



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 23 Meán Fómhair 2015

Wednesday, 23 September 2015

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

*Paidir.
Prayer.*

Ceisteanna - Questions

Priority Questions

Rail Network

1. Deputy Timmy Dooley asked the Minister for Transport, Tourism and Sport his views on plans to abandon progress of the DART underground project for Dublin; the reason he favours the Luas connection to Dublin Airport over alternative rail projects; the details of the business case for this project; and if he will make a statement on the matter. [32181/15]

Deputy Timmy Dooley: Yesterday it appeared the Minister sought to get the bad news out ahead of the Government's capital plan which, we understand, is due to be announced next week. In doing so, he indicated the Government's proposes to postpone or abandon progress on the DART underground project for Dublin. In recent weeks, he also indicated he favoured the Luas connection to Dublin Airport over the alternative heavy rail project, better known as metro north. Will he outline his reasoning behind this?

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): This question appears to have been based on media commentary and conjecture in recent weeks which, I hope is apparent from yesterday, was not fully the case. As announced yesterday, the Government has agreed that the DART underground project should be redesigned to provide a lower cost technical solution. It is certainly not being cancelled. Indeed, the overall DART expansion project, of which the underground tunnel is a critical element, remains central to the Government's strategy to meet the growing transport needs of the greater Dublin area.

As originally designed, however, the underground tunnel element would have accounted for approximately €3 billion of what would have been an overall cost of €4 billion for the whole DART expansion programme. At the Government's request, the National Transport Authority, NTA, carried out an updated analysis of the business case and found the tunnel element of the

programme could be redesigned to deliver a lower cost technical solution while maintaining the full connectivity of the original programme. The Government has now agreed that this redesign should proceed and this work will be funded under the new capital plan which will be announced shortly. The Government has also decided other elements of the DART expansion programme will be progressed under the new capital programme, including specifically the DART extension to Balbriggan and other works to increase frequency of existing services.

It is imperative we invest in our transport system to ensure we can meet growing demand and ensure congestion does not hinder economic growth. It is also important that in our investment strategy, we plan appropriately so that areas which will see major development and population growth in the future, such as north Dublin, will be properly served by public transport. I am confident the forthcoming capital plan will deliver on these objectives.

Deputy Timmy Dooley: There is still some confusion, particularly regarding the DART underground project. Yesterday, the Minister indicated he remained unconvinced of the business case for the project. That is notwithstanding the fact that previous transport appraisals by the NTA indicated the project would provide exceptionally high value for money based on the traditional cost-benefit analysis. It gave a benefit-to-cost ratio, BCR, of 2.4, with an even higher value for money when the wider economic benefits of the project are taken into account. It gave an appraisal of 4 in that BCR.

In anybody's analysis this is a strong business case. What criteria did the Minister use to provide his own personal analysis which led him to a conclusion that he was unconvinced that it represented value for money? Did he use a different metric or was he just not happy with the NTA's metric? This morning he indicated that his intention, to some extent, is to look at a redesigned project. That is effectively pushing the project down the road. It is a delay and a loss to the development of Dublin city. This morning, the Web Summit chief executive, Mr. Paddy Cosgrave, announced it is being lost to Lisbon for the next three years. These are the kind of decisions that get taken on the back of poor infrastructure and a lack of commitment by the Government to invest in same. We can see the repercussions already from this delay in dealing with critical missing infrastructure which would have a significant benefit to our overall rail network.

Deputy Paschal Donohoe: If I may go back to one of the earlier questions the Deputy posed to me on the conjecture on the option for the northside of Dublin city that I did not fully answer, I have not given an indication to anybody regarding what that plan will be because I have not brought it to Cabinet. I will only make an announcement regarding what the plan will be when I have secured Cabinet approval. While I have been approached by many as to what the plan will be, I will make that announcement with the Government when the Cabinet has approved it. Then I will answer questions in this House, and elsewhere, about the plan.

On the Deputy's question on the business case, the NTA re-evaluated the business case in light of the new economy in which we find ourselves. It published this business case on its website yesterday afternoon. The consequence of its re-evaluation is that the positive cost-benefit appraisal that the Deputy quoted earlier has now changed. In light of what has happened in the economy, the tunnel itself - information which is in the public arena - has a cost-benefit ratio of 0.8 and the overall project has one of 1.4. That business case, which has been published and is available for all to see, formed the core of the decision I made.

Deputy Timmy Dooley: We can move on then to the other part of the question, which the

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Minister talked about, regarding the connection between Swords and Dublin. It appears to me these are informed leaks. Maybe they are not. Maybe it is entirely conjecture, as the Minister claims, on the part of numerous media outlets. To those of us who have been around this House for a number of years, we understand how and why certain information ends up on the front page or between the covers of various media publications. It is usually an exercise in softening up.

It appears an effort has been made by the Minister and his Department to get the bad news out and then cushion it next week when he announces the capital plan with all the positives. We have seen this in other ways of how the Government does its business. It now appears the Minister has been minded to follow the same route. While I accept there has been no announcement and that these decisions will have to be taken at Cabinet level, it is very clear to all of us that have some interest in this area that there appears to be a softening up of public opinion away from a serious investment in the heavy rail option, better known as metro north, and the provision of a comprehensive solution to the needs of commuters in the region.

Deputy Paschal Donohoe: I have not given any indication to anybody, public or private, beyond close Government colleagues regarding what the recommendation will be. When I have my recommendation to take to Cabinet, I will look for Government approval and at that point I will make an announcement and be subject to questioning by Deputy Timmy Dooley and other Members of the Dáil on it.

On two elements of the point the Deputy made earlier, the so-called bad news of yesterday, if this project were to happen in its current format it would involve €4 billion worth of taxpay- ers’ money. Not only would it be the largest transport project ever undertaken in the history of the State, by some order of magnitude it would be the largest project our country has ever undertaken. The reality is that the business case that informed the project and the assumptions underpinning it relate to a decade ago. I have a responsibility to look at the business case in the light of where we are now to make sure that we have a project that is affordable and of the right scale to meet what we now know the economy will look like in a decade’s time.

If I may, I will offer one point to the Deputy in relation to his description of metro projects. A key part of metro projects, as they are done elsewhere across the world, is that they are capable of being integrated with existing land transport networks. I have always made clear that would be crucial in terms of any project I would take to Cabinet.

An Leas-Cheann Comhairle: I thank the Minister very much. We are way over time on that question. Deputy Dessie Ellis has the next Priority Question.

Rail Network

2. Deputy Dessie Ellis asked the Minister for Transport, Tourism and Sport his plans for the future of the Irish rail network after a period of cuts to subvention and moves to liberalise rail services across Europe supported by the European Union. [32199/15]

Deputy Dessie Ellis: I wish to ask the Minister about his plans for the future of the Irish Rail network after a period of cuts to the subvention and other cuts, and moves to liberalise rail services across Europe, supported by the European Union. I wish the Minister to please make a statement on the matter.

Deputy Paschal Donohoe: Irish Rail remains in a difficult financial situation and has incurred losses in each of the past seven years with accumulated losses of more than €150 million in that period. CIE and its subsidiaries are dependent on continued bank funding and new banking facilities, agreed in 2013, contain a number of financial covenants, all of which were met in 2014. More demanding bank covenant targets will have to be met this year and in later years. For the first time since 2008, the level of public service obligation, PSO, funding for rail services is being maintained in 2015 at the same level as in 2014. I was also able to secure an additional €101 million in funding for public transport companies in a Supplementary Estimate at the end of last year, which included €45 million for Irish Rail's network renewal investment. In July this year, I also announced an additional €100 million for my Department's capital programme. Of this, €29 million will deliver much needed maintenance on rail rolling stock and a further €9 million is being allocated towards the rail safety programme.

While there have been some positive signs, including a reduction in Irish Rail's deficit in 2014 to €2 million and an increase in passenger numbers in 2014 for the first time since 2008, the underlying financial picture remains extremely challenging. I remain strongly supportive of the efforts to secure Irish Rail's financial sustainability so that rail services can be provided efficiently and cost effectively.

