The chief executive of Cork City Council, Ann Doherty, has taken the unprecedented step of releasing a statement in order to debunk some of the myths, one of which is the assertion that a merger would produce significant economic growth while a boundary extension would not. There is no empirical evidence whatsoever to support that assertion. In fact evidence-based research in other areas indicates that a very strong metropolitan city of between 250,000 and 350,000 promotes significant growth in itself and also has a profound impact on its surrounding hinterland. These are the types of issues which need to be discussed.

The consultation period was extended by a week and only one political party in Cork put forward a submission.

Acting Chairman (Deputy Bernard J. Durkan): Thank you Deputy.

Deputy Jonathan O’Brien: The people of Cork, the ordinary citizens, had no opportunity. There were no town hall meetings organised. No one went out and discussed it.

Deputy Alan Kelly: Anyone could have put forward a submission.

Deputy Jonathan O’Brien: Sorry?

Deputy Alan Kelly: Anyone could have made a submission.

Deputy Jonathan O’Brien: In all fairness, now.

Acting Chairman (Deputy Bernard J. Durkan): Thank you Deputy.
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**Deputy Jonathan O’Brien:** We are talking about the largest county in this State and about merging the city and county councils at the whim of your boyos. It is not acceptable.

**Acting Chairman (Deputy Bernard J. Durkan):** Thank you Deputy.

**Deputy Jonathan O’Brien:** It is not acceptable.

**Acting Chairman (Deputy Bernard J. Durkan):** The Minister to reply.

**Deputy Jonathan O’Brien:** Maybe it is because the Labour Party does not have any councillors on Cork City Council.

**Acting Chairman (Deputy Bernard J. Durkan):** I am sorry Deputy, you have gone well over your time.

**Deputy Alan Kelly:** I wish to quote something to the Deputies:

I do not want Cork to repeat the mistakes of other Cities with the result of a continuous urban sprawl at the expense of an identifiable city centre core... I believe that the option of a major extension to the City boundary, while retaining two separate authorities would not be the optimum recommendation. There would be a real concern about funding base available to the County authority in that scenario... In my view, the most convincing case can be made for a single Cork authority with a robust divisional structure.

That is the view of Deputy Martin’s own party colleague, from the same constituency, in an article for *The Irish Examiner*, Deputy Michael McGrath.

**Deputy Micheál Martin:** I do not agree with him.

**Deputy Alan Kelly:** Wait a second. That is his view, as opposed to Deputy Martin’s view.

**Deputy Jonathan O’Brien:** Deputy Ciarán Lynch has another view.

**Acting Chairman (Deputy Bernard J. Durkan):** Deputies, one voice please.

**Deputy Alan Kelly:** In relation to the submission from Sinn Féin----

**Deputy Micheál Martin:** What about Deputy Ciarán Lynch?

**Deputy Alan Kelly:** In relation to the submission from Sinn Féin----

**Deputy Jonathan O’Brien:** Has the Minister read it?

**Deputy Alan Kelly:** Yes. A strategic----

**Acting Chairman (Deputy Bernard J. Durkan):** One voice.

**Deputy Alan Kelly:** Sinn Féin proposed a strategic authority with a county-wide, regional approach to strategic planning and development, with “full executive powers”.

**Deputy Jonathan O’Brien:** That is not what we said.

**Deputy Alan Kelly:** The Deputy should read his party’s submission.

**Deputy Jonathan O’Brien:** That is a lie----
Acting Chairman (Deputy Bernard J. Durkan): I am sorry Deputy----

Deputy Jonathan O’Brien: That is a lie. The very second line of our submission----

Acting Chairman (Deputy Bernard J. Durkan): Deputy O’Brien cannot make an allega-
tion----

Deputy Alan Kelly: Wait one second.

Deputy Jonathan O’Brien: The second line of our submission refers to the need for an
economically viable local authority. The Minister should not come to the House and tell stories.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy is out of order.

Deputy Alan Kelly: He should read his party’s submission.

Acting Chairman (Deputy Bernard J. Durkan): Deputies cannot accuse a Member of
lying.

Deputy Jonathan O’Brien: I just have.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy is out of order.

Deputy Jonathan O’Brien: Regardless of whether I am out of order, the fact is the Minis-
ter just told a lie.

Acting Chairman (Deputy Bernard J. Durkan): The Ceann Comhairle will deal with that
tomorrow morning.

Deputy Jonathan O’Brien: That is fine.

Deputy Alan Kelly: The committee was set up and gave careful consideration-----

Deputy Micheál Martin: What about Deputy Ciarán Lynch?

Deputy Alan Kelly: The Deputy had his time. Will he allow me to respond?

Acting Chairman (Deputy Bernard J. Durkan): Deputy Martin had a good innings.

Deputy Micheál Martin: I want to know if Deputy Ciaran Lynch spoke to the Minister.

Acting Chairman (Deputy Bernard J. Durkan): He is totally out of order. As a long-
serving Member, he should know better.

Deputy Alan Kelly: Evidence rather than emotion should dominate this debate.

Deputy Micheál Martin: With all due respect-----

Acting Chairman (Deputy Bernard J. Durkan): Please stop interrupting.

Deputy Micheál Martin: All I am saying is that Deputy Ciarán Lynch should speak to the
Minister. Can the Minister not tell him that-----

Acting Chairman (Deputy Bernard J. Durkan): As a long-standing Member, does Dep-
uty Martin understand the way the protocols of the House work?
Deputy Micheál Martin: I certainly do.

Acting Chairman (Deputy Bernard J. Durkan): Good. In that case, please refrain from interrupting.

Deputy Alan Kelly: I will wrap up. The proposal has been made in the best interests of Cork city and county.

Deputy Jonathan O’Brien: That is not true.

Deputy Alan Kelly: It is the best option for Cork. The group of five individuals considered the matter for nine months and I respect the report it produced. Its objective is to put Cork in a position in which it can compete on a regional basis with the conurbation around Dublin. That is what has been proposed. I stand fully behind the proposal and commend Alf Smiddy and his group on the work they did. Incidentally, they agreed on many issues, including that doing nothing would be the worst scenario.

Deputy Jonathan O’Brien: The group did not ask the Minister to do nothing. The only issue on which the group agreed was that a large metropolitan area-----

Acting Chairman (Deputy Bernard J. Durkan): Deputy O’Brien is out of order. It is in his interest that he remember that.

Crime Levels

Deputy Noel Coonan: I thank the Ceann Comhairle for giving me the opportunity to raise this important issue. I also thank Deputy Niall Collins for sharing time.

I do not propose to discuss the national issues that arise in this regard in the short time available to me. My concern is focused on my constituency, particularly the Littleton-Thurles area, which is experiencing a severe crime epidemic. Members of the public have expressed serious concerns about this epidemic and I ask the Minister of State to set out the Minister’s plans to address it. I regret the Minister is not present, although I understand she is engaged in negotiations in Brussels and I wish her well in that regard.

As I stated, there has been serious concern about crime in the Littleton-Thurles area for some time. Chief Superintendent Kehoe of the Tipperary division has done excellent work. While crime detection has increased, the level of crime is extremely high and the chief superintendent is operating with her hands tied behind her back. Thanks to the previous Government, the Tipperary Garda district is short 37 gardaí. The division covers six districts, two of which were merged to make the position look better. Counties Carlow, Kilkenny and Wexford each have three Garda divisions. The Tipperary division is experiencing a severe manpower shortage and Garda visibility on the ground is a serious problem. People in the area want this matter addressed. Garda operations such as Operation Infinity and Operation Anvil should be extended to the Tipperary area.

Deputy Niall Collins: I thank the Ceann Comhairle for selecting this issue as it is highly topical. On the first day of a new Dáil term, people look to Deputies to provide some hope and positivity on the issue of dealing with crime. As I have stated previously, the Government is failing to address crime in rural areas and in the capital. People need to be given hope, particu-
larly with regard to the crimes of burglary and assault.

Since the Dáil last met in July, shocking statistics have come to hand which show that crime is out of control. The Central Statistics Office, an independent body, reported that the incidence of burglary increased by 8% in the 12 months to the first quarter of 2015. Persons who had been freed on bail were found to have committed 8,077 burglaries in the period from 2011 to date. The issue is not only one of statistics, however, as there are real human stories behind these crimes. The previous speaker noted the unacceptable level of crime in Littleton, County Tipperary. A couple of weeks ago, a tragedy occurred in Doon in my constituency when a man by the name of John O’Donoghue came across a burglary being committed in his house in broad daylight and died as a result of the shock of being confronted by the two burglars. The garda who apprehended the persons carrying out the burglary had to use his own car, which is far from acceptable. It was reported in the news yesterday that a 90-year-old woman in County Wicklow, Ms Eva Sutton, had spent the past two weeks in hospital after being beaten up in her home. We are told she may not return home.

More gardaí and tougher legislation are needed. I proposed legislation providing for mandatory sentences for those convicted of assaulting elderly people or committing serial burglaries. It is high time we sent out a strong legislative message to the small number of people who are scouring the countryside and terrorising old people through burglaries that we are serious about this issue. I ask the Minister to do something about this, because Government action in this area has not been good enough.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Jimmy Deenihan): I am speaking on behalf of the Minister for Justice and Equality, who regrets that she cannot be present as she is attending an extraordinary meeting of European Union justice and home affairs Ministers to discuss the very serious migration crisis. The Minister is, however, grateful to the Deputies for raising these important matters in the House.

The Minister recognises that burglary is a persistent and highly damaging crime, particularly in highly distressing cases in which householders are assaulted by the criminals involved. Several such cases were mentioned by Deputy Niall Collins. The Minister is also conscious of the serious impact of these crimes on families and communities and recognises public concern about crime in Littleton and Thurles, County Tipperary, and elsewhere.

The Minister is in close contact with the Garda Commissioner to ensure the policing response is effective and Garda operations take account of evolving trends and patterns in burglary offences in both rural and urban areas. Earlier this year, the Minister initiated a broad and urgent review of the criminal justice system’s response to the problem of burglaries. This included a focus on inter-agency measures for the management of prolific offenders, visible policing, crime prevention support for communities and an examination of legislative issues. One important fact which emerged during this review was the finding of the Garda Síochána analysis service that 75% of burglaries are committed by 25% of burglars. Targeting this cohort of repeat offenders has the potential to significantly reduce the number of burglaries being committed.

In response, the Minister recently published the Criminal Justice (Burglary of Dwellings) Bill 2015. This legislation targets repeat burglary offenders through bail measures and provisions concerning the imposition of consecutive sentencing for repeat burglary offending. The key objective of this legislation is to target a cohort of persistent offenders who prey on law-
abiding householders and clearly have no concern for the damage and distress that they inflict on others. It is hoped to have this new legislation enacted as soon as possible.

A newspaper opinion piece published in The Sunday Times on 20 September reflected on the effects of burglaries in rural communities and concluded that the Minister’s new Bill would be a lever for change which would have the effect of “...obliging the criminal justice system to lock up violent, repeat criminals, while dealing more humanely with non-violent offenders - it should be welcomed as a progressive measure. And rural Ireland will be a safer place on winter nights.”

In recent times, Garda strategy to counter burglaries and related crimes has been co-ordinated under Operation Fiacla, which is a national operation targeting burglary by using an intelligence and analysis led approach. In support of Operation Fiacla, there are burglary-related operations in place in each Garda division. Special targeted patrols have been implemented with the assistance of Garda national support services against criminal groups. These arrangements have also targeted the use of motorways by criminal gangs and have contributed to the arrest of a number of high-priority suspects.

The sustained Garda response to criminal activity under Operation Fiacla has produced many successes. As of 31 July 2015, Operation Fiacla had led to 14,050 arrests, with 7,996 charges being brought against suspects. In addition, €700,000 has been allocated for new specialised vehicles to support gardaí in responding to current and emerging crime threats, including burglaries committed by highly-mobile gangs. This Government has invested nearly €29 million in new Garda vehicles since 2012, with 370 new vehicles coming on stream this year. The Government’s investment in new Garda vehicles clearly supports the delivery of highly-mobile Garda patrols which must be the priority for rural policing.

Of course, the fight against burglaries and crime generally will be aided greatly by the Government’s decision to recruit new gardaí. Since September 2014, 400 new gardaí have entered the Garda College in Templemore. Of these, 295 having already attested and are now working in communities nationwide. In addition, 150 more recruits are due to enter the Garda College next month. This additional recruitment will bring to 550 the total number of gardaí that will have been recruited under this Government between September 2014 and 2015. In addition, a series of reforms are helping to free up more gardaí for front-line policing. For example, the civilianisation of Garda immigration functions and the transfer of certain functions to the Irish Naturalisation and Immigration Service will release 125 gardaí for other duties. All of these measures, including new legislation and targeted Garda operations, will strengthen the Minister’s carefully considered approach to dealing with serial offenders and supporting improved community safety.

Deputy Noel Coonan: I thank the Minister of State for his reply and welcome all the positive things that are happening. Certainly, I welcome the recruits in Templemore. However, the reality is that of those who have graduated, only five have gone to the Tipperary division. Since then, they have been deployed to areas such as Kilkenny city and Waterford. While I know those areas want them as well, it is a sign of the neglect of rural Ireland. I ask the Minister of State and the Commissioner to address the issue of sending newly-graduated officers to Tipperary.

Second, there is an issue with the Judiciary which must have a greater understanding of the effects of crime on rural areas and the people who live in them. They must be more alert and
more aware of that effect when they dismiss cases on incidental grounds and release people. There must be a greater awareness among the Judiciary on the implementation of the law. Finally, the public must be alert, vigilant and more careful with and enhance their security. Some of the inflammatory language that is used is more of an assistance to the criminals than to anybody else. It portrays a story to them.

To recruit 500 gardaí per year is fine, but I ask the Minister of State - and will ask the Minister for Justice and Equality herself - to address the urgent need for a once-off recruitment of 1,000 gardaí to bring the force back up to its optimum level and to facilitate the visibility the Commissioner said today is the answer, namely, visibility in rural areas. Everybody must work together. This problem must be resolved and there needs to be an urgent and prompt reaction to places such as Littleton when incidents happen rather than waiting for legislation.

Deputy Niall Collins: The ploughing championships are on over three days this week as we are all well aware. The issue of crime is a central theme of discussion at the ploughing championships and, given the nature of the event, crime in rural areas in particular. That is a huge indictment of Government and a statement from rural Ireland as to how bad is the situation. The Government needs to wake up and really take notice of that. In relation to Garda numbers, there were more gardaí outside Leinster House today for a phantom protest than will be found in many rural areas tonight. That is simply not acceptable. We need to have more recruitment to get back up to 14,000. The fact that the moratorium was held in place while recruitment continued in the Defence Forces was not acceptable. The Garda Reserve is being under-utilised. We should increase the number of reserve gardaí and bring more into the mainstream force. Many of them are being locked out as part of the recruitment process, which is not acceptable when they are giving of their time and service. We also need to increase the numbers up to at least 2,000 reserve gardaí. These are issues I want the Minister of State to take on board.

When he is replying, perhaps the Minister of State can address the following question. If he cannot, he might obtain the information afterwards. There have been some suggestions that up to 40% of directions to prosecute and prosecutions taken have resulted in acquittals. This is in relation to burglaries and related offences. Can the Minister of State outline the percentage of prosecutions directed by the DPP in the past 12 months which have not resulted in convictions? He can revert to me afterwards if he does not have the information to hand.

Deputy Jimmy Deenihan: I remind Deputy Collins that rural crime did not commence when this Government took over.

Deputy Niall Collins: That is acknowledged, but it has increased exponentially.

Acting Chairman (Deputy Bernard Durkan): The Minister of State to reply.

Deputy Jimmy Deenihan: There were other operations by the Garda in the past which were quite effective in coming to grips with rural crime. On behalf of the Minister, I thank the Deputies for raising these important matters this evening and for referring to specific cases. I will be very happy to share the points they made with the Minister when I meet her tomorrow. I will certainly bring Deputy Collins’s specific questions to her attention and obtain a reply for him.

I have already set out the comprehensive strategy being implemented by the Minister and the Garda Commissioner to confront those who engage in burglary and similar crimes at the expense of the law abiding majority of our people. Before we conclude, I note that in addition
to the new legislation introduced by the Minister to target burglary specifically, the heads of the new bail Bill were published in July. This Bill aims to further strengthen the law to protect the public against crimes committed by offenders while on bail. As well as pursuing a robust strategy to disrupt criminal gangs engaged in burglary, An Garda Síochána is working with communities and partners such as the Irish Farmers Association and utility companies to target other crime trends including the theft of electricity cables and metal theft from dwellings, farms and business premises. In conclusion, the Minister wishes to underline her determination to continue to oppose criminals who violate people’s homes. She will continue to support An Garda Síochána through improved legislation and the allocation of the increased resources the Government is now providing.

Air Services Provision

Deputy Derek Nolan: Mar is eol don Aire Stáit, tá ínmí mhóir ar phobal Oileán Árainn faoi thodhchaí na seirbhísí a ear chuig na hoileáin. Faoi láthair, tá seirbhísí laethúil ann chuig na trí oileán ó Aerfort na Minne atá á reachtaíl ag Aer Arann faoin PSO. Tá an seirbhís sin ann le 40 bliain anuas. D’fhógair Roinn an Aire Stáit go mbeadh seirbhís nua ann ó mhí Dheireadh Fómhair amach agus gur seirbhís héileacaptair a bheadh ann, ag fághaíl ó aerfort an Chaimh Mhóir, atá suite ar an taobh thóir de chathair na Gaillimhe. Tá an fógra seo tar éis ínmí mhóir a chothú níos mó le cadhachadh a fadtéarmach anuas chuig na hoileáin. Tá neamhchinnseacht ann faoi thodhchaí aert fort an Chaimh Mhóir féin. Ni fada ó shin a cheannaigh Comhairle Contae na Gaillimhe agus Comhairle Cathrach na Gaillimhe agus Comhairle Cathrach na Gaillimhe é agus ni fios fós cad a tharlóidh ag deireadh na bliana seo. Mar is eol don Aire Stáit freisin, tá ceangal éasca ann idir an tseirbhísí ó Aerfort na Minne agus agus seirbhísí agus seirbhísí aithiúla éile sa gceantar a chuir an t-aistriú chuig an gCarn Mór isteach go mór orthu seo ar fad. Tá ceisteanna ann freisin faoi thodhchaí na n-aerstráici ar na hoileáin atá in úinéireacht poiblí.

Tá todhchaí na n-oileán ag brath go hionomlán ar aersheirbhis fhónta. Tuigim gur iarr an tAire Stáit ar Aer Arann leanacht lenta seirbhísí go dtí deireadh mí Mhí Feabhra. An féidir leis an Aire Stáit insint don Teach anocht an bhfuil sé socair go leanfar ar aghaidh leis an tseirbhísí o Aer Arann go dtí mba Feabhra agus cuí chathair a mheasann sé go mbeidh an cheist seo réitithe agus ínni an phobail curtha i léig go hionomlán?

As the Minister of State is very much aware having engaged with the community, there is huge worry and a sense of imminent catastrophe that the critical air link between Aerfort na Minne, near Indreabhán, and the three Aran islands is under threat.

8 o’clock

I understand the Minister of State announced a number of weeks ago that a new helicopter service would go from Carmmore in the east of the city to the islands. As he knows, a number of questions have arisen as to the viability of that service. Both councils are of the view that the future of the Carmmore airport is in doubt. It was purchased recently, but the current operator only has a lease until the end of the year and the plans for its use have not been settled. Therefore, the service that the Department announced as having won a tender seems to be in question. It was intended to replace a service that was operated by Aer Arann from Na Minne airport near Indreabhán for more than 25 years, one with an exemplary record and the trust of those living on the Aran Islands. It operated in a cohesive and integrated manner with the public. There was trust, flexibility, a relationship and a history spanning decades of good service, safety and
The Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Joe McHugh): Ba mhaith liom mo bhuíochas a ghabháil leis an Teachta Nolan as an gceist seo a chur síos anocht. Ba mhaith liom aitheantas a thabhairt do na Teachtaí Kyne agus O’Mahony fosta. Bhí mé i dteagmháil leo thar na seachtaine seo a chuaigh thart. Ní raibh an Teachta Kyne sa tír ar an gcéad lá - bhí sé ar a laethanta saoire thar sáile - ach bhí mé i dteagmháil leis achan lá. Nuair a tháinig sé ar ais óna laethanta saoire, bhí mé i dteagmháil leis feasta. Mar is eol don Teachta Nolan, bhí comhailríochtán cuimsitheach ar siúl le comhlachtaí maithhe. Thosaigh an próiseas ag an am sin. Í ndiaidh an próníos sin leis na comhlachtaí, bhí cúpla moladh ar siúl. Níl mé san áit anocht a d'ardaigh an Teachta a fhreagairt ós rud é go bhfuil an próiseas ar siúl. Níl an cinneadh déanta. Níl an cinneadh atá le déanamh ag an OGP. Tá an oifig sin i Roín eile, atá freagrach as an bpróiseas agus as an gcinneadh. Tuigim na deacrachtaí atá ar na hoileáin go ginearátha, go háríthithe muna bhfuil an ceangal tábhachtach ann idir an tór agus na hoileáin. Í é sin ráite, chas mé le muintir Árann i rith an próníos. Bhi mé i dteagmháil leis na daoine atá mar cheannaire ar na hoileáin Árann. Tá an próiseas comhailríuchtán atá idir mhuintir na n-oileán agus mé féin mar Aire Stáit tábhachtach. Thosaigh an comhailríuchtán sin roimh an próníos atá ar siúl anois.

I thank the Deputy for raising this important issue. Since the air service is the subject of an ongoing public procurement process, I have been advised that it would not be appropriate to make any comment on same or say anything that might in any way prejudice it or any appeal that might be made regarding the outcome of the procurement process by way of a judicial review to the High Court.

It has always been my aim to ensure a continuation of an air service for the Aran Islands. As required under the relevant EU regulation, my Department commissioned a comprehensive review of the need for a public service obligation, PSO, service to the Aran Islands in 2014. This review was published in May of last year. It covered the period from 2003 to 2013 and I am satisfied that it was rigorous in its investigations and fair in its findings. The review recognised the importance of the air service to the island communities and its contribution to island life. At the same time, the report recognised that the cost of providing the air service had increased dramatically by 136% during the ten-year period under review, that the efficiency of the programme had deteriorated over the period in question and that the continuation of this trend into the future was unsustainable.

Based on the report’s recommendations and mindful of the need for value for money in providing this service, my Department requested that the Office of Government Procurement, OGP, as the agency charged by the Government with administering procurement services for the State, to undertake a tendering process in order to put in place an air service contract for the period from 1 October 2015 to 30 September 2019. Prior to this tendering process being un-
dertaken, my Department met representatives of the island communities to listen to their views in regard to the service.

The tendering process was undertaken in accordance with the requirements of Regulation (EC) 1008/2008, which governs PSO air services. The Deputy will appreciate that, as Minister for State, I had no involvement in the procurement process itself following my decision that a PSO air service should continue to be provided. I am aware that questions have been raised regarding issues relating to the procurement process, such as the type of aircraft to be used, the inclusion of Galway Airport as a mainland departure point and the expertise of the tender assessment committee. I have been assured that proper and appropriate procedures were adhered to at all times throughout the process.

**Acting Chairman (Deputy Bernard J. Durkan):** I thank the Minister of State. We are under pressure of time.

**Deputy Derek Nolan:** Gabhaim buíochas leis an Aire Stáit. Tá súil agam go bhfuil a fhios aige faoin imní atá ar phobal Árann agus go bhfuil suim aige i dtodhchaí na seirbhíse aeir sa lá atá inniu ann. Caithfidh mé a rá freisin go bhfuil a lán oibre déanta agam le mo chara agus mo chomhleacaí, an Teachta Kyne, i dtaobh an ábhair seo.

I appreciate that the Minister of State is restricted and I will not push him about details on which he cannot continue. However, I would like to chase up the point about the continuation of the service from the end of this month. Will the Minister of State update the House on whether there has been engagement between his Department and Aer Arann, the status of those discussions, whether he is confident of an outcome and whether we can be certain that, at the end of this month, we will reach a position whereby, while the details are being teased out through the process fairly, duly and in accordance with the law, the people of the Aran Islands will be given the service they require and on which their schools, sporting life, medical life and every facet of their connection with the mainland is dependent? This is the crucial point that needs to be clarified. The immediate concern is that there be connectivity at the end of the month.

In his good offices, will the Minister of State ensure that the issues I have outlined and that are inherent in the process are dealt with as quickly as possible? His office, the OGP and every party involved should keep the momentum going, get a resolution quickly and achieve certainty about the service’s future as soon as possible.

**Deputy Joe McHugh:** Fuair mé an cheist trí Bhéarla. Tháinig an cheist isteach in Oifig an Cheann Comhairle trí Bhéarla. Is é sin an fáth go bhfuil an freagra foirmiúil i mBéarla. Is í an Ghaeilge an teanga is fearr. Ba mhaith liom mo fhreagra a rá trí Ghaeilge.

Cé nach mbeidh mé ábalta cur isteach sa phróiseas, tá sé tábhachtach béim a chur ar an dul chun cinn atá déanta frid an phróiseas, go háirithe ó thaoibh cinnteachta agus leanúnachais. Tá leanúnachas tábhachtach fá dtaoth den cheangal idir an tír mhóir agus na hoileáin. Tá mé ag obair go dian. Tá mé ag déanamh mo dhícheall mar atá mo chomhghleacaithe, na daoine san OGP agus na daoine i mo Roinn féin. Tá mé ag déanamh mo dhícheall agus ag obair gach aon lá ar an ábhar tábhachtach seo.

Mar a bhi mé ag rá nios luaithe, bhi mé i dteagmháil le muintir Árann. Táimse freagrach as ceantar na Gaeltachta, na hoileáin agus an ceangal idir na hoileáin agus an mhórthír. Táim ag lorg iarracht mhór chun dul chun cinn a dhéanamh anseo. Aris, nilim ábalta mórán a rá agus sin an chomhhairle dhli a bhfuair mé ón OGP. Tá próiseas úr ar siúl san OGP. Thosaigh
Deputy Olivia Mitchell: I ask the Acting Chairman to convey my thanks to the Ceann Comhairle for choosing this issue because it is extremely urgent. While I am sorry the Minister herself cannot be present, she spoke to me earlier and is aware of the issue, which in a nutshell is the absence of permanent sites for the four schools that are planned for what still is Dublin South, although it eventually will become Dublin Rathdown. I acknowledge that finding a location for a school is difficult even at the best of times, when the population was not rapidly expanding, when nearly all schools were faith-based and a set procedure was in place that everybody understood and to which they subscribed. The population is now expanding rapidly, we are moving to a new, more varied patronage system and we have a new catchment area basis for pupil selection. There will be problems in this regard and there are additional problems in Dublin South because there is a huge land shortage and what land there is is extremely expensive.

While I am aware this is a problem, from the perspectives of school management and parents, not knowing where the schools will be located is most unsatisfactory. Parents everywhere need to know where their kids are going to school. These are long-term decisions in that it is eight years for primary school and another six years for secondary school and parents must be able to make decisions on how their kids will be transported to school. Major decisions made by families are influenced by the location of schools. They influence job opportunities for the parents and where one buys one’s house, not to mention the quality of life issues for children who, if they cannot go to school where they live, may be put into schools remote from home and perhaps condemned to sitting in traffic jams for a good portion of the day over the next 14 years. It really is an important issue to know or to have clarity about where one’s kids will go to school.

Two of the schools are primary schools that already have been in existence for three or four years and five years, respectively. One is in Stepaside, the other is in Ballinteer and the school in Stepaside has been in two temporary locations since it was set up. I need not explain how unsatisfactory this is from the point of view of the school and the parents. It is difficult for the school to plan ahead or to attract pupils and it jeopardises the school’s viability if nobody knows where it will be located. A post-primary school is planned and thank goodness it is, because it is really badly needed. It is even more pressing because it is due to start in 2016 and neither a temporary nor a permanent location has been identified yet. Obviously, any sensible parents will be making decisions about where their children are to go to school, if they have not already long since made them. It offered hope that they could go to school in the constituency but now they are being put into schools far from home and this really is jeopardising the long-term prospects for the school. I appreciate that a secondary school takes a fair amount of land but this issue must be put to bed for parents in order that they can plan where their children will attend school.
As for the fourth school, briefly I appreciate the Department has only recognised the need for it in the last couple of months. While it is to meet the serious needs in the Stillorgan-Goatstown area, I can tell the Minister of State parents are absolutely frantic to know where that school will be located. Even though parents are told a school will be provided, unless they see physical evidence that a site has been identified, they cannot have any faith that it will turn up and this jeopardises the school, as parents will search elsewhere for locations. Consequently, I would appreciate it were the Minister of State to bring clarity at least about some of these schools.