With regard to the latter part of the Deputy's question concerning EU discussions on the opening of the domestic rail passenger markets to competition, Ireland, along with a number of other member states, has fundamental concerns with the proposed reforms. I met the Commissioner in Brussels two weeks ago and pointed to the difficulties posed to the Irish rail sector and indicated that Ireland could not agree to mandatory opening under any circumstances. I believe we will find a solution that will not pose risks to the Irish rail sector.

Deputy Dessie Ellis: Irish Rail has been the poor relation for many years, and there have been many cuts to the rail network, in particular to the subvention. I am pleased to hear the Minister say he is at least maintaining funding at 2014 levels, but that is still a cutback because of inflation and other issues. We are not supporting the network and we need to put more money into it. What plans does the Minister have to improve and increase the rail service in future? Parts of the rail service to the west need to be improved. Is the Minister planning to expand on the service?

The EU directives are a further drive towards privatisation. The Minister said he plans to opt out of the mandatory impositions that have been introduced by Europe. If the Minister reaches a compromise, it is very likely that we will see a further drive towards privatisation because that seems to be the direction in which the EU is moving. There is much friction with workers in Irish Rail. I urge the Minister to take a hands-on approach when it comes to many of the issues I have outlined.

Deputy Paschal Donohoe: Last year, I secured an additional €45 million for Irish Rail and this year, I secured an additional €38 million for Irish Rail on top of the Estimates that were announced at budget time in each year. During my tenure in office I have done all that was possible to respond to the challenges Irish Rail faces. I am well aware of the challenges different parts of the rail network face. The Minister of State, Deputy Michael Ring, constantly raises with me the different needs the west faces in all of the various transport networks available to the area.

On the question of mandatory tendering of the Irish rail market, in addition to articulating

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my views on concerns about what the policy would mean to a rail market of the scale in this country, I travelled and met the Commissioner in a bilateral meeting and made very clear that I did not believe mandatory tendering of an entire rail network was appropriate given its scale and the way it is organised.

Deputy Dessie Ellis: The Minister said he is opposed to mandatory tendering but I hope we do not go down the road of tendering out. I accept the Minister said he has been given a directive from the EU but we must find some way of stopping the drive towards privatisation.

The rail service is and should be for the people. A positive aspect of the rail network is that there has been an increase in the number of passengers' right across the country. There is scope to develop and improve. I accept Irish Rail owes a huge amount of money. The Minister referred to €150 million. The Government should write the figure off. We should not place demands on the rail network to meet its debts. The State has a responsibility to look after the rail network, the bus routes and other transport elements. To me, that is a sign of a state that is working.

An Leas-Cheann Comhairle: The Minister should conclude.

Deputy Paschal Donohoe: Deputy Dessie Ellis said I should write the figure off. How am I to do that? It is a loss of €150 million that is sitting on the balance sheet of an independent State company. Earlier this morning I saw that the Deputy's party was calling for the complete abolition of the property tax, yet at the same time he is asking me to write off losses of €150 million and to find more money to put into the rail network. That is further evidence of the kind of economics that will ruin our country.

Deputy Dessie Ellis: That would show responsibility and a commitment to the State.

Deputy Paschal Donohoe: I do have a responsibility, namely, to do what I can to put the right investment into Irish Rail and where appropriate to look to invest in it. I did not see Deputy Ellis's press release or statement acknowledging the fact that this year alone we put an additional €38 million into Irish Rail although he has asked that I would unilaterally write off the losses of a company that is currently dependent on funding from large banks.

I want to mention briefly the other point. While workers in Irish Rail are considering their future options, I want to reiterate the points I have just made. The Government, the Minister of State, Deputy Ring, and I have in recent times done all we can, where possible, to invest more in Irish Rail. My views in regard to the future of the Irish Rail network and the need to have the appropriate policy in place are being strongly represented in the European Union.

Rail Network

3. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport if he will confirm that it is his intention not to proceed with the DART underground at this time; his rationale for this decision; his view on whether it is the case that no other proposed option could deliver the network-wide capacity increase needed in the Dublin region, whose population is expected to grow by 400,000 by 2030; if he will reverse this decision in advance of the deadline for activating compulsory purchase orders; and if he will make a statement on the matter. [32056/15]

Deputy Catherine Murphy: My question relates to the DART underground or interconnector, which is essentially the 21st-century piece to connect up the investment that was made in the 19th century in the four primary rail lines that come into the city. It is the piece that would allow the capacity constraints to be eliminated and it could deliver the difference between 33 million passenger journeys and 100 million passenger journeys, so it is a critical piece of infrastructure.

Deputy Paschal Donohoe: I thank the Deputy for her question. She has raised this matter with me at every Question Time I have taken in the Dáil since I took over this Department. Her description of the project is accurate in terms of its future importance. The business case, which was published yesterday afternoon by the National Transport Authority and which I have made fully available to the public, illustrates that the assumptions made over a decade ago in regard to what transport use would look like in the future are very different from where we are now, although those assumptions were made for good reasons and I understand why they were made.

The tunnel alone is a €3 billion project. If I am going to recommend expenditure like that, which means I will not be able to do many other things, including things the Deputy has raised with me on other occasions, I have to be absolutely confident that this project is engineered appropriately, is cost-effective and will meet needs that we realistically believe will materialise. From my analysis of the business case, which is available for the public and the Deputy to see, it was very clear to me that there is a need for the tunnel to be redesigned. Money for that redesign is included in the capital plan that will be announced, as I confirmed publicly yesterday. Other elements of the project will go ahead, such as the extension of the Dart to Balbriggan and improvements to the control centre in the city centre to allow capacity to increase, and we will also begin the works in regard to rail electrification on the portions of the lines to which the Deputy has referred.

Deputy Catherine Murphy: The one feature of this interconnector that is consistent is that of postponement. It is not just the Minister's fault, as this has been talked about for over 30 years. I remember it being part of the Dublin transportation initiative in the early 1990s, when it was a critical piece of infrastructure. This has a cost in terms of congestion. We need to look at this in the way people in the 19th century looked at the investment in rail; it has to be seen in a very long timeframe. We can see that the costs of insurance are rising, not just for people in the city but around the country. Traffic accidents happen to a greater degree at peak times than at any other time. We have climate obligations which mean we will be handing over hard cash due to a failure to change our habits in terms of moving from our dependence on the car to rail.

This is the big game-changer. This is the project that can really deliver a return. Welcome and all as it is, we are adding an extra line into an already congested scenario where the existing train lines do not operate in an efficient way and do not connect up. This is short-sighted and we are going to pay a price for it into the future, big time.

Deputy Paschal Donohoe: It is precisely due to the need for better integration of our public transport network and to increase its capacity that the Government is funding the Luas Cross City project and making it happen. We are extending the Luas to Cabra and Phibsborough. We are joining up the Luas in the city centre, and that work is under way. This is the subject of the next question from Deputy Dooley. It is also because of the need to increase capacity on public transport that we have opened up the Phoenix Park tunnel, a project that has been talked about for decades. It is a tunnel that has been in existence for nearly 150 years. It is now being reopened and will be open for business next year, carrying an additional 1 million passengers

on public transport.

While the Deputy's analysis in regard to the need for greater integration of public transport is correct, I have a question for her. Where would she find the €4 billion to pay for this project?

Deputy Catherine Murphy: This project must be seen in the same way as the 19th-century investment in the railways. That was the biggest investment in the country in that century, and we are still reaping a benefit from it. We have to see this in terms of long-term return. It has to be factored in that the population of this city and the surrounding counties is projected to grow by some 400,000 people up to 2030. In fact, since the last census, there are more people now living in Dublin city and county than are living in the whole of Munster. What we are constantly doing is adding to the size of the city without putting in the things that would make the city run smoothly, so it can be a truly 21st-century city that does not have the kind of congestion that we saw last week, when there was a fire in Dublin Port Tunnel. When such a incident occurs, the whole of the city closes down and every business and every person who needs to go to work or to a hospital is constrained because of that one thing. We do not have the kind of alternatives we need to have for this city, the surrounding counties and the whole country due to the under-investment in this area. It is not all on the Minister's watch, because this has been planned for a very long time, but the decision is being postponed again. There is no other way of saying it.

Deputy Paschal Donohoe: I am disappointed with the Deputy's reply. I do my best, when I come to the House, to answer all of the questions that are put to me. I accept many of the points the Deputy is making, but I have also pointed to the fact that, in regard to the very integration she refers to, investment is under way. The Luas Cross City project is being built, the Phoenix Park tunnel is being opened up, more money has been found in the last 18 months to invest in the bus fleets of Bus Éireann and Dublin Bus, which is evident in the number of new buses they have ordered and that are now available, and public service obligation funding is unchanged for the first time in six years. All of this reflects my appreciation of the role of public transport and my knowledge that public transport is core to how we will meet some of the broader issues to which the Deputy has referred, such as emissions and how we cope with a growing population.

I put a simple question to the Deputy. Where would she find the €4 billion to carry out this project?

An Leas-Cheann Comhairle: We do not have time for that now. I call Deputy Timmy Dooley.

Dublin City Centre Transport Study

4. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on the proposals of the National Transport Authority and Dublin City Council contained in the Dublin City Centre Transport Study to restrict access to private cars and reduce the number of parking spaces in Dublin city centre; and his views on whether limited parking availability poses a risk to retail custom in the city centre. [32182/15]

Deputy Timmy Dooley: The Minister is aware that the Dublin City Centre Transport Study seeks to restrict access to private cars and reduce the number of parking spaces in Dublin city centre. I would appreciate the Minister's views on that in light of comments from the business community, which has very grave concerns as to the impact of this on retail business within the

environs of the city.

Deputy Paschal Donohoe: The Dublin City Centre Transport Study, to which the Deputy refers, is a study that was jointly carried out by the National Transport Authority, NTA, and Dublin City Council, DCC, to assess transport-related issues in the core city centre area in light of changes resulting from the Luas Cross City project in particular. The study covers all modes of transport, including walking and cycling, as well as car and public transport. The study was published by the NTA and DCC in June and there was a very significant public consultation process on it over the course of the summer, which generated substantial interest from stakeholders. I understand that more than 7,700 submissions were received in response to the consultation process and that a factual report on these submissions has been submitted to the city council's strategic transport policy committee.

10 o'clock

I am advised by the National Transport Authority that, along with Dublin City Council, it is engaging individually with some of the key stakeholders concerned, notably some of the large retailers and car park operators in the city centre, and a number of meetings will take place with these stakeholders over the coming weeks before the authority and the council report back to DCC's strategic transport policy committee. I welcome this level of engagement on this important matter and I am assured that all key stakeholders are being given the opportunity to have their views and concerns known and understood.

Deputy Timmy Dooley: I hoped the Minister would have set out his views at the outset. He is aware that should the parking restrictions and reductions proposed by the NTA and the Dublin city executive be implemented, this could have a damaging impact on retail business in Dublin city centre. I ask again whether the Minister will outline for the House his views as Minister for Transport, Tourism and Sport and as a Deputy in the area? As the Minister is aware, under his guidance the NTA has made the transport plan into a war on private motorists and cars in general. I believe that is a naive approach.

If we look at some of the other studies that have been done, it is clear that if the proposals as outlined are implemented, this will have a very destabilising effect on retail activity within the city centre. In recent years, we have all agreed with changes to planning laws which have restricted the development of a doughnut effect, in other words, the pulling of retail activity into large centres on the outskirts of towns and cities. I believe the intended proposal, based on what has been published, would have that hollowing-out effect on the city centre of Dublin. This would have a damaging impact on the life of the city overall. I would like to hear the Minister's view on this.

Deputy Paschal Donohoe: I believe the Deputy is overstating the situation somewhat in describing it as a war under way in regard to car users or the use of cars in the city centre. I have had the opportunity to meet many of the retailers concerned about these plans. I also am aware of the concerns of organisations which run car parks. The Deputy has pointed out that I represent many of the areas that are affected by this and I am aware of that.

In regard to my view on the matter, I support the objectives of Dublin City Council and the National Transport Authority. The reason for this is that much of the work they are doing is driven by the fact that the cross-city Luas will be operational across the centre of the north side of the city in 2017 and, due to this change, there will be a need to make changes in how

traffic flow is organised in the city centre, as has happened with the bus gate in College Green. One-on-one meetings are now happening directly with retailers and car park owners who could be affected by this change. I believe we can find a medium through which we can deal with the concerns they are articulating while protecting the huge investment of the taxpayer in the expansion of the Luas.

Deputy Timmy Dooley: I take the Minister's point. We all accept the principle of the modal shift away from the car towards public transport for appropriate journeys. However, when it comes to shopping and general retail interaction, a car is required by shoppers. The study recommends the shutting down of multi-storey car parks in the city centre, despite that compared with other cities, Dublin has an under-supply of car parking spaces for the retail area. For example, Dublin has 10,000 car parking spaces, the same number as Bristol which is one third the size of Dublin. This puts into context our position from the international perspective.

While I fully accept the necessity to move people away from cars to public transport for appropriate journeys, I believe shutting car parking spaces in the general vicinity of the retail infrastructure of the city will have a long-term negative impact on that business. This will lead to a hollowing out of activity in the city centre. This has happened in cities across the United States and in some parts of Europe. It would be a wrong and regressive step if this study is implemented. I would like to see the Minister take an active role in meeting the business and retail communities to try to ensure we get a more balanced approach.

An Leas-Cheann Comhairle: I must call the Minister to reply. I must be fair to other Deputies.

Deputy Paschal Donohoe: I will meet more representatives from the Dublin retail industry tomorrow to hear their views on the matter. The Deputy referred to the potential for hollowing out of the city centre. Few developments are more capable of doing huge damage to the vibrancy of our city centre than immense levels of congestion and the inability of people to travel into the city because of the lack of availability of quality public transport.

From the point of view of transport, my objectives in regard to the development of our city centre are clear. I want to have a city centre that is more attractive to live, sell and invest in. To achieve that, we need projects like the extension of the Luas green line to deliver the kind of modal shift to which the Deputy referred. Intensive consultation with individual businesses is under way to see how we can come with a way of doing this which does what it can to meet the needs of the different stakeholders in the city centre. I reiterate that all this is being done to ensure the €370 million investment the taxpayer has made in the cross-city Luas project works in the way intended.

Rail Network

5. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the rationale for no longer progressing with the DART underground project; and his plans for improving Dublin transport links with commuter towns and the airport through a further Luas extension. [32200/15]

Deputy Dessie Ellis: What is the rationale for no longer progressing with the DART underground project? I know the Minister has made some comments on this matter, but this question

predates that. What are the Minister's plans for improving Dublin transport links with commuter towns and the airport through a further Luas extension and what are the reasons for these?

Deputy Paschal Donohoe: As I have covered this matter already, I will just reiterate two points so that we will have more time to deal with any further points the Deputy wishes to make.

On the second question, there has been some speculation that I recommended the extension of the Luas and a particular route. I have not brought any recommendation to Cabinet on this matter, but I will do so soon. When I have brought that recommendation to Cabinet, and hopefully gained Cabinet approval, I will make the recommendation clear and public, as I did with my decision yesterday, and will then come to the House and answer questions on the matter.

In regard to DART underground, I have covered the matter already. However, I reiterate that we have not cancelled the project. What we have sought to do is to find a way for the tunnel to be redesigned at a more affordable cost for the taxpayer and in a way that more realistically meets the demands we expect in the future. As I said, this project was conceived, developed and designed over a decade ago. Our country has changed significantly since then and in ten or 20 years time will look very different to how people thought it would look in 2003 and 2004.