Deputy Joe McHugh: On behalf of the Minister for Education and Skills, Deputy Jan O’Sullivan, I thank the Deputy for raising the matter as it provides me with the opportunity to outline the current position in respect of the permanent locations for Ballinteer Educate Together primary school, Stepaside Educate Together primary school, the new primary school to serve Stillorgan-Goatstown and the new post-primary school to serve Ballinteer-Stepaside. The Department of Education and Skills uses a geographical information system, GIS, to identify where the pressure for school places will arise. The GIS uses data from the Central Statistics Office, Ordnance Survey Ireland and the Department of Social Protection in addition to the Department’s own databases. It also uses data from the local authorities. With this information, the Department carries out nationwide demographic exercises at primary and post-primary level to determine where additional school accommodation is needed. The need for the four schools in question was identified as part of this analysis. Ballinteer Educate Together primary school opened in September 2012 and is in temporary accommodation at present. The Department has identified a potential site for the location of the permanent school building and is in ongoing discussions with the local authority regarding its suitability.

The Minister is pleased to inform the Deputy that a site identified as being a suitable location for the permanent school building for Stepaside Educate Together primary school has been acquired with the assistance of Dún Laoghaire-Rathdown County Council. Officials will be in contact shortly with the patron body in this regard and the Department is working to advance the proposed building project for the school. The new primary school to serve Goatstown-Stillorgan was one of the new primary schools announced by the Minister in February 2015 to open in 2016. The patronage determination process for this school will take place later this year or early in 2016. In the meantime, officials in my Department are working to find a suitable site for the school. Options for interim start-up accommodation are being examined at present and discussions will take place with the patron body in that respect. A suitable permanent site for a new post-primary school to serve the Ballinteer-Stepaside area has been identified and the acquisition process is under way. Given the commercial sensitivities associated with land acquisitions generally, the Minister is not in a position to provide further details at this time. The Minister can, however, assure the Deputy the acquisition of a new site for the school is a priority for the Department and the patron body, Educate Together, will be informed of the location for the school as soon as it is possible to do so. Options for interim start-up accommodation are being examined at present and discussions will take place with the patron body in this respect.

I thank the Deputy again on behalf of the Minister for giving me the opportunity to outline to the Dáil the current position regarding the permanent location of the four schools in question and thank her for her comments. The provision of permanent accommodation for the four schools to which she refers is a priority for the Department of Education and Skills and the schools in question provide critical school places to meet specific demographic demand.

Deputy Olivia Mitchell: I thank the Minister of State for that information and I am particularly pleased to note that a permanent site has been acquired for the Stepaside school, which
is welcome. My main concern, if I have one, is about the secondary school. The Minister of State has indicated that a site has been identified but due to commercial sensitivity, it cannot be indicated. I have been getting that answer for a long time now and I wonder if that site is ever going to be acquired or if there is a problem that is insurmountable. Huge problems are arising because of the lack of knowledge around where the school will be located. In regard to the reference to the catchment area problems, while the catchment area is supposed to include Stepaside and Ballinteer, both are diverse areas and very far apart from one another. Parents in one area are concerned that their children will not be able to get to the school. Identification of a location for the school could result in the release of places for children living near the school even though they may not be in the catchment area. This issue is causing a lot of angst in the area. I am asking that the Minister ensure there is a sense of urgency about acquiring that site and making an announcement in that regard.

Having said all of that, I appreciate the problem of identifying land in a constituency like mine, where land for any purpose is not only scarce but extremely expensive. In recognition that our population is growing and there will be need for more schools all over Dublin for a number of years to come, will the Minister consider the introduction of legislation which would allow for compulsory purchase orders in respect of land for schools, as is done in respect of land for the provision of roads? I believe educational infrastructure is at least as important as roads infrastructure.

**Deputy Joe McHugh:** I will convey the Deputy’s sentiments to the Minister for Education and Skills. The process of acquiring sites in my own county is similarly lengthy. The ETB, as a patron body, works closely with the local authority under the new systems now in place. That is a national directive. Clearly there are commercial sensitivities around the acquisition of properties. It is a lengthy process. I am aware of the use of compulsory purchase orders in situations where issues arise in relation to road infrastructure. There is a public need for educational infrastructure also, particularly in the city where land is at a premium and the population is expanding. As I said, I will convey the Deputy’s sentiments to the Minister.

**Leaders’ Questions**

**Deputy Micheál Martin:** The Taoiseach might in passing confirm that the reason Leaders’ Questions are being taken at this late hour is that he was opening a news room. Apparently, that took priority over Leaders’ Questions.

**The Taoiseach:** Engagements-----

**Deputy Paul Murphy:** I think Denis O’Brien owns it.

**Deputy Micheál Martin:** The Taoiseach might confirm if that is the case.

**An Ceann Comhairle:** Let us get on with the question because there is a time limit.

**Deputy Micheál Martin:** The Topical Issue debate was taken before Leaders’ Questions and it is now 8.25 p.m. It is a serious undermining of the status of Leaders’ Questions for us to be asking serious questions at this hour of the evening.

**Deputy Mattie McGrath:** The Deputy will not get any answers anyway.

**Deputy Micheál Martin:** During the debate earlier today Deputy Shortall said that telling the truth matters. It matters very much to people generally and to Members of this House. In
the context of the Fennelly report, there is a disquieting contradiction between the Taoiseach’s evidence and the evidence of the former Secretary General of the Department of Justice and Equality, Mr. Brian Purcell, the former Minister for Justice and Equality, Deputy Alan Shatter, former Garda Commissioner, Martin Callinan and the Secretary General of the Taoiseach’s Department, Mr. Martin Fraser. Taking the evidence of the two Secretaries General first, on the issue that the Taoiseach might not have confidence in the Garda Commissioner, they are very clear that it should be conveyed to him if the matter arose at the Cabinet the following morning. The Taoiseach’s evidence is very non-committal on that and very unsatisfactory.

What is even more worrying is the evidence of the former Tánaiste, Deputy Gilmore. Paragraph 31.31 of the Fennelly report states:

The Taoiseach, according to Mr Gilmore, went on to say that, if he were asked in the House if he had confidence in the Garda Commissioner, he would not be able to say that he had. He added that, if he said that he had confidence in the Garda Commissioner on the Tuesday, and information relating to these tapes emerged on the Wednesday, he would then be in a very difficult position.

Paragraph 31.32 states:

The evidence of Mr Gilmore, although it relates to what the Taoiseach said the following day, provides significant corroboration for the proposition that the Taoiseach did express doubts about whether he could continue to express confidence in the Commissioner. Although this conversation occurred after the Commissioner had retired, it is significant that, in an entirely different setting, the Taoiseach was speaking to Mr Gilmore of the issue very much in the same terms as are attributed to him by Mr Fraser, Mr Shatter and Mr Purcell on the evening before.

The Taoiseach’s response to Mr. Justice Fennelly is very difficult to comprehend. He initially tried to suggest that he did not agree with the then Tánaiste. He then said he could not, as he stated, “recall the accuracy of what he said” and, later, that he could not verify whether they - the words attributed to him by Mr Gilmore - were the actual words that he used. He then returned to the theme of the necessity for him of being able to “defend”, to use his word, the position.

I put it to the Taoiseach that it is of fundamental concern that his evidence is significantly at variance with the evidence of four very senior active personnel involved in this entire scenario. I ask the Taoiseach to, first, comment-----

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

Deputy Micheál Martin: -----on the former Tánaiste’s account of his meeting with him an hour before the Cabinet. Does the Taoiseach agree that is what he said to the Tánaiste?

The Taoiseach: If the Deputy reads the report he will find, both in respect of the meeting on the Monday and on the Tuesday, that the commission of investigation points out a difference of recollection by people who were at the meeting. The important point is that 16 months later a learned Supreme Court Judge goes through all of that evidence, which was given on oath to the best of people’s ability, and draws his conclusions and findings, as per the terms of reference given to him by the Government. The interim report that we referred to today pointed to two elements of that aspect that were requested of me from an all-party Oireachtas committee,
which I complied with completely. I asked that the judge would deal with that, which he did and requested that he would produce an interim report on both of those issues before the main report.

It is disquieting. It is disquieting also for Deputy Martin because he was party to wanting a commission of investigation, which I complied with and which the Government complied with. That is a statutory sworn commission of investigation. When the justice wrote to me and said that he would not be able or did not intend to produce his report on an interim basis until after the Bailey case was dealt with, Deputy Martin said that this should be challenged.

Deputy Micheál Martin: Sorry.

The Taoiseach: The Deputy said that this should be challenged, which was a direct attempt by him to have the sole member of the commission of investigation produce the report at the time he would like it. What is important are the conclusions that are drawn by the commission of investigation.

Deputy Timmy Dooley: Would the Taoiseach give us that again?

Deputy Micheál Martin: I do not know what the Taoiseach is saying.

Deputy Joe Carey: The Deputy is not listening to the Taoiseach. He was listening to Deputy Dooley.

(Interruptions).

An Ceann Comhairle: Sorry, would you please stay quiet. The Taoiseach is well able to answer himself.

The Taoiseach: The commission of investigation has reported after 16 months. It has set out its conclusions. It has set out the fact that variations in accounts have been given by different people. The learned judge has drawn his conclusions and given his findings in that regard. His findings are a direct contradiction of what Deputy Martin said in this House, namely, that I sacked the Garda Commissioner. I have rejected that consistently.

Deputy Mattie McGrath: The Taoiseach got someone else to sack him.

The Taoiseach: The findings of the commission of investigation support that strongly, in that there was never an intent, discussion or motivation in any way to remove the Garda Commissioner from his position.

Deputy Micheál Martin: I asked the Taoiseach a very simple question. Does he agree with the testimony of his former Tánaiste, Deputy Gilmore, who was very clear in his evidence? Basically, he stated that the Taoiseach said that if he were asked in the House if he had confidence in the Garda Commissioner, he would not be able to say that he had. That is what the then Tánaiste said. The commission makes a finding on what the Taoiseach calls the variations of evidence. The report states: “The commission has given careful and very detailed consideration to the question of whether, at the meeting of 24th March 2014 in the Taoiseach’s office, there was discussion, whatever words were used [by the Taoiseach].”

An Ceann Comhairle: A question, please.

Deputy Micheál Martin: The report continues:
The Commission finds it impossible to resist the conclusion that, in some form, the Taoiseach did, indeed say that, putting at its lowest, he might, in light of an impending difficult Cabinet meeting, have difficulty in expressing confidence in the Commissioner. He did so in the knowledge that any equivocation in his expression of confidence was problematic for the Commissioner.

The Taoiseach sent the Secretary General out on what I consider to be a very improper journey.

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

**Deputy Micheál Martin:** It was an improper thing to do to use a Secretary General to do the Taoiseach’s dirty work for him. Fundamentally, Mr. Justice Fennelly is saying that he believes the testimony of Deputy Gilmore, Mr. Fraser, Mr. Purcell and the former Minister, Deputy Shatter, over and above the Taoiseach’s evidence or his inability to recollect anything. The fundamental problem-----

**An Ceann Comhairle:** Sorry, Deputy; you are over time. You had a one-minute supplementary question.

**Deputy Micheál Martin:** The Taoiseach is not telling the truth on this. He is not telling the truth.

**An Ceann Comhairle:** Would you resume your seat, Deputy? Thank you.

**Deputy Micheál Martin:** He sent the Secretary General out with one purpose in mind. The Commissioner is in no doubt about it. The Secretary General was in no doubt about it. He said what was being asked of him was wrong. The Taoiseach is not telling the truth on this one.

**The Taoiseach:** That is not the first time Deputy Martin has called someone a liar. Today, Deputy Martin asked why I did not ring the Commissioner.

**A Deputy:** Look what happened to the last Taoiseach.

**The Taoiseach:** If Deputy Martin knows his business - I am sure he does - he will know that the Garda Commissioner of the day is accountable to the Minister for Justice and Equality through the Secretary General of the Department of Justice and Equality.

**Deputy Timmy Dooley:** The Taoiseach sidelined him.

**The Taoiseach:** Deputy Martin knows that, yet he asked me why I did not ring the Commissioner.

Second, the Commissioner did write to the Secretary General under the relevant section of the Act introduced by the former Minister, Mr. McDowell, which brings it to a different level. The requirement of the first line of that letter was to bring this to the notice of the Minister for Justice and Equality. Had that happened, the Minister for Justice and Equality would have acted upon it. When the Secretary General attended the meeting on the Monday and went to speak to the Commissioner to give him my view that this was a serious matter, he knew he had been written to by the Commissioner of the Garda. He knew because it had been received ten days before that in the Department of Justice and Equality. As I said today in my brief contribution here, I found it absolutely incredible that this situation applied.
Deputy Micheál Martin: He told the Taoiseach that.

An Ceann Comhairle: Please, will you stay quiet?

Deputy Micheál Martin: He told the Taoiseach that the Commissioner had-----

The Taoiseach: As I said-----

An Ceann Comhairle: There are other Deputies waiting to speak, Deputy Martin. Thank you.

Deputy Timmy Dooley: With respect, a Cheann Comhairle, we were waiting because the Taoiseach was opening a newsroom downtown.

An Ceann Comhairle: Hold on a second. Would you mind your own business, Deputy Dooley?

Deputy Paul Kehoe: Hear, hear.

Deputy Timmy Dooley: It is my business, a Cheann Comhairle, with respect. I am elected to this House and I have a mandate just as everyone else does.

An Ceann Comhairle: No. You do not have a mandate to challenge the Chair.

Deputy Paul Kehoe: Deputy Dooley is not the leader of a party yet.

Deputy Timmy Dooley: Deputy Kehoe is okay the way he is going.

An Ceann Comhairle: Deputy Adams, please.

(Interruptions).

An Ceann Comhairle: Deputy Durkan, will you allow Deputy Adams to ask his question, please? It is not a good idea having Leaders’ Questions at 8.30 p.m. at night. That is all I will say.

Deputy Gerry Adams: I certainly agree with you on that, a Cheann Comhairle. The Dublin Simon Community launched its annual review today. The report on the worsening statistics regarding housing need is an indictment of the Government. There are 5,000 citizens in temporary shelter throughout the State, including 1,500 children. There are nearly 2,300 people in emergency accommodation in this city, including almost 1,300 children, and the number of homeless children in Dublin has increased by 63%. The Taoiseach may note that the Simon Community has rightly described this as a humanitarian crisis.