Deputy Dessie Ellis: I understand from what the Minister has said that the DART underground project is being shelved for the moment. I know there were six projects under consideration originally, one of which was metro north. Has the bus rapid transit, BRT, plan been shelved because metro north is being considered? There are figures and speculation in the newspapers on this issue. Both the Minister and I know that there were three different options for metro north and that some €150 million was spent. Now we are being told the project will cost far less. The original figure was €2.5 billion, but now the newspapers suggest it will be €1.9 billion and that this can be achieved by reducing the number of stations and considering other options. The Minister has not given a straight answer in regard to what option he would prefer. He says he has to bring it to his colleagues but there is a big case to be made for the metro north, in particular, and the effect it would have in terms of the amount of traffic it would take off the streets, the amount of employment it would create and the connectivity it would bring to the airport. Further, is it the Drumcondra route up through Ballymun to the airport that we are still talking about or is the Cabra option, cutting across Glasnevin and going underground, still being explored?

Deputy Paschal Donohoe: I thank Deputy Ellis. I reiterate that we are not talking about the cancellation of DART underground in the future. However, the tunnel, as designed more than a decade ago, is no longer appropriate or proportionate to what we believe our country is going to look like in the coming decades. The tunnel alone would cost €3 billion, which means that there are many other projects in Dublin that we would not be able to do, not to mention all of the other transport needs that have to be met across the entire country, a matter on which I will be answering questions later.

On the north Dublin transport study and where it stands at present, it is not really a case - and I say this respectfully - of me not giving Deputy Ellis a straight answer. I am telling him exactly where the process stands, which is that when I have made a final decision on the project and obtain the approval of Government, I will announce the decision and answer his questions on it. As the Deputy knows, the metro route and the Luas route to which he has referred were in the final six options the National Transport Authority recommended for further evaluation. Those are the matters that are being considered.

Deputy Dessie Ellis: We have spoken about metro north so many times. We have one of the fastest-growing suburbs, Swords, and, on the face of it, that option seems to be one of the ones we would get most return out of at this stage. If the metro or one of the other options is being considered, is the bus rapid transit, BRT, system off the table altogether now? I know the Minister is probably obliged to discuss it with his colleagues, but I am sure the NTA has given him an opinion on whether there is any point in proceeding with the BRT if we are still considering the metro north option.

Deputy Paschal Donohoe: I apologise to Deputy Ellis because I did not answer his question on the BRT and the specific point he put to me earlier. We need to find new ways to increase the capacity of our bus network. No matter what changes we make in the future, the form of public transport most likely to carry most people across our country is bus and this will be done by Bus Éireann and Dublin Bus. Hence, there is a need to find out how we can increase the capacity of our bus network. BRT offers the best way of doing that. As Deputy Ellis knows, there are different options for bus rapid transit that are being considered across the city. I guess the Deputy is referring to the Swords BRT, given his interest in the area and that part of the city. I will be deciding the case in relation to Swords BRT when I am clear on the longer-term transport option for the north side of the city and when it would be open.

Other Questions

Road Haulage Industry

6. Deputy Mattie McGrath asked the Minister for Transport, Tourism and Sport the efforts his Department is making to address the challenges being faced by the road haulage industry here, particularly those related to commercial vehicle road tax and the introduction of the lorry road user levy in Northern Ireland; and if he will make a statement on the matter. [31804/15]

Deputy Mattie McGrath: My question to the Minister relates to the road haulage system situation. The road haulage industry in Ireland is in a perilous situation. Road tax for the road haulage industry is five times more expensive here than it is in Northern Ireland and the introduction of the new levy of €10 per day in Northern Ireland and the UK has had a terrible impact. The Minister's Department is well aware of this fact. The levy has been introduced for more than a year yet nothing has been done to help this industry. As a result, hauliers and businesspeople are transferring their operations to the UK and Northern Ireland, and who would blame them? They are at the pin of their collars trying to survive, maintain jobs and provide a high-quality service. They cannot do this when we have an unfair and unlevel playing field.

Deputy Paschal Donohoe: I thank Deputy McGrath. The road haulage industry suffered during the recession, particularly due to the downturn in the construction sector. The Government recognised the challenges facing the sector and announced the fuel duty rebate for hauliers in 2012, which could result in savings of up to €70 million per annum for the haulage sector. The number of road haulage vehicles in Ireland has been steadily increasing since 2013 and now stands at 16,799. This is an increase of more than 2,000 vehicles since 2012. Continued economic recovery will see this figure continue to increase.

In recognition of the challenges facing the haulage sector, the Minister for Finance committed in November 2014 to reducing the motor tax rates for heavy goods vehicles, HGVs, of 12 tonnes or more in the approaching budget, with a tapering of the reduction for vehicles below

a certain level. An interdepartmental group has carried out a review of the current commercial motor tax regime and consulted with hauliers and other stakeholders. The report is being submitted to me, the Minister for Finance and the Minister for the Environment, Community and Local Government for joint consideration. Once agreement is reached, the Minister for Finance will decide on the best way to respond to the needs described by Deputy McGrath.

The UK HGV road user levy was introduced in 2014. The Government lobbied actively against the application of the charge to Northern Ireland, in co-operation, I must say, with Stormont Ministers. Unfortunately, the UK Minister for Transport chose to give only very minor exemptions to Northern Ireland from the road user charge. My officials are monitoring the impact of the road user charge on cross-Border traffic.

Deputy Mattie McGrath: We can have the interdepartmental reports and investigations and I welcome them, but it is blatantly obvious that there is not a level playing field. We will have to do something about road tax and we will have to go back more robustly to the Northern Ireland authorities and Westminster to deal with this new levy. There is a channel, or a passage, from Donegal and there could be an exemption for it. Other countries have been able to get exemptions. A Prime Minister of a particular country this morning stated that he was not going to implement a European decision made yesterday. Why do we have to be the good boys and implement everything?

The road haulage industry is not viable for hauliers. By way of comparison, road tax costs €3,500 on average for a vehicle per year. It is only £640 sterling in Northern Ireland and England. That is not a level playing field. The Minister is saying the number of vehicles has increased. I welcome that fact but we must recognise the effort, employment and business initiatives of private hauliers and the sheer skill they have put into developing their businesses. This levy undermines them totally and the Minister knows it. Unless the report is finalised and taken seriously, it will be no good resting on a shelf. We need action here and we need action on the road tax as well.

Deputy Paschal Donohoe: That action has already happened.

Deputy Mattie McGrath: Show me the money.

Deputy Paschal Donohoe: I am absolutely aware of the needs of the road haulage sector. There are a few groups and sectors that I have met more regularly since I came into office because I believe, and I have said this to them, the work they do provides the backbone to how much our economy develops.

Deputy Mattie McGrath: Support them then.

Deputy Paschal Donohoe: Indeed, Deputy, we have supported them. This is why we have brought in the fuel rebate and why I have made changes elsewhere in the implementation of law to look to recognise their needs. I assure the Deputy that a very complicated piece of work on the taxation of their sector is now approaching finalisation. The sector and its representatives have been actively involved in that work through their presence on a stakeholder group, and that is one report I am confident will not be gathering dust.

Deputy Mattie McGrath: I welcome that statement. It is positive and I hope to see it in the budget in the coming weeks. I am sure road hauliers will be celebrating. They will probably do a drive-through just to celebrate such good news but seeing is believing and actions speak

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louder than words. I will hold the Minister to his statement and I am sure the hauliers will as well. This issue has to be dealt with as it is a vital industry, as acknowledged by the Minister. It provides vital employment and is vital for our exports as well.

Deputy Paschal Donohoe: Regardless of what change we make to it, I am not sure the sector will be celebrating, given the kind of challenges it has faced.

Deputy Mattie McGrath: According to the Minister anyway, like Santa Claus.

Deputy Paschal Donohoe: I have given a commitment to the sector, to which I have referred publicly and which I am happy to reaffirm. Due to changes which the United Kingdom has made in how it taxes that sector - it has a right to tax how it wants-----

Deputy Mattie McGrath: So have we.

Deputy Paschal Donohoe: Yes, we do, and that is why we brought in the fuel rebate in recognition of an issue they had then.

Deputy Mattie McGrath: It is not enough.

Deputy Paschal Donohoe: The UK made a change to how it wants to tax this sector. The Minister for Finance has said that, dependent on the money available to us, over time, we will look to address the sector to try to help its efforts to be more competitive. The sector has been involved in work that we have done in that area. While no decisions have yet been made in the budget, that work is under way. I am hopeful we will be able to respond to the challenges which the sector is facing. I welcome, as I think does the Deputy, the fact the sector now has almost 2,000 more vehicles on the road than it did in 2013. That is a tribute to the sector and a recognition of what is taking place in our economy.

Road Projects

7. **Deputy Anthony Lawlor** asked the Minister for Transport, Tourism and Sport if he will provide an update on the upgrading of the N7; when works will be scheduled to commence; the expected completion time for this project; and if he will make a statement on the matter. [31805/15]

Deputy Anthony Lawlor: The value for money for this three-stage project far outweighs any other project on the road transport programme. I sincerely hope that when the Minister announces something, this will be part of it. As far as I am concerned, the key part of it, a link from the M4 across to the N7, is the Sallins bypass. Huge volumes of traffic are going through this small village. All the towns along the route have been bypassed except for Sallins. This is probably the third part of the whole key. I welcome the Minister's response.

Deputy Paschal Donohoe: As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding for the national roads programme. The construction, improvement and maintenance of individual national roads is a matter for Transport Infrastructure Ireland, TII, in conjunction with the local authorities concerned. The assessment and prioritisation of individual national road projects within its overall capital budget is also a matter for TII.

Due to the national financial position, there have been very large reductions in expenditure

on roads in recent years. Funding in 2008 was €2.3 billion while funding this year is around €764 million for the national, regional and local road network. The reality is that available funds have fallen well short of the amount of work that could be undertaken.

The Government will publish its new capital plan shortly. This plan will take into account the maintenance and strengthening needs of our road network to ensure it is fit for purpose. I am well aware of the importance of the project to which the Deputy has referred and the contribution it could and would make to economic development in his community and his county, as well as the scale of potential job creation, as it would have a very significant knock-on effect elsewhere. Those points and the Deputy's support for the project are well recognised in the work I am doing at the moment.

Deputy Anthony Lawlor: I understand where the Minister is coming from. I reiterate that it is a key bottleneck in the whole infrastructure. Since the upgrading of the Newlands Cross flyover we have seen increased traffic through the small villages of Kill and Johnstown as a result of that bottleneck. We see the potential for expansion at the millennium business park. There is already talk of a new application being made for 50,000 sq. ft. of office space if that interchange can be achieved.

The Sallins bypass is also crucial for that small village, which has a constant flow of traffic coming from the M4 to the N7, trying to bypass the M50 which is almost at capacity at peak times during the day. I really appreciate the Minister's support.

Deputy Paschal Donohoe: As the Deputy knows, I am not in a position to confirm or announce what will be in the plan or whether all or some of what he refers to will be included. I have to get Government support and agreement as to what that project will be and I am working on that at the moment. I reiterate that I am very much aware of the need for the projects to which he is referring. The Deputy has raised the matter with me continually over the past year and a half. I am particularly aware, because I see it myself, that although it has made a great difference in travel time for people coming off and onto the M50 and is a really important project, since the Newlands Cross flyover has been opened, it has had a displacement effect on other communities. There is also potential for further jobs in the areas to which the Deputy has referred. I take on board the points he makes and I am doing my best to respond to this and, indeed, to other projects.

Deputy Anthony Lawlor: To make one last point, the planning permission has been granted, all the ducks are in a row, but there is a notice for treaty that could be running out and I would be concerned about that. I exhort the Minister to put as much pressure as he can on the Minister for Public Expenditure and Reform, Deputy Howlin, to include this.

Deputy Paschal Donohoe: I am well exhorted in respect of this project. I am aware of all the points the Deputy has made. I have outlined the challenges I face. We have a capital budget that has rapidly decreased for reasons with which we are all familiar. I am working very closely with the Minister, Deputy Howlin, and have been doing so for nearly a year, on how we can respond to the challenges we face.

I am very much aware of the fact that as we see the economy recovering, the infrastructure we have in place must be developed to support growth. We must ensure growth takes place in a way that is both economically and socially sustainable. We need to enable communities to make journeys safely, in a reasonable time and in such a way that the kinds of towns to which

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the Deputy referred do not find huge quantities of traffic being diverted into them because of other projects that have taken place.

Shannon Airport Facilities

8. Deputy Clare Daly asked the Minister for Transport, Tourism and Sport the number of soldiers of the United States of America who have passed through Shannon Airport to date in 2015, including the monthly breakdown; the number of requests his Department received in 2015 from civilian aircraft to land at Shannon Airport or pass through Irish airspace while carrying munitions; the number of permits issued for both; the number of requests that were rejected; the reason for rejecting the requests for which permits were not granted; if he will provide the breakdown of the countries from which the requests were made and to which the permits were granted; and if he will make a statement on the matter. [31809/15]

Deputy Clare Daly: This question concerns requests that the Minister's Department has handled on transiting soldiers and munitions on civilian aircraft through and over Shannon this year. Airport workers' evidence, given in open court during my and Deputy Wallace's case, made it clear that the conditions which the Minister's Department says are in place, ensuring munitions are held in an inaccessible position, are consistently breached. What were the numbers for this year and what checks and balance has his Department put in place in that regard?

Deputy Paschal Donohoe: The number of US troops who have passed through Shannon Airport to date in 2015 is 39,613. The number of requests my Department received up to the end of August 2015 from civilian aircraft to land at Shannon Airport or pass through Irish airspace while carrying munitions was 566. Some 188 permits were issued for aircraft to land at Shannon, five were issued for aircraft landing at Dublin, and 345 permits were issued for overflights. Some 28 requests were refused, all on the advice of the Department of Foreign Affairs and Trade.

Of the total 566 requests received in this period, one request came from an Irish airline, six requests came from a UK airline, five from a Turkish airline and the remainder came from US airlines. I have the tabular information in respect of all this which I will supply to the Deputy in written format or, if she wishes, I can supply it to her during this session of questions.

Deputy Clare Daly: We will obviously digest that information. It follows on from the multiple pages received by Shannonwatch concerning permits sought for 2014. Based on the evidence the Minister has given us today, if anything the number of those requests has increased. In the main they come from the US.

Has the Minister any comments or concerns regarding the types of material that were transited last year? For example, between the USA and Afghanistan, 190 tonnes of ammunition and bullets passed over and through Shannon, probably destined for the Afghan army. As Members are aware from Iraq, it often ends up in the hands of the opponents, in this case the Taliban and ISIS. Based on the information the Minister has provided today and in the aforementioned freedom of information request, Ireland now is complicit in activities that are giving rise to the crisis talks in the European Union today with the numbers of refugees and so on. The Minister told Members previously that the requests must be verified by the Department of Foreign Affairs and Trade 48 hours in advance. I now am asking whether the Minister can tell Members if this happens in all cases. Where is the written report kept for those requests, including when

those requests are not granted, which obviously is in a very small number of cases?

Deputy Paschal Donohoe: On the Deputy's point regarding the 48-hour time period, I cannot give her an answer now but I will find that information and share it with her. I have done my best to answer all the different questions the Deputy has put me and have given her figures on them. In addition, I have available the monthly figures for this year in respect of the number of US troops who are transiting Shannon Airport and I will write to the Deputy with that information to answer all the questions she has put to me. The one point I will reiterate is that the primary purpose of regulations in this area that my Department oversees pertains to the safety of aircraft and that of persons on board and that any applications for munitions that are categorised as dangerous goods are forwarded to a dangerous goods specialist in the Irish Aviation Authority. Moreover, I am confident that all policy in this area is implemented. I cannot answer now the Deputy's particular question on the time in which such applications are evaluated but I will write to her with the answer.