Last Christmas, the Taoiseach made much of his time on the streets meeting those citizens living rough and at risk following the death of Jonathan Corrie, who died on a doorway opposite this Chamber. The failure of Government policy is evident in the reality that there are now more citizens sleeping rough today than there were when Jonathan Corrie died. That is the reality and the consequence of Government policy.

Throughout the State there are 130,000 citizens seeking a home. Almost 5,000 of these live in my constituency of Louth. Throughout the State there has been an increase of 40,000 in the past four years since the Taoiseach came into Government. This housing crisis is by no means confined to Dublin. Waterford has seen a 74% rise in the number of people presenting as homeless
in the first eight months of this year. This humanitarian crisis is a direct result of Government policies. There is a chronic lack of social and affordable housing. The Government has built only a fraction of the social housing needed. The Government has refused to tackle rising rents or rent uncertainty. It has refused to remove the veto from the banks. How bad does the crisis have to get before the Government takes appropriate and urgent action?

**The Taoiseach:** I thank Deputy Adams for raising a matter that is of concern to a great number of people throughout the country. Deputy Adams is right. This is not a good situation or one that one can say is by any means satisfactory.

Last winter I walked the streets of Dublin with the then Lord Mayor on a number of occasions to deal with the homeless people who were sleeping rough. The Government responded on that occasion by providing extra money for the agencies and to provide extra beds, and by opening the night café, as well as by making arrangements whereby the vast majority of people who were then rough sleepers in Dublin - except those who really wanted to be on the streets - were housed and given an opportunity to have a bed at night.

The situation has been exacerbated now because of other homeless families. As Deputy Adams points out, 3,372 adults were using state-funded emergency accommodation during a particular week in August of this year. Those figures identified 707 families, consisting of 959 adults and 1,496 dependants. This is not a satisfactory situation. It will not be solved until we increase the supply of accommodation.

**Deputy Dessie Ellis:** When is the Government doing that?

**The Taoiseach:** The figure to deal with homeless situation in Dublin in 2015 was €37.16 million. By the end of August, €33.4 million of that money had been spent. Further moneys have been committed but not actually paid out.

There are a number of things that are happening, but they are not dealing with the matter to the extent that one would like. On the social housing front, the Government has put forward €4 billion to be spent between now and 2020. Furthermore, the allocation of local authority tenancies has been increased, and 50% must go to homeless people on the direction of the Minister for the Environment, Community and Local Government. That is to apply until 31 January 2016, when it will be reviewed. Second, money has been made available to restore unliveable houses, or voids, as they are called. A total of 500 have been brought back into use in 2015. The Minister for the Environment, Community and Local Government, Deputy Kelly, has committed the additional funding for that. Third, the expert group set up to look at social housing and homelessness looked at this on an individual basis to oversee the delivery of a NAMA property, an apartment block in south Dublin which is now operating a 65-unit accommodation facility.

The question of modular housing was raised at the Cabinet sub-committee on a number of occasions. As people will be aware, presentations of different types of modular unit are now available. That will be followed through at Dublin City Council. In addition, the extension of the housing assistance payment to homeless people as a pilot scheme has brought in a further 50 people. To be straight about this, we cannot deal with it in a satisfactory way until more blocks and concrete are used to build houses. Some 21,000 units in Dublin have planning permission but there has been no movement in respect of them. In some cases, builders acquired land at very costly prices and expect the taxpayer to make up the difference between its value now and its estimated value in the past. Yesterday, the Ministers for Finance and the Environment, Com-
Community and Local Government mandated their senior people to examine a range of extra options to deal with the homelessness crisis. The situation is not satisfactory and I thank the Deputy for raising the matter. It is one which cannot be resolved until we provide more housing units and accommodation. We are working very hard on this matter.

**Deputy Joe Higgins:** Provide them after four and a half years.

**Deputy Gerry Adams:** I am starting to form an opinion around some of these scandalous crises, namely, that it is Government policy. I am of the view that it is Government policy to have people on hospital trolleys. If something happens once or twice or for one month or two months, it must be policy. The Simon Community and other advocacy groups have proved that the homelessness crisis has worsened. Focus Ireland has stated that rising rents and static rent supplement payments are causing homelessness in families, 90% of which were never before homeless. Many are also being made homeless by landlords selling properties to take advantage of rising property prices.

A citizen has the right to a home. The Government needs to completely change the manner----

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

**Deputy Gerry Adams:** -----in which it views tenants. They are citizens with basic rights, not cash cows for private landlords. Instead of trying to solve the housing crisis, the approach of the Minister, Deputy Kelly, has been to support landlords and the owners of private rented accommodation. In his response, the Taoiseach acknowledged that not enough houses have been built. He said we cannot deal with this matter in a satisfactory way until more houses are built. I did not need to put a question to him to be told that. I asked him when he would take appropriate and urgent action.

I remind the Taoiseach that he has refused to tackle rising rents - that is policy. He has refused to tackle rent uncertainty - that is policy. He has refused to remove the veto from the banks - that is policy. He has refused to build enough social housing - that is policy. When will he change his policy? Dublin City Council has a shortfall of €16 million. Will the Taoiseach change his policy and build the necessary homes for citizens who deserve them in order to deal with the crisis?

**The Taoiseach:** It is not actually a question of problems with money.

**Deputy Dessie Ellis:** Stop.

**The Taoiseach:** The Government will be making available €4 billion between now and 2020. Councils and local authorities-----

**Deputy Dessie Ellis:** The Government cut back €1.2 billion between 2008 and now.

**An Ceann Comhairle:** Will the Deputy stay quiet, please?

**The Taoiseach:** -----have been given their mandates and targets and told to get on with the job. As stated, 21,000 units in Dublin have full planning permission but there has been no movement in respect of them because of either the cost of levies or the fact that there are other problems.
Deputy Barry Cowen: They cannot get money.

The Taoiseach: In respect of the rent position, Deputy Adams is aware that, on an individual basis, rent supplement can be increased for a family where there is an issue with a landlord moving them on or increasing their rent, which will result in their becoming homeless.

Deputy Dessie Ellis: They are not doing that.

Deputy Barry Cowen: That is not happening.

Deputy Dessie Ellis: They are looking for €400 or €500 extra a month.

An Ceann Comhairle: Will Deputies stay quiet, please?

The Taoiseach: There is not a problem with money here. All of these cases can be dealt with on an individual basis and quite a number are now being dealt with in that manner. As I said, the Minister decided that half of the housing accommodation being allocated by local authorities for tenancies should go to homeless people. Families in Dublin, Cork, Waterford or anywhere else that have a problem with landlords increasing their rent and moving them out can have their problem dealt with through their rent supplement being increased, on an individual basis, by the Department of Social Protection. It is happening and people need to be informed of the facility. It is not a permanent solution by any means, but it means that people can have continued tenancy in their existing accommodation for a further period. That facility is available tonight and will be available tomorrow. It is not a question of money. Each case can be dealt with in the context of the individual circumstances.

Deputy Paul Murphy: Is the Taoiseach at all concerned about the increasingly blatant political policing directed against those who challenge the austerity policies of the Government? First is the unprecedented situation where those who are due to be charged with serious criminal offences for their involvement in a protest find out through the media that is the case. This would appear to be a serious infringement of their right to privacy and an interference with the administration of justice. Does the Taoiseach think that is acceptable? Is he concerned about it?

Second is the denial of a collection permit to the Anti-Austerity Alliance by a chief superintendent on the grounds that the proceeds would be used to encourage the commission of an unlawful act, in particular because the chief superintendent in question, Orla McPartlin, believes, “That the proceeds of the collection would be used to facilitate protests sponsored by the Anti-Austerity Alliance.” This could be straight out of the pages of 1984, whereby a party is not allowed to fund-raise because it might organise protests. With one act, the right to protest and the presumption of innocence have been unceremoniously thrown out of the window. Does the Taoiseach agree with that decision and does he think it is appropriate that a chief superintendent has the power to make such a decision?

Third, and most serious, are the revelations about what is reported as being called Operation Mizen, a secret Garda spying operation including the highest level of surveillance which is directed against water charges protestors, including myself. It is reportedly an information-gathering operation directed by the husband of the Garda Commissioner. The only basis on which to target these individuals seems to be the fact that they are water charges protestors. Does the Taoiseach consider that at all sinister? Is he or members of his Cabinet aware that the Garda unit is in operation? Was he consulted about its foundation or operation? Was any report made...
to the Department of Justice and Equality or the Government about the operations of the unit?

**The Taoiseach:** The day-to-day operations of the Garda are a matter for the Garda Commissioner. The allocation of permits for collections or whatever are within the power of the chief superintendent or superintendents in any district. The issuing of summonses or charges is a matter for the Garda and if there are court cases involved it is not an area in which I can interfere in any way.

**Deputy Paul Murphy:** The Taoiseach will note that I did not ask about operations, the issuing of summonses or anything like that. I asked a very simple question about the leaking of that information. It is unprecedented that people - named individuals - discover in reports on RTE that they will be charged with false imprisonment. That is an outrageous infringement on their right to privacy and the administration of justice.

I want to press the Taoiseach on the question of Operation Mizen. If a Deputy is being spied upon by a secret group within the Garda, that is a very serious matter. If people are being spied upon because they are water charges protestors and exercising their democratic and constitutional right to assemble and protest, that is a serious matter. It is a very simple question. The Taoiseach can state that the day-to-day operations are in the hands of the Garda Commissioner. However, were he, the Government or the Minister for Justice and Equality, to his knowledge, aware of the foundation of the unit and how it operates? Have they received any reports from it? If, in Putin’s Russia or elsewhere, opposition members were threatened with jail because of their involvement with protests and they and activists were spied upon and denied the right to fund-raise, there would be justifiable outrage in the media and this House. I would like answers on the question of Operation Mizen.

**The Taoiseach:** As I said, Deputy Murphy, the operational running of the Garda is a matter for the Commissioner. I would not have any knowledge of groups such as those the Deputy mentioned. I suggest he tables the question to the Minister for Justice and Equality and I am quite sure she will be happy to answer it for him.

**Deputy Joe Higgins:** What is your opinion?

**The Taoiseach:** Deputy Murphy is talking about spies, Deputy Higgins. Does he have evidence of a group that is----

**Deputy Paul Murphy:** It is in the newspapers.

**Deputy Derek Keating:** It must be right so.

**Deputy Joe Higgins:** You would know a few things about newspapers, especially local ones.

**The Taoiseach:** If he does he should table a question to the Minister for Justice and Equality and give her the information he has and I am quite sure she will be happy to respond to it.

**Deputy Paul Murphy:** I got a one line answer from her.
Deputy Billy Kelleher: I move:

That Dáil Éireann:

notes:

— the sharp increase in the numbers on hospital waiting lists since the start of 2014;
— the abandonment of the eight month target for treatment on the adult in-patient and day case waiting lists and the twelve month target for an appointment on the hospital out-patient waiting lists;
— that the new eighteen month targets have not been met; and
— that the most recent figures indicate a further deterioration in the figures and prolonged times patients are on trollies in emergency departments;

further notes:

— the continuing difficulties for patients and staff in hospital emergency departments;
— that the April initiative by the Government has not yet been financed or in any way improved the situation;
— the increase in the number of patients waiting on trollies during July and August 2015 by comparison to the same months in 2014; and
— the difficulties in the emergency departments are exacerbating the delays in scheduled hospital treatments;

agrees that:

— overcrowding in hospital wards and delays in scheduled treatments pose a risk to patients;
— the most recent announcement of 300 extra beds is not sufficient to meet the demand of the service, in particular for the winter period;
— there is a need for more units to be reopened with an increase of frontline medical and nursing staff to meet demand; and
— health service funding is inadequate to meet the needs of the Irish public; and

calls on the Government to:

— increase further the number of beds and frontline staff so that the overcrowding can be eased;
— restore the National Treatment Purchase Fund to ensure that patients receive needed treatments in a timely manner; and
— fund the health services adequately and honestly so that the demands from the sickest in the country’s society are met in a safe manner.

The reason the motion is before us is simply because we feel that after four and a half years of the Government’s tenure the difficulties people face accessing health care in this country have got progressively worse. There is no denying the fact there was great fanfare in 2011 when the Fine Gael Minister, Deputy James Reilly, took office. He was going to do an awful lot. Many commitments were made in advance of the general election of 2011, whereby there would be a radical overhaul of our health systems, the HSE was going to be abolished and there was going to be a move to universality and universal health insurance. These major policy decisions would then impact on the ability of the new health services to deliver health care and the Government would end the scandal of people waiting on trolleys. This was a slogan from the then Leader of the Opposition and now Taoiseach, Deputy Enda Kenny. He stated that if Fine Gael was elected it would end the scandal of people waiting on trolleys. The difficulty with all of this, of course, is that things have got progressively worse.

I like to keep debates in the House fair and reasonable and not get too personal, but it has not improved under the Minister’s tenure. In fact it is getting progressively worse. The figures can be seen on a continual basis through the parliamentary questions we table and in replies to freedom of information requests. Under any matrix used to assess the performance of the health services they are getting progressively worse.

We now have the bizarre situation whereby the Minister applauded himself for moving the targets for outpatient and inpatient waiting lists from one year and nine months respectively to 18 months. He stated this was the right thing to do. On top of that we also find the Minister cannot even meet his less ambitious targets. Every hospital has huge increases in the percentages of people waiting for inpatient and outpatient appointments. What is happening now is people simply cannot access health services. They cannot even get an appointment to see a consultant to find out whether they will need surgical procedures or other forms of therapy. This is happening day in day out in our hospitals.

The outpatient waiting list increased a staggering 60% in the 12 months from August 2014 to August 2015. One or two hospitals have made moves to reduce their waiting lists, but overall the figure has increased by 60%. When we are in the House we throw out figures, but behind every one of those percentage increases are many people in pain and suffering who are waiting for treatment or even to be diagnosed to find out what is wrong with them. The Minister’s answer is to move the waiting targets from one year to 18 months. He will be so compassionate that they will meet the new targets, but they are less ambitious and people will be waiting longer. This is what the Minister announced with great fanfare. He stated it would be a realistic target which would be met. The bottom line is any assessment or due diligence of the list shows the hospital system does not have the capacity to deliver on the targets the Minister has now set. As I have stated, these targets are less ambitious than those set by his predecessor. The number of children awaiting outpatient appointments for an inordinate length of time is more than 5,000. In the key areas identified by the Minister where there would be a progressive decrease in the number of people waiting it has simply not happened in any way.

All of this stems from the fact that last October, when the budget and the Estimates for 2015 were announced, the first thing the Minister did when he left the House was state he had achieved a realistic budget. It was far from realistic. It was a fallacy, a nonsense, a figment and a dead duck from the word go. It was never going to deliver the health services the Government
had pretended it would with the money available. The Minister is now carrying a €500 million deficit. The health services are already short this much money to provide the care outlined in the HSE service plan for 2015.

No aspect of the Minister’s pronouncements last year has been delivered. The trolley situation is at crisis point. Consultants, clinicians and front-line medical staff tell us our emergency departments are at breaking point and people are dying as a result of waiting on trolleys for an inordinate length of time. A patient suffering from cancer in a hospital in this country, who was almost 100 years of age, waited five days on a trolley. Patients wait for days on end in emergency departments throughout the country. Our front-line staff tell us it is unsafe. The Minister has stated he likes to listen to front-line staff and take into account their views and concerns and their expressions of concern about patient safety. The bottom line is the Minister has done very little, if nothing at all, to address the deepening crisis in our emergency departments.

Last December, when we were facing a crisis, the Minister announced the establishment of an emergency department task force. It met before Christmas with much fanfare and PR. The Minister strong-armed it and it was going to do an awful lot. It announced its plan in April. Its plan has fundamentally failed. Any assessment of the performance of our hospital emergency departments throughout the country shows they are underresourced and understaffed and do not have the capacity to deal with what presents.

More recently, the task force was reconvened. Again the Minister strong-armed it and it was going to do an awful lot. There was an announcement of 300 beds. Those 300 beds will come on stream at the end of this year, but at the start of the year it was patently obvious, to the Minister I assume, and anybody willing to listen to clinicians and those involved in hospital management throughout the country that there was simply not the capacity in our hospitals to address the overcrowding in emergency departments. There is a number of reasons for this. First and foremost is the number of people stuck in acute hospital settings because they simply cannot transfer to nursing homes, stepdown facilities or supported living in the home through home care packages, home help and other community services. This is still a major problem. Day in day out, more than 500 beds are taken up in a hospital by people who do not want to be there and should not be there, but we simply do not have the capacity or ability to organise a seamless transfer from our acute hospital settings to stepdown facilities or supported living in the home. Is it beyond us, the Minister and the emergency department task force to assess and address this very fundamental blockage in the acute hospital system throughout the country?

9 o’clock

As I mentioned, the announcement was for 300 beds to be made available, which will come on stream at the end of the year. Of course, the question that follows is whether these will be additional beds or just the opening of wards that had been temporarily closed. Will we have the usual massaging of figures for the number of hospital beds taken out of the system, the numbers being closed on a temporary basis and those which are being refurbished or which do not have enough staff to manage and support beds?

The 300 additional beds are a start but this issue would have been quite obvious as soon as the Minister took up residence in the Department of Health at Hawkins House when he was made Minister in July 2014. He was told that the fair deal scheme and an inability to move people into nursing homes, step-down facilities, community care or support in the home was a fundamental problem. Almost nothing was done to enhance and increase the capacity of the
fair deal scheme to handle the number of people in hospital when they should not be. It took a crisis where people were waiting 18 or 20 weeks for assessment to be granted access to the fair deal scheme before there was any waking up to the problem on behalf of the Minister. The Minister’s hands-off approach and aloofness to the difficulties being faced every day are simply not acceptable any more. It is time for the Minister to get involved on a day-to-day basis to ensure hospitals can have the support, capacity and funding to carry out their functions and duties.

The Minister has announced he will penalise hospitals if they do not perform in certain areas. Of course, what the Minister will end up doing is robbing Peter to pay Paul. If hospitals are being penalised because people are waiting on trolleys because of a lack of capacity, the hospitals will simply cancel or postpone elective surgeries. That will happen across the hospital system. There might be a reduction in the trolley numbers in accident and emergency departments but there will be a corresponding increase in the number of cancellations. Cancellation numbers to date have been alarming in outpatient, inpatient and day cases. There have been 12,000 cancellations for day cases or inpatient appointments for the first six months of 2015, and by any yardstick that is a catastrophic failure. Other issues also come to mind. People are waiting inordinate periods, in pain and agony, yet all these mantras were propagated by the Minister and others in opposition. Since 2011, almost nothing has been done, other than the outlining of grand plans and great visions, with no substance in the basic commitments to our public health system.

That system is becoming inaccessible to many people. Our front-line staff are demoralised, we cannot recruit consultants and there have been major increases in waiting lists for speech and language therapy and many other areas across the health services. This is where people should be able to access the basics in health care and it comes under the Minister’s watch. He can spin this any way he likes in talking about realistic budgets, achieving a lot and strong-arming the managers in hospitals and all those willing to listen to or bow down to him. The difficulty is that in every matrix that can be adjudicated or judged with respect to whether health services are capable of delivering, the result points to the fact that they are underfunded, under-resourced, lack capacity and simply do not have enough staff to deal with the demands being presented daily.

The National Treatment Purchase Fund was cancelled some time ago and to this day I cannot understand the logic behind that. It was a scheme that was efficient and cost-effective and which dealt with the delays in people accessing health care, specifically inpatient or day cases. It purchased the treatment from a private source but at least people were not waiting the extraordinary lengths they are now waiting. That must be examined as there is no point in continuing this pretence. The Minister should announce what is happening and proceed in a proper, structured way to re-establish the treatment purchase fund. Such a scheme would be able to access health care for the people waiting an inordinate period on lists throughout the country.

When we put down this motion we wanted to highlight the difficulties that people face throughout the country but we do not have to highlight the issue beyond stating the facts. We do not have to exaggerate or speak with emotive language. All one has to do is visit a hospital, speak to a public health nurse or doctor working at the coalface or listen to patients and their families who are simply fed up of waiting great lengths to access basic health care. In the meantime, the Minister is pretending that the Government has a plan for how to fund health care, and in particular that we will move to universal health insurance. The idea is the scheme will be rolled out to address every issue. Deep down in the Minister’s heart he knows well that this has been abandoned but the Government does not have the decency to admit it. The Govern-
ment has no intention of moving to universal health insurance but it does not want to be seen announcing a U-turn at this stage. The bottom line is that even the building blocks are not in place to move to universal health insurance. It is also a flawed model that undermines public health and the concept of a public service, and it would hand over our health system to private operators. Instead of the Minister rationing the health service and health care, those private operators would decide what health care would be available to people depending on the public health system.

For all those reasons, much more needs to be done to be honest about the issue by assessing our difficulties and trying to address them. Public relations spin and a pretence of having grand plans simply will not wash any more. We need definitive action that will target key areas and difficulties in our hospital system. Consultant recruitment is an obvious issue and we need more nurses, front-line staff and clinicians across the hospital system. Our primary care system is falling apart. The Minister should know, with his professional competency, that a key cornerstone of all stated policies of parties here and stakeholders outside Leinster House is the need to shift resources and fund primary care in order that it can be meaningful in delivering health care in this country, keeping those with chronic illnesses out of the acute hospital setting and shoring up community-based services. This would ensure people would not present in acute hospitals day in and day out. Unfortunately, general practice just does not have the wherewithal and support to take that on board. These people are willing and - more important - able, but the Minister must become an advocate for primary care rather than pretend it is okay. Our GPs are leaving this country and heading to Canada or the UK, so it is not okay. It is a sad indictment of this country that we are forcing the best and brightest out of it when we need them most to deliver primary and community care.

There is a lack of public health nurses and we are incapable of supporting elderly or sick people in their homes. We are diminishing home help hours and our home care package assessment system is simply not efficient. People have to beg to try to secure home care packages. There is no seamless transfer from the acute hospital system through to community or home care. The process is simply not working. Rather than a pretence of a plan, we need to accept the failings and deal with them in a targeted and focused way. The Minister must be the first to accept that primary care has been starved of resources, leading to a diminished capacity to deliver meaningful health care in this country.

Our motion also agrees that “overcrowding in hospital wards and delays in scheduled treatments pose a risk to patients”.

People are dying because they are waiting on trolleys. That is a fact. People are dying and people are in pain and in agony because they cannot access inpatient or outpatient appointments. People are under huge stress and anxiety because they may be waiting a long time for a diagnosis. That is wrong and it is being exacerbated on the Minister’s watch in recent times.

The motion goes on to call on the Government to increase the number of beds and front-line staff so the overcrowding issue can be eased. We accept that there are huge challenges. We do not expect it to be delivered overnight but we would like to see the people behind the figures being dealt with in a reasonable timeframe. The idea that targets should be shifted to make oneself look good because they cannot be met is simply wrong and that must be acknowledged quickly. The motion also calls on the Government to restore the National Treatment Purchase Fund, as I referred to.
This is the Minister’s last chance in terms of honesty in the health budget. He must fund the health services adequately and honestly so that the demands from the sickest in society are met in a safe manner. Last year, the Minister walked out of this Chamber and went on a tour of the radio stations to pronounce that he was the first Minister to get a realistic budget in the last few years and that it was an honest budget, which would address all concerns. This was a fallacy from the beginning. What we need him to do this year is to become an advocate for public health at the Cabinet table, to argue for a realistic budget and, in arguing for it, to present what he will do with the funds he will get. Rather than chasing the grand plan that is a figment of his imagination, the Government must commit itself to the public health system, to funding and to resourcing it and to bringing in staff to ensure it can operate efficiently. For all those reasons, this is an opportunity for the Minister to grab between now and budget day, to point out to the Ministers for Finance and for Public Expenditure and Reform that there is a gaping hole in the budget, year after year. The pretence that the Government has adequately funded the health services must stop and it must commit itself to the health services.

**Acting Chairman (Deputy Derek Keating):** I thank the Deputy.

**Deputy Billy Kelleher:** I might take a little more time because we only have two Deputies who will be speaking, so I have 20 minutes left. They are quite happy with five minutes each.

That is something the Minister has to do. I cannot accept that he can walk out of the Chamber again this year and pretend, as we face into a general election, that he has another realistic budget when I know and everyone else will know and deep down he will also know, that unless he gets adequate resources that will target specific areas we will be in the same position next August-September of 2016, with a huge hole in the budget and the Government scrapping around, cutting services and managing panic to try to keep hospitals in budget.

I would like the Minister to think through the idea of fining hospitals again because he will force hospitals to make choices about who they treat. If their budgets are not adequate and if they do not have the capacity to deal with all those who present themselves in hospitals, they will be making choices and there will be a continual cancelling of people who are scheduled for elective surgeries. The figures are a damning indictment not just of the health services but, more importantly, of the person who is responsible for funding them, namely, the Minister.

I referred to the National Treatment Purchase Fund. The Government must bring it back in a proper capacity, rather than slinking out from time to time to massage the figures downward, purchasing from the private healthcare sector. Why not do it properly? Establish it, put it up and running, and disband the special delivery unit and the former Minister’s Gestapo team, which is heading around the country, pretending it is doing things, when the reality is that all it has been doing was observing the carnage and chaos in our emergency departments because of inadequate funding, not only in the context of our emergency areas but throughout the hospital system and into the step-down facilities and the fair deal nursing home areas.

The Minister has spoken a few times about funding public health services and the need to put money into our public services in general versus tax cuts. I hope he is true to his promise. Choices will be made. Fine Gael will be off with its focus groups doing its research, doing its surveys and finding out what resonates with certain sectors of the electorate, but at some stage it will have to be honest with the people. The issue of underfunded public services is having a devastating impact on people. It would ill-behove anybody in this House to stand up here and applaud the Minister for Finance in a few weeks’ time and shout to the high heavens that this
is a great budget if we are going to fund tax cuts to certain sections by leaving a child wait-
ing an inordinate length of time for a speech and language assessment, to fund tax cuts for the
wealthy and leave an elderly woman lying for three days on a trolley or leave elderly people in
a home without proper homecare packages and cut home help hours. The Government should
at least be honest and say it publicly, rather than putting a grand spin on it, that everybody will
be looked after in the budget. The Government will make choices and the choices to date have
affected the vulnerable, the old and the sick in our society. It is not just an Opposition Deputy
standing up and highlighting that, it is a fact. The budgets to date have been regressive and they
have attacked those who most need State support.

When the members of the Government are all applauding the tax cuts but somebody else
telephones to say they cannot get their mother into a hospital, they cannot get their child an
assessment with a speech and language therapist, or cannot even find a speech and language
therapist in some places, or that their 13 year old daughter cannot see an orthodontist for months
or years, it is because the Government has made choices. It made those choices knowing full
well that many areas of society do need public services. They depend on public services and
public services depend on a Government that is willing to support them. What I have seen
today in terms of the Government’s decisions on cuts and on taxes tells me that it is more in-
terested in focus groups and the results of focus groups, or what the electorate likes to hear and
what groups will or will not vote for it. I find abhorrent the idea that it will fund its vote-buying
budget by letting people wait day after day on trolleys, by not funding proper health services,
by leaving people waiting an inordinate length of time to access the fair deal scheme and where
people are walking around in pain waiting for hip and knee replacements. I am sure that if the
Government wants to face the electorate in an honest and meaningful way, at least it will fight
for a better health service, something that we all demand but, more importantly, that many
people need.

Acting Chairman (Deputy Derek Keating): I call on Deputy Ó Fearghaíl. Based on the
time that is left, he and Deputy Aylward have approximately seven minutes each.

Deputy Seán Ó Fearghaíl: I begin by complimenting Deputy Kelleher for tabling this
motion. Health is an issue that needs to be kept centre-stage at all times. At this stage in the
electoral cycle it is vital that health is seen to be a number one priority for us. That said, over
the years, I have observed that the adversarial politics we practise in this country has been very
bad for public health. The sort of tit-for-tat, Jack and Jill kind of politics we practise has not
delivered for the public the sort of public health service the public is entitled to.