Deputy Clare Daly: While I will accept that information, if the Minister is not able to tell me that the Department of Foreign Affairs and Trade approved all the permits that were granted, then we have a serious problem. For example, some of the information that was given pertained to a permit request on 27 April last year for a flight carrying four Mk44 gun sections. These are vehicle-mounted guns that fire armour-piercing incendiary rounds at a very high rate of fire and Javelin anti-aircraft missile parts also transited on that flight. Some of the information is redacted and some states that when the question and the form asked whether the packaging was in accordance with International Civil Aviation Organisation, ICAO, technical instructions, the answer is "No" and yet a permit was granted.

As the Minister spoke of aircraft safety and that being his responsibility, when he is searching I ask that in particular, he examine the permits granted to Atlas Air in May 2014 when those packaging requirements were not in place. This is very serious. The evidence from the Minister's own Department shows clearly that Ireland is complicit in the activity that is going on regarding US-led wars in the Middle East.

Deputy Paschal Donohoe: All the decisions my Department takes in this area are with the active consultation of the Department of Foreign Affairs and Trade and are consistent with the foreign policy objectives of our country. I appeared before the summer before the petitions committee of the Oireachtas and answered questions on this matter for most of an afternoon. As for the broad question the Deputy put to me regarding munitions and the kind of material that is given exemptions, the point I again must emphasise is the role my Department plays in this regard pertains to safety of the aircraft and of people on it. Any kinds of items that are given exemptions must always be packaged securely and must be stored in the hold and in such a way that they are inaccessible during the flight.

An Leas-Cheann Comhairle: A brief question from Deputy Wallace.

Deputy Mick Wallace: The Minister stated that everything that is happening is consistent with our foreign policy objectives. He stated his major concern is the safety of the aircraft and the personnel on them. If this is consistent with Ireland's foreign affairs policy, is the Minister comfortable with that fact? Perhaps a new policy is needed because there was a time when we used to consider ourselves to be neutral. Over the past 13 years, it has been established by international bodies that the US military has killed 1.3 million citizens, not military people, in the Middle East and has displaced millions more. This is not disconnected the huge problem in

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Europe today. If one bombs people's homes - and Ireland allows them to use Shannon on the way to bomb their homes - one can expect people to cross borders and to try to find somewhere safer to live. Is the Minister comfortable with what is happening?

An Leas-Cheann Comhairle: The Minister, to conclude.

Deputy Paschal Donohoe: In response to the Deputy, I am comfortable and I do support the objectives in our foreign policy. Ireland is a neutral country. The policy we have reflects that and as a former Minister of State in the Department of Foreign Affairs and Trade, I saw the way in which Ireland's neutrality was articulated in different meetings and in different discussions on the matter to which the Deputy is referring.

Deputy Mick Wallace: Is the Minister serious?

Deputy Paschal Donohoe: I am answering Members' questions on the passage and transit of aircraft through Irish airspace. The Government's policy in this matter is clear. I have outlined to Members all the figures Deputy Clare Daly sought in her question, as she is absolutely entitled to do, and I have stated I will supply further material and I will. As for the use of civilian aircraft and that matter, the relevant legislation or order is the order of 1973. It empowers somebody to enter an aircraft and inspect it, if it is suspected that the provisions of carrying munitions of war are being contravened. I am not aware of such an allegation or offence having been raised in recent years or being reported to the Garda.

Deputy Mick Wallace: That is unbelievable.

Deputy Paschal Donohoe: That is my knowledge and the Garda has the ability to carry out such an inspection if these provisions are being infringed.

Deputy Mick Wallace: Unbelievable.

An Leas-Cheann Comhairle: We must move on.

Harbour Authorities

9. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport with regards to the 0.47 ha site that has been put up for sale by Dún Laoghaire Harbour Company, if he, as the main shareholder in the company, was made aware of this in advance of the site being put on a property website (details supplied); if his consent is required by the company to sell assets; if he considers it appropriate for the company to sell land while a due diligence into the finances of the company is still being carried out by his Department, and while the future governance of the harbour is being established by the Harbours Bill 2015; and if he will make a statement on the matter. [31917/15]

Deputy Richard Boyd Barrett: I have asked approximately 100 questions about Dún Laoghaire Harbour over the past four years and the fear that I and many people in Dún Laoghaire have about the creeping privatisation of Dún Laoghaire Harbour. This question relates to the decision of the harbour company to put up for sale 0.47 ha in an area called "the Gut", just off the west pier in recent weeks. Is this not proof of the creeping privatisation of Dún Laoghaire Harbour? Was the Minister made aware of the plan to sell this land, which in the Dún Laoghaire Harbour plan also was earmarked for residential development, which is strongly opposed by

local people? Does the Minister think it appropriate that the company should put up for sale this land when the governance of Dún Laoghaire Harbour is going to change - it has not yet been decided fully - and when a due diligence exercise is under way to establish what the hell is going on financially within the harbour company?

Deputy Paschal Donohoe: I thank the Deputy for his question. At a meeting with the Dún Laoghaire Harbour Company in May 2015, the company advised me of its intention to dispose of the site referred to in the Deputy's question. The company's master plan, published in 2011, earmarked this site for potential development. Under the Harbours Acts, there is no requirement for the company to seek my consent for the sale of this land. The disposal of land is a statutory matter for the directors of the company and not one in which I, as Minister or shareholder, have a legal function.

As the Deputy is aware, the Harbours Bill 2015 will provide the legislative provision for the transfer of ports of regional significance to local authority control. The due diligence process is currently being carried out by Dún Laoghaire-Rathdown County Council. Dún Laoghaire Harbour Company has advised the council of its plans for this site. I understand the proceeds from the sale of this site will be used for maintenance works in the harbour.

Deputy Richard Boyd Barrett: First, in terms of the legislation, the ultimate decision on what will happen in Dún Laoghaire Harbour is the Minister's. I had that confirmed in a rather bad-tempered letter I received from the chairwoman of the Dún Laoghaire Harbour Company-----

Deputy Anthony Lawlor: Did the letter jump up and bite the Deputy?

Deputy Richard Boyd Barrett: -----squealing, frankly, about some of the stuff I had been saying about the harbour company. I do not have time to deal with all of that now but the contentious issue is the question of privatisation of the harbour and the extent to which privatisation of the harbour is linked and contingent to this cruise berth plan. Similarly, in the harbour master plan, other land at St. Michael's Wharf in the old harbour, as in the case of this site which the company has put up for sale, is earmarked for exclusive private residential development. First, the people do not want this and, second, the sale of land is clearly privatisation of the harbour. As the main shareholder in this company should the Minister be allowing this to go ahead against the background of huge controversy about it and given the future governance and plans for the harbour have not yet been decided and are ultimately in his hands?

Deputy Paschal Donohoe: On the latter point, the Deputy is aware of my views in regard to the ownership structure and future of Dún Laoghaire Harbour Company. I reiterate that I am certain a port of that scale, in terms of all of the things it manages, should be part of the local authority in that area, namely, the Dún Laoghaire local authority unit. I am certain that is the right way in which that port should be managed in the future. The legislation to allow this to happen which I am confident will be passed by both Houses this year, will put in place the statutory foundations for the governance and ownership model for that and other ports to be changed. I believe that is appropriate and that it will happen. I am committed to making it happen.

On the Deputy's allegation regarding privatisation of the port, I find that difficult to accept because I believe the port and governance model should remain in the hands of the public. I am certain that operation of the port into the future should be through Dún Laoghaire local authority and local government in that area. On the Deputy's final question regarding the sale of

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land, I have already explained to him that I do not have a role in decisions like that. I have to respect the independent role of directors in boards such as the board of Dún Laoghaire Harbour Company.

An Leas-Cheann Comhairle: Thank you, Minister. Deputy Boyd Barrett has one more question.