I was very interested earlier, in the debate on the motion of confidence in the Government,
where one Minister came in to say that we should not be talking about the Fennelly report but
rather about jobs, health and so on. What was noteworthy in the contributions made by the
Government side in that debate was the emphasis placed on what was happening in the econ-
omy, the sense of hope coming from the Government side that the economy is on the upturn
and, I suppose, that sense of hope that the upturn, which is very much a regionalised upturn at
present, may spread across the country in time. What was also noticeable was an equal lack of
hope in terms of the necessary improvements in the area of health care. That is one of the great-
est difficulties we have in this country. One of the greatest challenges for personnel working
in the health services is that sense of despair, that sense that matters are not being seen to get
any better and there is no great sense that anybody anywhere has a vision that will deliver the
necessary reforms and improvements.
Deputy Kelleher referred, quite correctly, to budgeting. The Minister’s predecessor, I must say, was scathing over a period of years in his condemnation of his predecessor, Ms Harney. I had the privilege of chairing the Joint Committee on Health and Children in previous years, and never did that man lose an opportunity to excoriate Ms Harney during her tenure. I never was a great admirer of the Progressive Democrats, but certainly, in my view, she was a fairly competent Minister for Health and Children. Deputy Reilly did not exactly impress anybody during his tenure, and Deputy Varadkar came in then as the great new hope. We wish Deputy Varadkar well. While his predecessor’s budgets were clearly bogus, Deputy Varadkar’s are not bogus, but they are certainly not adequate. As Deputy Kelleher has said, the Minister will have the support of everyone in this House when, on behalf of the Department of Health, he fights with the Minister for Public Expenditure and Reform for an additional slice of the cake, because that is something that must be delivered.

The waiting list situation is quite scandalous. The Minister’s actions in extending the waiting period beyond what is regarded as best international practice is nothing more than a form of chicanery. In my local hospital in Naas, the outpatient waiting list has increased by 85% and the inpatient waiting list has increased by 122%. In County Kildare, we depend heavily, as Deputy Durkan will be aware, on Tallaght hospital. In Tallaght, there are 5,267 adults and 1,357 children waiting for outpatient attention and there are 3,000 adults and 479 children waiting for inpatient attention. That is not an acceptable situation.

I commend the Minister on the fact that he intends to open 300 additional beds, but unless he is in a position to put the staff in place to service those beds, the beds will not be brought on stream in anything like the time that is required to meet public demand. I do not see anything happening in terms of how the HSE conducts its business of staff recruitment. The system of staff recruitment is antediluvian. It does not serve the public need. It is not fit for purpose and it needs to be radically changed. If we are to achieve anything in this debate tonight, I hope it will be to impress on the Minister the need to effect radical change, not only in how the HSE implements its staff recruitment policy but in how it retains staff. It has always struck me as particularly peculiar - I was a member of the old Eastern Health Board, as was Deputy Durkan - that we operate a system in the nursing profession in this country in which it is extremely difficult for applicants to gain access to university - previously training hospitals - and those who failed to gain access here for the most part went to Britain to qualify. When applicants qualified in Britain, we went over to Britain and tried to bring them back, having refused them access to training opportunities here.

There are a multiplicity of areas in which we need to see reform. I believe the Minister has the ability to effect that reform, but we have not seen much of it happening to date.

Deputy Bobby Aylward: The health service in this country remains in a state of panic. Day after day, I and my staff are inundated with calls from constituents suffering with significant medical conditions who are being forced to live in pain as they await treatment. The sick people of Ireland’s standard of living is being completely diminished by the lack of action this Government is taking to mitigate the health crisis.

What is even more damning is the length of time that patients must wait before they receive the necessary treatment to alleviate their pain. In June, I was contacted by a mother who was distraught about her daughter’s situation. Her daughter suffers from a rare neurological disorder known as Rett syndrome and is categorised as high priority for spinal surgery in Our Lady’s hospital. She was placed on the waiting list in June of 2014. Between June 2014 and June
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2015, her daughter’s scoliosis progressed so rapidly that she was left with severely compromised lung function. The poor child could hardly walk or mobilise herself as a consequence. The mother told me of her utter heartbreak as her daughter continued to suffer, and she learned that the pre-operative MRI, which is needed in order to proceed with a crucial scoliosis procedure, would not take place until November 2016. I submitted a parliamentary question to the Minister on this specific case and I received a response stating that I must wait for an answer from the HSE, which offered little comfort to this family when it was eventually received. Thankfully, my office has managed to mitigate the situation, and the MRI scan will now take place in October of this year.

To put it simply, the current Government has been a disaster for the health service. I commend my colleague, Deputy Kelleher, on his introduction of this Private Members’ motion, which seeks to highlight the current crisis in health care. The facts speak for themselves, as the latest figures show that, despite the diminished expectations, realistic targets are not being met. Despite the additional measures announced in April, the situation in emergency departments is worse now than at the same time in 2014. No amount of Government spin can conceal the stark reality that, year upon year, the number of people waiting an inordinately long time on the lists has increased, with a five-fold increase in the number of inpatient day cases waiting more than a year. For outpatients, the number waiting more than a year is up almost 60% year on year.

The Taoiseach must share a portion of the blame with his Minister for Health, as he promised two years ago that he would take personal charge of the situation. Since then, we have seen a Minister sacked or moved aside, waiting lists have soared, and emergency trolleys have become a constant feature across the country.

In my locality, the waiting lists for Waterford Regional Hospital, as of May 2015, were truly shocking. For outpatients overall, there were 26,553 on the waiting list in Waterford Hospital, but what is really appalling is that 10,886 people were waiting more than a year to see a consultant. April saw a small decrease, but it is still up 1,744 since January, and up 7,767, or almost 250%, since May 2014. These are shocking figures of which the Minister must take note.

We also have the ludicrous situation whereby Kilcreene Orthopaedic Hospital is in danger of being downsized or even closed as the HSE considers centralising elective orthopaedic surgery at Waterford University Hospital. I call on the Minister to give a strong commitment to the hard-working staff in Kilcreene that orthopaedic services will be maintained at this first-class facility indefinitely.

I have personally heard grave concerns from staff at one of the most efficient rural hospitals in the country, St. Luke’s in Kilkenny, regarding the trolley crisis, from which we never suffered for years until now. The Government must fund the health service adequately so that the demand from the sickest in society can be met. As a support mechanism for our tireless front-line staff, the Government must increase staff numbers so that overcrowding can be eased. The continuing difficulties endured by our patients and staff in hospital departments must be addressed as a matter of urgency as the busy winter period eerily approaches. The Minister has an opportunity now. There is a budget coming up and we hear much about the goody bags that are being handed out every day and announcements day in, day out about what is being done over the coming months, and everyone has great expectations. What more could we expect than that the patients in hospitals and on waiting lists will get a fair deal? The Minister has an opportunity to go back to the Government and make a demand for adequate funding to get rid of these waiting lists on which thousands of people have been waiting for well over a year for
elective surgery. I ask the Minister to do it and to try to make a change for these people who have been waiting for so long.

**Minister for Health (Deputy Leo Varadkar):** I move amendment No. 1:

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

acknowledges:

— that improving waiting times for scheduled and unscheduled care are key priorities for Government;

— the wide-ranging set of actions which are being put in place by the Health Service Executive (HSE) to achieve improvements in the delivery of both scheduled and unscheduled care;

— the difficulties which overcrowding in Emergency Departments (EDs) cause for patients, their families and the staff who are doing their utmost to provide safe, quality care in very challenging circumstances; and

— that optimum patient care and patient safety at all times remain a Government priority;

notes in particular that:

— the Minister for Health convened the ED Task Force last year and the publication, in April 2015 of the ED Task Force action plan, with a range of time defined actions to (i) optimise existing hospital and community capacity; (ii) develop internal capability and process improvement and (iii) improve leadership, governance, planning and oversight;

— the significant progress made to date on the ED Task Force plan is as follows:

— delayed discharges are reducing steadily from 830 in December last year to 586 on 15th September, and the average number of patients waiting greater than 9 hours on a trolley in August was 97, down from 173 in February;

— waiting times for Nursing Home Support Scheme (NHSS) funding have reduced from 11 weeks at the beginning of the year to 4 weeks;

— transitional care funding has continued to support 1,903 approvals, which is significantly above the original target of 500;

— over 1,200 additional home care packages will have been provided by the end of 2015;

— 149 additional public nursing home beds and 24 additional private-contracted beds are now open; and

— in addition, 65 short-stay beds have opened in Mount Carmel Community Hospital, which was officially opened in September;

— in June, the HSE reported a performance against the Minister’s 18 month maximum permissible waiting time of 99.6 per cent for inpatient and daycase treatment and 92 per cent for Outpatients’ Department (OPD);
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— in order to maintain progress and make further improvements to achieve a 15 month maximum waiting time by end year, the HSE has directed that hospitals which breached the 18 month maximum waiting time in August are to be fined. The fines will be calculated on the basis of the activity-based funding cost of each procedure and are being imposed from 1st September;

— the HSE has provided 1,004,329 inpatient and day case treatments and 2,176,365 outpatient appointments up to the end of August this year - an increase of 3,461 inpatient and daycase treatments and 39,879 outpatient appointments compared to the same period in 2014;

— the provision of additional funding in 2015 to relieve pressures on acute hospitals is as follows:

— €74 million in April 2015 which has supported significant progress to date on reducing delayed discharges and lowering the waiting time for Fair Deal funding, as well as providing additional transitional care beds and home care packages to provide viable supports for those no longer needing acute hospital care; and

— €69 million in July 2015 - €18 million to support the acute hospital system over the winter period by providing additional bed capacity and other initiatives to support access to care and €51 million to ensure achievement of the maximum permissible waiting times for scheduled care;

— this additional funding came on top of measures already taken in Budget 2015, when the Government provided €25 million to support services that provide alternatives to acute hospitals;

— all of the funding referred to above is additional to the welcome increase in the total financial resources made available to the HSE by the Government in 2015;

— a series of campaigns are ongoing to attract frontline staff in order to meet patient care requirements:

— since January this year, around 500 more nurses are working in the health service;

— since September 2011, almost 300 additional consultants have been appointed to acute hospitals around the country, including 57 more this year;

and

— the number of Non-Consultant Hospital Doctors (NCHDs) employed in the health service has increased by over 250 since last year;

— the National Treatment Purchase Fund (NTPF) as it operated under the previous Government did not succeed in eliminating long waits;

— Fianna Fáil’s alternative budget last year provided only €300 million for health, which is much less than will be provided by the Government; and

supports the Minister for Health in his continued determination to bring about improvements in urgent and emergency care services and in hospital waiting lists.
I welcome the opportunity to update the House on what the Government is doing to improve access to services in our acute hospitals and to address the significant pressures they are experiencing. There can be no dispute that too many people are waiting too long, and many emergency departments experience overcrowding. This causes difficulties and distress for patients and their families at the moment they need access to our health service. It also makes the working day much harder for staff. That is why dealing with the problem or, at least, alleviating it is a key objective for the Government.

This is not a new problem. Long waiting times and trolleys have been features of our system for many years and are the most immediate and obvious indication of the pressures on our health service and the poor organisation and variability in practice and excellence. When Deputy Martin was health Minister with a budget and staffing levels that increased exponentially every year little, if anything, was done to address these problems or, at least, nothing that had a lasting impact. Waiting times and trolleys are not the same problem, and people often conflate them. However, increased emergency presentations can lead to scheduled activity being displaced, while delays in diagnosing or treating illnesses can result in a greater need for emergency intervention. There are also links with services and capacity in primary and community care, which support people to move out of hospital to home or residential care, or to stay out of hospital in the first place by getting the service they need in a more appropriate setting, such as a primary care centre or in another community setting.

That is why dealing with these problems will not be done merely by targeting one area. It needs a combination of immediate measures to target the pressure areas, and also long-term, sustainable solutions. These include addressing: the unacceptably long times that some patients have to wait for outpatient clinic appointments, procedures or diagnostics; emergency department overcrowding; delayed discharges; winter planning to increase capacity in hospitals; and recruitment into the health service. Before I talk about these, it is worth acknowledging the sheer volume of activity in our acute hospitals. This year, so far, over 1 million inpatient and day-case treatments have been provided, more than the same period last year. There have been nearly 2.2 million outpatient attendances, nearly 40,000 more than last year. Rather than being cut back, our health services are expanding and activity is increasing. Unfortunately, demand is also increasing.

The fact that activity has not only kept pace with but improved on last year should be welcomed. However, waiting times for many patients remain far too long. In January, I put in place maximum permissible waiting times for routine inpatient and day-case procedure and outpatient appointments of 18 months by 30 June and of 15 months by year end. These are not targets. The targets remain as they were before, and the international standard is that nobody should wait for longer than six months. These are maximum permissible waiting times, which is a different thing. These are not good enough either, and I am the first to say it, but they are realistic and reflect the need to focus on dealing with the longest waiters. Emergencies and urgent cases always have priority over routine ones.

I am pleased to say that in June, the HSE reported a performance against the 18-month maximum of 99.6% for inpatient and day-case treatments and of 92% for outpatients. We always acknowledge that for certain sub-specialities in particular where the capacity does not exist either in the public or private sector, it would be difficult to achieve. However, what was achieved was achieved by working with the hospital groups to focus on maximising internal capacity and, where necessary, on targeted initiatives. It is important to understand that when we count numbers on waiting lists, they include a large number of duplications and people who have al-
ready been treated or no longer require treatment. A hospital recently did a validation exercise of its waiting list and found that between 25% and 30% no longer needed treatment or had had it elsewhere.

Although I need to confirm this and examine it in more detail, when the party opposite was in office and waiting lists were calculated, it did not include people who had been waiting less than three months. They were not counted. This changed in 2011. This adds hundreds of thousands of people who would not have been included in the figures before 2011. While I want to get confirmation of it, if what I believe to be correct is correct, I will certainly come back to the Deputy on it.

Deputy Kelleher specifically raised the issue of a patient with cancer who waited on a trolley for four days. I asked for a report on it, it was investigated and we cannot confirm it. A patient was found to have spent three days in an individual room in an emergency department. The patient was admitted for other reasons than cancer and the doctors took a decision on clinical grounds that it would be better for the patient to stay in that room than be on a ward with other patients. Sometimes, the stories one reads in the newspapers are not true, particularly regarding horror stories in health. Very often they are true, but not always. I ask Deputy Kelleher, as an experienced Deputy and former Minister, to bear this in mind. Last week, there was a story about two wheels falling off an ambulance. Although I do not yet know exactly what happened, I know two wheels did not fall off the ambulance. This is par for the course, unfortunately, in our health service. Maybe some people believe it improves matters; it does not.

The Deputy also raised the NTPF and how it worked. It did not work. We had the NTPF for a very long time, and there are still people waiting very long periods of time - years in many cases - because the NTPF was self-selecting. People would telephone after a number of months on a waiting list and some went privately. Many perverse disincentives were connected to it. It never succeeded. Many people received treatment under it and it had a massive budget of €100 million at one stage. However, it never succeeded in eliminating long waiting lists. The more targeted approach we have now is to identify those who have been waiting for very long times and find solutions for them.