Deputy Paschal Donohoe: That board has informed me that the proceeds of sale of that land, were it to go ahead, will be used for maintenance of the infrastructure which the Deputy wants to see developed.

Deputy Richard Boyd Barrett: First, the sale of public land is privatisation. That is what it is. Dún Laoghaire Harbour Company has now put up for sale part of Dún Laoghaire harbour. This is linked to a master plan which the Minister has acknowledged also proposes private residential development in the form of hundreds of private apartments on the site at St. Michael's Wharf and in the old harbour. That is privatisation. This is going on now. The company is pushing this stuff through. As I said, the people do not want this. The Minister is the person in charge, although I agree with him that this matter should come under the ambit of the council. This group of people appear to be a law unto themselves. The Minister said he cannot do anything about this because those involved are independent directors, even though he is the main shareholder. We cannot get proper answers from the council and these directors continue to sell off parts of the harbour, which are earmarked for private exclusive residential development. That is privatisation and the Minister is letting it happen. There was supposed to be a due diligence of the financial situation in the harbour.

Deputy Paschal Donohoe: Again, there is a due diligence process taking place between the harbour company and the local authority, which I support and believe must happen. The reason it must happen is because the appropriate way for that port to be governed, developed and operated into the future is through the local authority in the area. The legislation to allow that to happen will be enacted later this year. I have answered the Deputy's question on my role in regard to the disposal of land. As Minister my role is in regard to moves away from the core purpose of the port. I have been involved in decisions-----

Deputy Richard Boyd Barrett: Building apartments is a big change.

Deputy Paschal Donohoe: -----that required my consent and have come into this House and explained the reasons in some cases I have given consent and in others I have not. My priority in this regard-----

Deputy Richard Boyd Barrett: Building apartments is not a core activity.

Deputy Paschal Donohoe: I am not going to comment on local views or matters in the development of a particular piece of land. I have set out my position on what I believe is the right way for this port to be governed and developed into the future.

Tourism Project Funding

10. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the reason Fáilte Ireland has not granted funding to Donegal County Council for toilets and car parking facilities at Malin Head, now that planning permission has been granted; and if he will

make a statement on the matter. [31945/15]

Deputy Charlie McConalogue: This question seeks from the Minister an explanation for the delay in Fáilte Ireland awarding funding for the development of toilet and car parking facilities at the icon site that is Malin Head now that planning permission has been granted to Donegal County Council for that development. The Minister will be aware that this project is being carried out in three phases. That was the agreement. Phase one, the construction of pathways and erection of the viewing platform, has been completed. The facilities now to be provided form part of phase two, with the third phase involving a wider project. When will the funding to allow the toilet and car parking facilities to be developed be made available?

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): The role of the Department of Transport, Tourism and Sport in tourism lies primarily in the area of national policy. The development of tourism attractions is an operational matter for the board and management of Fáilte Ireland. I have no role in the decision to allocate funding to specific projects. Accordingly, I have referred the Deputy's question to the agency for direct reply.

I am aware that Fáilte Ireland recently completed a strategic environmental assessment of the full Wild Atlantic Way initiative. Given the environmental sensitivity of Malin Head, completion of this assessment was essential prior to the awarding of funding to Donegal County Council to develop plans for the site. Fáilte Ireland is now in a position potentially to provide funding, including technical assistance, to Donegal County Council to prepare plans for a significant visitor enhancement and management solution for Malin Head. Once finalised and costed, the plans could be evaluated for capital funding.

I understand that toilets and car parking facilities will be considered as part of the work but a wider vision and solution is needed if Malin Head and the Wild Atlantic Way are to deliver their full potential for Donegal. Any development works at the site must also enhance the visitor experience at the location and allow for better visitor flow as well as ensuring the protection of the natural environment there.

Deputy Charlie McConalogue: I commend the work of the local community, Malin Head Development Association, local businesses, the Inishowen Development Partnership and, in particular, local councillor Mr. Martin McDermott, all of whom have been working together to try to further this project. I am disappointed by the Minister of State's response. It is three years since Fáilte Ireland, with Donegal County Council and local partners, committed to the development of Malin Head over three phases. Phase one has been completed. Phase two provides for development of the car parking and toilet facilities. Donegal County Council worked with the National Parks and Wildlife Service and planning authorities in respect of planning permission for this project. It did so on the understanding that once permission had been obtained Fáilte Ireland would then provide a grant to deliver on the project. Fáilte Ireland brought people down a pathway on the understanding that funding would be available. Now that the end of that pathway has been reached, Fáilte Ireland is proposing a return to the start of the process and the taking of a new route, with no funding to be provided until that new process has been exhausted. In the meantime, three years have been lost and local businesses and the tourism potential of the county and peninsula is suffering, which is unacceptable.

An Leas-Cheann Comhairle: A question please, Deputy.

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Deputy Charlie McConalogue: I know this is an operational matter for Fáilte Ireland. At the end of the day, however, the Minister, Deputy Donohoe, and the Minister of State, Deputy Ring, are the persons in charge in this matter. Fáilte Ireland has messed up in this process. Will the Minister and Minister of State engage with Fáilte Ireland and ask it to account for how it dealt with this matter? Will they ask in particular that the funding it committed to at the outset once planning permission had been granted be delivered in order that we can see some improvement in the facilities at Malin Head and development of the tourism potential in that area?

Deputy Michael Ring: The Minister of State, Deputy Joe McHugh and Deputy Dinny McGinley have been very supportive of the Wild Atlantic Way.

Deputy Jerry Buttmer: Hear, hear.

Deputy Michael Ring: The Deputy knows that. He also knows that this Government put in place the funding for the Wild Atlantic Way. Last Friday, I was in Donegal, where I met hoteliers, restaurateurs and bicycle and boat suppliers, all of whom are delighted with what is happening with the Wild Atlantic Way. The site in question is a very sensitive site and we must be very careful about how it is developed. There were initiatives that had to be dealt with. They are now dealt with. Fáilte Ireland will make the decisions in future. The Government has always said that the Wild Atlantic Way will be a ten-year plan. We are into the third year and the Wild Atlantic Way is working. A meeting in Donegal last week was the first time those in the tourism sector took the view that there was a way forward and that something was happening for their area. I am delighted that the local community and businesses, including hoteliers and restaurateurs as well as all the other people involved in tourism, are buying into the Wild Atlantic Way.

Malin Head is one of the three designated areas for signature points. Donegal is getting three of these. We will develop them and it will take time, but that is a matter for Fáilte Ireland. Fáilte Ireland will respond to Deputy McConalogue. This Government has provided €10 million. Last week, we provided €3.5 million for signs for signature and photographic points. Everyone in Donegal was delighted last week. I never saw those in the tourism sector happier since I came into it.

I will finish by putting this much on the record. When Deputy McConalogue's Government was in office it was unable to deliver the Wild Atlantic Way. A total of 7.5 million people came into this country last year and 220,000 people are employed in tourism. I am delighted to say that the people of Donegal see a way forward now. They are delighted with the Wild Atlantic Way and we will deliver it.

Written Answers follow Adjournment.

Marriage Bill 2015: Order for Second Stage

Bill entitled an Act to amend the Civil Registration Act 2004 to remove the impediment to marriage of the parties being of the same sex; to repeal certain provisions of Part 7A of that Act relating to registration of civil partnerships; to make provision in relation to religious bodies; to provide for the recognition of marriages under the law of a place other than the State; to amend the Succession Act 1965, the Civil Partnership and Certain Rights and Obligations of Cohabitees Act 2010 and the Gender Recognition Act 2015; to amend other enactments and to provide

for matters connected therewith.

Minister for Justice and Equality (Deputy Frances Fitzgerald): I move: “That Second Stage be taken now.”

Question put and agreed to.

Marriage Bill 2015: Second Stage

Minister for Justice and Equality (Deputy Frances Fitzgerald): I move: “That the Bill be now read a Second Time.”