The HSE is working with hospital groups towards the new maximum waiting time of 15 months by year end. It has also directed that, from September, hospitals which breach the 18-month maximum waiting time will be fined. The cost of individual procedures and appointments will be diverted away from non-performing hospitals to a hospital where the procedure or appointment can be performed, principally in public or voluntary hospitals. It is essentially money following the patient. An additional €51 million provided by the Government to achieve these targets, on top of the funding already provided, demonstrates the absolute priority we place on improving waiting times. All hospital groups are engaging with the HSE on finalising their plans.

For the small number of specialties where it is not possible to meet the maximum waiting time because of a shortage of specialist staff in both public and private sectors or the availability of appropriate pre or post-surgical supports, alternatives such as outsourcing are being pursued, including the potential of outsourcing abroad. For example, capacity in Dublin public and private hospitals has been identified to address particular pressures in scoliosis surgery capacity, which the Deputy mentioned. Some are being done in Blackrock and Tallaght, not just in Crumlin. A new theatre is under construction in Crumlin to allow us to increase capacity from March next year. There is continuing collaboration to identify further external capacity to
ensure the 15-month maximum waiting time for these patients is met. This is in addition to the specific measures already in place which include observing the national waiting list protocol, prioritising day-of-surgery admission where clinically appropriate and adhering to the relevant HSE national clinical programmes guidelines. The clinical programmes have a central role in working with hospitals and other service providers on initiatives that will provide safer, more cost-effective services, reducing the amount of time patients have to stay in hospital and enabling the management of chronic conditions outside of hospital settings, thus freeing up capacity for those who require acute care.

There is always a requirement to manage the balance of scheduled and emergency activity in hospitals. This will be the case as long as hospitals have emergency departments. Particular problems can arise in hospitals that provide specialist services, where it is necessary to prioritise not only emergency and trauma surgery but also cancer and complex non-urgent cases. Inevitably, this will affect waiting lists. The challenge is to manage the impacts. New patient care pathways such as medical assessment, minor and local injury units and urgent care centres and the provision of care in non-hospital settings are increasingly used to support the efficient use of hospital resources. The national clinical programmes have a key role to play in this work and are working with the Irish hospital redesign programme which was established recently to drive local change and innovation.

Clearly, the number of delayed discharges in hospitals has an impact on the availability of beds for elective and emergency admissions. In December I established the emergency department task force, which comprises senior doctors and lead hospital consultants, union and patient representatives, senior executives from the HSE and officials from my Department. In April a plan was published, which sets out a wide range of actions for both immediate and longer term impacts. Based on the task force action plan, the Government provided additional funding of €74 million to alleviate delayed discharges. This came on top of the €25 million provided in budget 2015 to support services that provided alternatives to and relieve pressure on acute hospitals. This additional funding underlines the strong priority we are placing on this issue. Delayed discharges are reducing steadily. The latest figure is 586, which is a seven-year low and compares with a high of 830 in December. It means that we have freed up 250 beds a day that can now be used by acutely ill patients but which were previously unavailable.

There will always be a certain level of delayed discharges. The figure will probably always come to several hundred. Those who have worked in hospitals and elderly care services can explain why that is the case. It takes a few weeks to set up a home care package. The home adaptations that are sometimes needed can take a few weeks or months, even when this is done quickly. Patients who need to go to nursing homes have the right to visit various facilities with their families in advance of being discharged from hospital - they should be able to see one or two, at least - in order that they can decide which is the right nursing home for them. If someone is going home to a carer who needs to give up his or her job or change his or her working conditions, that carer will have to give notice. Of course, issues can arise regarding wards of court. It will never be the case that there will be no delayed discharges. That does not happen in any country in the world of which I am aware.

The waiting time for the nursing home support scheme - the fair deal scheme - has decreased from 11 weeks at the beginning of the year to between two and four weeks. That is a significant improvement. Funding is being continued to support over 1,900 transitional beds for those who are waiting for a fair deal package or who are waiting to go home following a period of convalescence. By the end of 2015, we will have provided an additional 1,200 home
care packages. Some 149 additional public nursing home beds and 24 additional private contracted beds are now open. These beds are located in places such as Moorehall in support of the hospital in Drogheda. Some 65 short-stay beds are being provided at Mount Carmel in support of the Dublin hospitals. These significant increases in capacity have fed through to emergency department performance. While the current position is still extremely challenging, the number of patients waiting for nine hours or more on a trolley each day has fallen to an average of 83 during September. This compares with average figures of 127 in June and 173 in February. According to the INMO trolley watch which draws up a like-with-like comparison, the number of patients waiting on trolleys for any period of time - even less than one hour - has actually fallen by 15.8% since 2011, the worst year on record. The SDU figures are similar. I accept that there has been an increase in the number of patients waiting on trolleys for any period of time - even less than one hour - by comparison with this time last year and the year before.

We need to sustain the improvements made into the challenging winter period. Additional funding of €18 million has been provided for the winter initiative to increase capacity in acute hospitals during this period. Work is ongoing on specific initiatives, some of which have commenced. For example, a new eight-bed clinical decision unit is now open in Our Lady of Lourdes Hospital in Drogheda, with further beds to open. The day hospital service in Beaumont Hospital which is designed to keep older people out of hospital has gone from two days to three days a week. It will be a five-day service from November. Additional beds have been provided at Connolly Hospital in Blanchardstown to provide overflow capacity and take some benign surgical work services from Beaumont Hospital. The Leben building at Limerick University Hospital which will open in November will provide an extra 23 beds for that hospital. These initiatives are being developed by each hospital group according to its needs and capabilities.

It is well known that the difficulties in the health service have been exacerbated by recruitment challenges. It is less well known that progress is being made. According to the HSE, the number of staff employed in the public health service has increased by over 4,700 whole-time equivalents in the past 12 months alone. There has been a focus on medical and nursing recruitment. As Government policy is to move to a consultant-delivered service, the number of consultants has grown significantly in recent years to 2,700. That includes an increase of 290 consultants since the Government took office.

**Deputy Billy Kelleher:** Just 290.

**Deputy Leo Varadkar:** That is not PR spin or a grand plan; it is just a fact. The number of consultants has increased.

**Deputy Billy Kelleher:** It is no great achievement after four and a half years.

**Deputy Leo Varadkar:** I remind the Deputy that the four and a half year period in question involved an extraordinary recession and budget cuts.

**Deputy Billy Kelleher:** It is unbelievable.

**Deputy Leo Varadkar:** It is quite significant that there are 290 more consultants now than there were when we took office. We have taken on more new consultants in the first half of-----

**Deputy Billy Kelleher:** It is a failure based on-----

**Deputy Leo Varadkar:** I remind the Deputy that his party’s policy proposes an extra 40
consultants a year.

**Deputy Billy Kelleher:** That is on top of-----

**Deputy Bobby Aylward:** What about retirements?

**Deputy Leo Varadkar:** Yes, but if we had had 40 a year up until now, that would have been 200. We have actually had a rate of increase higher than that in the policy the Deputy’s party is putting forward.

**Deputy Billy Kelleher:** We are talking about 40 a year from now on.

**Deputy Leo Varadkar:** We have taken on more new consultants in the first half of this year than were taken on in the whole of 2014. Following an extensive and robust consultant recruitment campaign, up to 130 additional consultants are expected to be appointed in the current year. I remind the Deputy that his party has promised 40. I expect that the improved pay scales for new entrant consultants agreed with the IMO at the start of the year will help us to keep more medical graduates at home and persuade consultants working overseas to return to Ireland.

**Deputy Billy Kelleher:** Another fine U-turn.

**Deputy Leo Varadkar:** Pay restoration and reductions in tax and USC which I hope the Deputy’s party will not oppose will also be of assistance. It has also been necessary to significantly increase the number of non-consultant hospital doctors in hospitals to support service delivery and progress compliance with the European working time directive. The number of non-consultant hospital doctors which has increased by 800 since the Government took office in March 2011 and by over 100 in the past 12 months now stands at 5,500, the highest ever number. The number of doctors now registered with the Medical Council is 19,000, the highest in ten years. Again, this is not PR spin or a grand plan. These are just the facts and the Deputy should know them.

The number of nursing vacancies has been particularly challenging, but, again, progress is being made. An extra 580 full-time equivalent nurses and midwives have been employed since August 2014. The number of midwives employed in Ireland is at its highest ever. The HSE has launched a new international nurse recruitment project to fill posts. It is hoped to attract nurses and midwives working in the United Kingdom and elsewhere to return to Ireland to work in nursing and midwifery posts in hospitals across a number of disciplines.

On nursing and midwifery registration, almost 1,000 applicants, some 459 of whom are Irish-trained, have been registered this year. This is the highest such figure in many years. The number of applications this year has also increased. Up to the end of August, the number of nurses and midwives wishing to register in Ireland had increased by 122%. A new helpline is being set up to assist people with their applications and deal with registration queries. From a longer term perspective, a task force on staffing and skill mix for nursing was established in 2014. The main aim of the task force is to stabilise the nursing workforce. It will do this by developing a framework to determine the staffing and skill mix requirements for nursing in general and specialist adult hospital medical and surgical care settings. This is the first phase of the work of the task force. Further phases will build on that key piece of work.

There are big challenges facing us in the health service. That is why we are focused on
initiatives and measures which allow more patients to wait less time for treatment, whether they are in an emergency department or at home. This is not just about increasing capacity in hospitals; it is also about ensuring people are treated in the community, where possible, and that there is a close working relationship between hospitals, social and primary care services. Tonight and tomorrow night we will hear Members opposite demanding action, but we will not get many specifics from them.

Deputy Billy Kelleher: The Minister will.

Deputy Leo Varadkar: As Minister for Health, I do not have the luxury of firing off proposals and platitudes as if they were paper aeroplanes without caring where, how or even whether they land. I have to worry about patients. Above all, I have to worry about good patient outcomes. The changes I have outlined are making a difference for many patients. In addition, all of these initiatives have been costed and are backed up with Government funding, albeit much of it Government funding agreed during the year rather than at budget time. Sadly, I have yet to see any costed proposal from the Opposition parties on how to overcome the many challenges facing the health service. I expect them to do so in their pre-budget submissions. They need to match their rhetoric with actions and demonstrate to me in their pre-budget submissions how effective they could be as potential future Ministers in securing resources for the health service. For 2015 the Fianna Fáil alternative budget provided just €94 million for health services this year, which is significantly less than we will provide. Fianna Fáil has no credibility in calling for more spending or resources for the health service in the light of the proposals it made this year. We should not forget that it cut €1.5 billion from the health budget between 2008 and 2011.

Deputy Billy Kelleher: I would just mention prescription charges. It is the Government that has no credibility.

Acting Chairman (Deputy Derek Keating): Allow the Minister to speak, without interruption.

Deputy Leo Varadkar: We held it steady. The Deputy is free to interrupt. When one does not like the facts, it is normal behaviour to try to interrupt someone because-----

Deputy Billy Kelleher: Some €2.50. That is the prescription charge.

Acting Chairman (Deputy Derek Keating): The Minister, without interruption, please.

Deputy Leo Varadkar: Obviously, the Deputy does not want the facts to be heard but the facts are there-----

Deputy Billy Kelleher: Some €2.50.

Deputy Leo Varadkar: -----and Fianna Fáil’s proposals, with Deputy Kelleher as health spokesperson, provided only an additional €94 million for health. We will spend multiples of that by the time we get to the end of this year. They also managed to cut €1.5 billion from health between 2008 and 2011 while we held it steady and now that the economy is recovering we are increasing it. A strong economy is a prerequisite for better funded services which is why it is so important that we stay the course with our economic policies and the economy remains strong and is not handed over to those who would wreck it again.

The Sinn Féin plans for 2015 had austerity written all over them. Sinn Féin proposed no
increase at all in the Exchequer allocation for health and no provision for GP care for those aged 70 or over. By all means let us have a debate about the health service but let us have an honest one and a grown up one.

**Deputy Billy Kelleher:** Hear, hear.

**Deputy Bernard J. Durkan:** I am glad to have the opportunity to speak on this very important issue. I feel sorry for the Opposition which raised this issue but I thank it for giving us the opportunity to assess and examine what is a very challenging situation, that of the provision and delivery of health services in this country. This has been challenging for some considerable time, no more so than during Fianna Fáil's own term of office, when all of the issues that have been raised tonight and which will be raised tomorrow evening regarding bed occupancy, waiting times, patients waiting in hospital corridors and so forth were also of concern. The difference then was that it was in the middle of an economic boom when money was falling out of the sky. The sad fact is that the incoming Government had to take up the challenge where the outgoing Government left off, having failed to deliver in a boom and having pretended that the incoming Government could expand and do the impossible.

The sad part of it, from its point of view, is that the incoming Government did just that. The progress that has been made is extraordinary given the very challenging circumstances that this country and Government have faced over the past four and half years. It is to the eternal credit of the people in the health services that they have managed to provide a service of such quality in that period. We all realise that waiting times are unacceptable, that patients waiting in corridors and waiting for elective surgery for long periods of time is unacceptable. It was always unacceptable but I remember dealing with such situations, as do all Members of this House, five, ten and 15 years ago. I refer particularly to elderly patients awaiting surgery who are in severe pain. It is all very fine for us to stand up and say we will do something about this and members of the Opposition to say they will do a great deal about it when we know they can do nothing about it because they did nothing about it in the past. The self-same pain was suffered by many patients during their period in office - severe pain. We all had patients coming to our clinics asking if we could do anything about it. All that we could do was put down a parliamentary question to try to ascertain when something might happen.

I want to compliment the Minister and his predecessor for the attempts they have made, in a time when there was no money, to address the issues of increasing demand, a growing population and an increasing number of requirements in terms of surgical and medical procedures. The Minister has referred to recent initiatives which I saw in action in my own local hospital in Naas. In January the accident and emergency department was vastly overcrowded, with many patients on trolleys. There was a reason for that. Quite simply, there was a reduction in the number of beds available. Fortunately, it was possible for the hospital to set about recommissioning a number of beds that had been decommissioned some years previously. That is now achieving results. The results are visible. The Minister correctly identified the necessity of recruiting more staff which is being done at the present time. Those kinds of practical actions will have the effect of alleviating the concerns of patients and their families as well as the burden on the health service providers in trying to meet increasing demands and needs.

It is not really possible to deal with this issue in a short few minutes. I would like to see more step-down beds in both the public and private sectors. We should never eliminate the possibility of having healthy competition between the public and the private sector in the context of step-down beds. Indeed, we should encourage healthy competition between the public and
private sectors in all areas of medicine and hospital care. If we do that, we will have achieved a great deal.

I want to compliment the Minister on the work done so far. I am quite certain that if he is allowed to continue, the achievements of the past four and a half years will be increased tenfold in the time ahead.

Deputy Derek Nolan: I am particularly delighted to be able to speak on this very important motion. I thank the Opposition parties for tabling it because we should be debating our health services and discussing the real concerns that people bring to our attention at our clinics and on the doorstep, as well as the everyday experiences of our family members, friends and people we know in the community. When we talk about the health service, those of us on the Government side should not speak with bombast or vitriol or with any kind of holier than thou attitude. It is our job - particularly those of us supporting the Government - to be realistic and not to engage in cynical tactics. However, that is not to say that the Opposition has not got a case to answer for the wreck that it left the place in. That is not for me to point out; that is for the public to draw their own conclusions on.

I must say, as someone who is a representative of a constituency which has a number of people who will be on trolleys tonight, that the public health service that we have at the moment simply is not up to scratch. That is not a condemnation of those who are working particularly hard, including the Minister, to try to improve the service and make it better. It is simply an acknowledgement that the system we currently have and which we inherited is a mixture of public and private patients going through a hospital system that does not know whether it is public or private, that does not know who its ultimate master is or whether it has political, governmental, clinician or consultant leadership and which is not going in a direction which it ought to follow. However, we see that change is happening, for example, in my own area with the Saolta hospital group. We see that there is finally a sense of purpose in terms of what hospitals should be doing, what components of hospitals should be doing, what particular hospitals in a network should be doing and how we can better use our valuable and scare resources to provide a better service. That said, those lofty goals and good words mean very little to someone who is in the emergency department in Galway University Hospital today. That is a place I know only too well, having been there a number of months ago with my father who spent a night on a trolley. While there I watched the staff in the emergency department doing trojan work. They were literally running from patient to patient in the emergency department and were working in extremely difficult circumstances. They worked to the best of their ability and tried to provide as much dignity, care and courtesy to the patients under their care as possible. The staff must be given recognition for the work they are doing in all areas of the hospital network and in our health service generally.

It is for those of us in government to provide leadership and to provide a path out of the current mire and the current difficulties. Simply continuing to do as we always have done in the health service is not going to bring us to a position where things will change. I must commend this Government on promoting the idea that the hospital system cannot be the be-all and end-all of our health services. A hospital should be the place to which a patient goes as a last resort. We have introduced, in the face of staunch opposition from those on the opposition benches, universal GP care for children under six and people over 70, with the express intention of expanding that to include everybody, so that people never have to worry about having €50 to see a GP. That should never be a worry for people in this day and age. We are moving towards a new model of care.
Dáil Éireann

10 o’clock

We must resource doctors properly in order that they can do many of the things currently done by the hospital system at emergency level. We must resource primary care centres to ensure they have equipment that ensures people avoid having to present in emergency departments or avail of hospital services. According to the old adage, the purpose of medicine is to prevent rather than cure.

I could not let the moment go without acknowledging that the Minister has visited University Hospital Galway and spoken at length to staff, including consultants and managers. I commend him on taking the time to visit the emergency department and I am aware that he spent a good deal of time in the unit and it made an impression on him. I have also asked the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, to visit the hospital’s emergency department, speak to management and observe the difficulties in the unit. The department is completely out of date, as the Minister is aware, and does not comply with Health Service Executive safety requirements. In addition, it does not offer patients dignity or meet the various requirements that emergency departments are obliged to meet.

I understand the capital plan for the health service will be published in the coming weeks and months. I plan to tell every Minister and Government party Deputy I meet that it is crucial that a new emergency department for University Hospital Galway is included in the capital plan. The existing run-down and broken facility must be replaced in order that patients, staff and everyone else who comes into contact with the department are treated with the dignity they deserve as citizens, patients and human beings.

Deputy Caoimhghín Ó Caoláin: Four and a half years after taking office and probably weeks from a general election, this Fine Gael-led Government, with the so-called Labour Party in tow, has demonstrated, as no Government before it, that no matter how one dresses it up or who one puts forward to front the health service, without a coherent health policy, the result will be a shambles, and so it is across key areas of the health system today. While so many work so hard, as must be acknowledged with great sincerity, and give of their very best and even more, we have a health system that is unable to cope or meet the needs of the population and is abandoning targets week after week.

The word “crisis” has become synonymous with the health service in the minds of hundreds of thousands of citizens. These are, in the main, people who are dependent on the public health system, most of whom cannot afford to buy fast-track access to consultations and necessary procedures. Many have had to suspend their working lives for months on end awaiting access to services and these waiting lists are set to continue and grow. Each and every one of us knows some of the people of whom I speak from our constituencies and communities. They are real people. From my observations, the designation of non-emergency or elective cases for certain conditions fails to take into account properly the debilitating reality for suffering patients - and suffer they do, as do their families, especially dependants, in many cases for long periods.

The figures for trolley use coming from many of the largest hospitals over the so-called summer months, now past, must ring alarm bells at hospital management and HSE governance level as well as within the Department. If, however, these bells are ringing, it is clear that no one is listening. Extra beds are not enough and the 300 recently announced beds would not even begin to address the problem, even if the necessary additional staffing were in situ, which it is not. The nurse recruitment campaign entitled “Bring them Home” is a dismal failure. We
have lost a generation of Irish-trained nurses to hungry recruiters overseas and they are not coming back with the lifting of the embargo. Much more needs to be done to entice anywhere close to the required numbers to resettle here. While salaries are not everything, they remain a key consideration alongside working conditions, the hours to be worked and the career advancement pathways that many in nursing now seek.

We have a critical shortage of consultants across many specialties and we are unable to hold on to many locally trained doctors, resorting instead to recruiting in other countries. I regret to note that we do not always ensure the required communications skills of those so recruited meet our population’s needs. That is often an issue presented to Deputies and other elected representatives at locations nationwide.

As with Irish-trained nurses, Irish-trained doctors measure the attractiveness of any employment prospect not only by the level of remuneration but also by working conditions, adherence to the European working time directive and the prospect of achieving career development and advancement, including to consultant roles across the network of hospital sites. We have a serious under-provision of consultant posts, notwithstanding the Minister’s comments on this issue. Moreover, a significant number of approved posts remain unfilled. As the Minister and I both know, nurses, doctors and beds are the A, B and C stuff, yet four and a half years after taking office, the Government has failed to appreciably address these needs.

The serious lack of supports for older citizens, especially those who are challenged by dementia, including the serious under-provision of long-stay public nursing home beds, shows contempt for senior years members of our families and communities and is doubly contemptuous given that many of them, having been hospitalised, are retained in acute hospital beds for months and insultingly referred to as bed blockers by some political voices and commentators. We would all do well to remember that many of these older people have given a lifetime of work and service and contributed of their best to society and the economy.

Were it not for the initiative - I note the remarks made by the Acting Chairman, Deputy Durkan, when he addressed this issue - of the private sector in developing private nursing home opportunities, where would many of our loved ones be who are beyond living either alone or largely alone in safety and with their dignity intact? As a State, we are abrogating our responsibilities to our older citizens and we are depending more and more on the private sector to bail us out of those responsibilities. Delayed discharges are a consequence of Government failure, and a failure of successive Governments. This, in turn, contributes to fewer beds being available for those who really need them. I have checked the statistics for the hospital group that covers my constituency area and there were 175 such beds across the RCSI group of hospitals as of 8 September 2015. I understand this is not the worst example across all the groups as of that date or indeed generally. That was 175 beds across the RCSI group of hospitals on that date that could have been taken up by people in our emergency departments awaiting access to hospital beds or those on trolleys or in other inappropriate placements. Emergency department overcrowding and, again, the inappropriate placement of patients on trolleys and in chairs along our hospital corridors are consequences of this failure. What is ahead of us with the winter months looming? We can only be facing into yet another winter of discontent with more and more patients on waiting lists, on trolleys and in distress. The greatest number of these will come from the more financially challenged sections of our society. With ever widening health inequalities in evidence, the time ahead will be difficult for those in need of care and those who are expected to provide that care. We need to listen to the alarm bells.
Deputy Michael Colreavy: In a democracy, there should be dialogue between the policy decision makers and the people regarding the level of public services the population needs and wants and the extent to which the population is prepared to pay through taxation for those public services, including access to good education, access to safe warm homes, adequate income to raise a family and access to quality health care when needed. Since the beginning of austerity, our health services have been subject to death by a thousand cuts. I do not envy the Minister his job in trying to resurrect the health services again, which is what this is about. If the maxim of the hippocratic oath is to first do no harm, it is certainly not the maxim of our current political or governance systems. This is disappointing because following the 2011 election, we were promised there would be a democratic revolution, that things would be done differently and that there would be a caring Ireland in which the Government would do its utmost to ensure the well-being of its citizens. However, a different reality has emerged since 2011 and the Fine Gael and Labour parties have ensured that our health service has been downgraded.

Between 2008 and 2014, some €4 billion was cut from the service. It is an extraordinary amount of money. There are 12,000 fewer staff in the HSE compared to 2007. There are fewer people to care for the old, the young and the vulnerable. There are fewer people to deal with life-threatening illnesses and fewer to deal with those who have been in accidents. Since 2010, some 5,200 nursing posts have been cut. How can hospitals prepare to provide care for patients with cut after cut after cut? It is unfair on the excellent staff in our hospitals to expect them to cope. It is little wonder that morale is a big problem in our hospitals. Others have spoken about the situation of ill patients being placed on trolleys for days before being given a bed on a ward. They spoke of emergency departments where patients cannot be moved on because beds are not available. There are totally inadequate community services. How many people are in hospital who could be in the community if we had adequate community services?

I will be parochial for the minute I have left. Sligo Regional Hospital has an excellent emergency department with excellent staff but the numbers on trolleys are creeping up and up. God help us when the flu hits. There are 400,000 people on outpatient waiting lists. It is wrong and the Minister knows it is wrong that people should have to wait for up to four years to get a diagnosis let alone begin a course of treatment. The Minister is a straight thinker and a straight talker. I believe he would not deliberately mislead the Dáil or the people. It was not so in the run-up to the 2011 election. The candidates for the Fine Gael and Labour parties promised the people of Sligo, Leitrim, south Donegal and west Cavan that breast cancer services would be restored to Sligo General Hospital as it was then called. That promise was broken. They promised that mammography would not be taken from Sligo General Hospital but that promise was broken and mammography was taken from it. Now, Sligo Regional Hospital needs a cath lab if the people in the constituency I represent are to have the same right to health as the people south of the Dublin-Galway line. That does not seem to be happening at this point in time. That needs to happen for the people I represent.

Deputy Maureen O’Sullivan: We have a very significant health budget which one would imagine would translate into a state-of-the-art health service. While we have very professional, hard-working and committed staff and excellence in certain areas, including, I acknowledge in particular, in the treatment of cancer, the stark reality is that we do not have a state-of-the-art service and there are glaring deficiencies. I looked first at the Government amendment. I could accept certain aspects of it if we were at the start of a Dáil term and the Minister was setting out his aims and objectives to improve waiting times, the actions to bring about improvements in the delivery of care and the goal of optimum patient care and safety as a priority, but we are
coming to the end of a five-year term and we must ask what has happened to those aims since March 2011 and what progress has been made. Looking at other aspects of the Government amendment, I note the reference to significant progress in relation to delayed discharges, nursing home support schemes, home-care packages, nursing home beds and waiting times. This brings us to the disconnect between what is presented as statistics and fact and the reality on the ground. The reality is that people are still waiting unacceptably long times for procedures. I am reminded today of a call from somebody for whom a hip replacement was recommended last March. She is still waiting on the appointment with the surgeon even to get the date, which will be even further on. In the meantime, her situation has worsened and she now cannot work. She is not working, she is not paying tax and she is not contributing to society but is a burden on it.

We know about the shortfall in staff and the crisis in attracting nurses, in particular our own trained and qualified nurses either to stay in or return to Ireland. I spoke with a past pupil who trained as a nurse in DCU and went to Australia. While the monetary incentive was encouraging, her point was that the working conditions in Ireland would have been unacceptable at the hospital in which she worked in Melbourne. Given how much is spent on providing our nurses with excellent training, the amount spent on employing agency nurses is a waste of resources.

The Fianna Fáil Party’s proposal focuses on waiting lists, particularly in accident and emergency units. I will discuss an aspect with which I am familiar, that being, addiction. Accident and emergency units are not the place for those presenting with drug and alcohol addictions. In many, although not all, cases, the behaviour of the addict can be threatening and aggressive. Accident and emergency units should not be dealing with those in addiction. It is not fair to the addicts, the other patients presenting or the staff. If we had a designated accident and emergency unit for those in addiction, there might be links and follow-ups for addicts to get them out of the cycle of addiction. Currently, an addict receives a blood test and, if necessary, X-rays, and he or she is put on a drip for a few hours before being sent back into society until the next fix goes wrong or the next binge. We know the difference that recovery makes. A designated accident and emergency unit could be the start of that.

Accident and emergency services are inadequate in another regard, that is, people with intellectual disabilities. There is no designated intellectual disability nurse in accident and emergency units to assist. I attended today’s Irish Nurses and Midwives Organisation protest outside. I met people I knew who highlighted the cuts to intellectual disability services. The reduction of 9.4% in the budget translated into €160 million. There have been reductions in staff numbers, the respite care grant, the housing adaptation grant and speech and language therapy. People told me that more than 5,000 children with disabilities would require speech and language therapy for the first time in the next four years. This is not to mention the waiting list for occupational therapy and physiotherapy. For three days last week, people with physical disabilities campaigned outside the Dáil. At least they have their own voices with which to present their issues. Those with intellectual disabilities, many of whom also have physical disabilities, have serious and additional challenges. Last week’s protest by those with physical disabilities was to highlight the inequalities and poverty that they faced. Mr. Martin Naughton, who led the campaign, asked the Taoiseach to listen to the voices of people with disabilities who wanted to live independently away from residential care. Self-determination was at the heart of their protest.

I wish to mention a point about hospitals that was not raised in the motion or the amendment, namely, food. An inordinate amount of money is wasted on the kinds of food presented in our hospitals. According to some studies, if a hospital gets the food right, other bills are al-
leviated. It is wrong that we have a health service in which it is safer to be out of hospital than in hospital. People who go to hospital should stay longer for more care, but they are told that it is safer and healthier for them to be out of hospital.

Debate adjourned.

The Dáil adjourned at 10.25 p.m. until 9.30 a.m. on Wednesday, 23 September 2015.