On 22 May 2015 the people had the historic opportunity to vote in a referendum to extend marriage to same-sex couples. We voted in the largest numbers ever - more than 1.9 million people voted - and we said a resounding “Yes” to marriage equality. In agreeing to add 17 words to our Constitution, “Marriage may be contracted in accordance with law by two persons without distinction as to their sex,” the electorate has determined that our lesbian, gay, bisexual and transgender family, friends and neighbours are entitled to share the social and legal supports of constitutionally recognised and protected marriage.

I was moved by the sheer exuberant joy and delight of many LGBT people and their friends, families and communities over that weekend, as, I am sure, were many of my colleagues in the House. Many tears of profound happiness and relief were shed. Ireland made history on 22 May. We are not the first place in the world that said “Yes” to marriage for same-sex couples by way of referendum – the states of Maine, Maryland and Washington in the USA did so in 2012 – but we were the first sovereign state to do so and we did so by a decisive margin. We debated the issues extensively and listened to many arguments. Ultimately, the people made an informed and generous decision on this vital issue.

In the wake of those often passionate debates, it is important to acknowledge that many who voted “No” did so in the belief that it was the right thing to do. Many voted “No” because they feared that a treasured institution would change. I put it to those people now that there is nothing to fear. Marriage will not be weakened by people who passionately wish to be able to marry. Our concept of family will not be damaged by being more inclusive. Instead, marriage has been strengthened and made responsive to the needs of the 21st century. What has changed, unquestionably, is that our society has decided that our institutions have to reflect the diversity of society. Many LGBT people will find this society warmer and more hospitable as a result of the decision made by the people.

The constitutional amendment requires the enactment of implementing legislation so that marriage may be contracted by two persons in accordance with law without distinction as to their sex. The Marriage Bill 2015 will give effect to the referendum result. It will make the essential changes to the Civil Registration Acts 2004-14 to ensure that same-sex couples may legally marry. It will discontinue the statutory scheme of civil partnership so that the option of marriage will be the only option for same-sex couples, as it is currently for opposite-sex couples.

The Bill will effect the removal of the civil partnership option. Civil partnership was not made available to opposite-sex couples when it was introduced on the grounds that it would be a competing institution to marriage. If it were available to all couples who have the right to marry, it would not respect the pledge of the State in Article 41 of the Constitution to “guard

with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.” Since marriage will now be available to same-sex couples, the Bill will remove the option of civil partnership after a reasonable transition period. It underlines the firm commitment to defend marriage as a unique and paramount institution.

I realise acutely that many civil-partnered couples have waited years to marry. Many entered civil partnerships as a *de facto* marriage. While it is not possible to convert civil partnerships into marriage, in view of the distinct differences between them, the Government has sought to make the administrative processes for civil partners wishing to marry as easy as possible. Where a couple have already booked a civil partnership ceremony that is due to take place during the transition period, they will be offered the option of marrying instead, if they so wish, and there will be no fees for any administrative changes. There will be a reduced fee for civil partners marrying each other if their civil partnership was registered in Ireland. There is no provision in the Bill covering this for the simple reason that it is not required. The relevant fees order can be made by the Tánaiste and Minister for Social Protection under the Civil Registration Act 2004. Her intention, which I fully support, is to reduce that fee significantly from €200 to €50.

I will set out some detail on the Bill. It is a short and rather technical Bill, given the profound effects it will have. It consists of 23 sections set out in six parts. I will summarise the main effects of the Bill. The statutory impediment in the Civil Registration Act 2004 preventing parties of the same sex from marrying will be removed. A couple will be able to accept each other in their marriage vows as husband, wife or spouse. Couples already in civil partnerships will be able to marry one another without having to dissolve their civil partnership. As I noted already, couples who have given notice of their intention to enter a civil partnership will be able to opt to convert that notification into notice of their intention to marry. Civil partnership will be closed to new couples after a transition period. Provision is made for religious bodies and religious solemnisers, a matter I will address presently. Finally, foreign marriages between same-sex couples will be recognised under Irish law as marriages.

Part 1 consists of sections 1 to 3. These are standard provisions. The legislation will be known as the Marriage Act 2015. It will be commenced by a ministerial order, which I will make after consulting with my colleague, the Tánaiste and Minister for Social Protection. I emphasise that the intention is to commence the legislation as soon as is reasonably possible. The General Register Office is already preparing for its implementation. I estimate that it should be possible to commence the Bill within a fortnight of its enactment. This brief period is necessary to enable the registrar to contact couples who have civil partnership ceremonies planned to ascertain whether they wish to proceed with a civil partnership or marry instead.

Part 2 is an important substantive section which changes the current impediments to marriage. Section 4(a) removes the impediment that “both parties are of the same sex” from section 2(2) of the Civil Registration Act 2004. This is the most important provision, because it is this change that will, in the near future, allow many loving and committed same-sex couples to solemnise their marriages.

11 o’clock

Paragraph (b) further amends the impediments to marriage. Since commencement of the Civil Partnership and Certain Rights and Obligations of Cohabitannts Act 2010, the impediments to marriage have included that “[O]ne of the parties to the marriage is, or both are, already party

to a subsisting civil partnership". If we did not amend this provision, the 2,000 or so couples who are already in civil partnerships would not be able to marry each other unless they first dissolved their civil partnerships. The Bill modifies that impediment by carving out an exception relating to civil partners who wish to marry one another. The precise exception is then set out in a new section 2B of the Civil Registration Act 2004, inserted by section 6. That new section specifies that "There is not an impediment to a marriage by virtue of both of the parties to the intended marriage being parties to a subsisting civil partnership with each other". It is simple and limited, and ensures that a couple in a civil partnership wishing to marry each other are not put through the onerous and futile requirement of having to dissolve their civil partnership. Of course, a civil partner will continue to be unable to marry a third party if already in a civil partnership.

Paragraph (c) sets out a new impediment to marriage. At the current time, the impediments to marriage are set out in marriage laws which predate the State. The Marriage Act 1835 specifies that marriages within the prohibited degrees of consanguinity or affinity are absolutely null and void. I shall briefly explain these terms. Consanguinity refers to a blood relationship, as in the relation of people who descend from the same ancestor. Affinity refers to a relationship based on marriage rather than on common ancestry. As Members will know, the current law has specific limitations in place as regards the degree of consanguinity or affinity which may exist between parties to a proposed marriage.

Paragraph (c) of section 4, together with a new section 2A of the Civil Registration Act 2004, inserted by section 5, sets out that prohibitions on the grounds of consanguinity or affinity shall apply to couples of the same sex as they do to couples of the opposite sex, subject to any necessary modifications to those prohibited degrees relating to the sex of the parties. These provisions are in line with our overall policy to interfere in the implementation Bill as little as possible with existing provisions of law relating to marriage. The Bill follows through on that principle and is in place only to the extent that it is necessary to deliver on the decision the people took in the referendum.

Part 3 of the Bill consists of a single section setting out the position for religious bodies and religious solemnisers. A religious solemniser is a person, such as a priest, who is registered with the General Register Office as a solemniser of the church or religious denomination of which he or she is a member. We have been very clear that equal marriage as a right refers to the civil aspect of marriage, and not to any religious or sacramental aspect of it. Historically, many religious bodies in Ireland have carried out the civil aspects of marriage simultaneously with the religious aspects and this will continue to be the case. It has always been the case that religious bodies have substantial discretion in choosing which marriages to solemnise in accordance with the tenets of their beliefs, and it is important to stress that this will remain the case. Nevertheless, it was considered important to make it absolutely explicit in the Marriage Bill that religious bodies will not be compelled to solemnise particular marriages as a consequence of the amendment of statutory provisions. This special provision is limited to the specifically religious activities of religious bodies and solemnisers. It does not affect or restrict the operation of equality legislation more generally.

Section 7 specifies that neither this Bill nor any other enactment shall require a religious body to recognise a particular form of ceremony. A "form of ceremony" is defined as including that form in so far as it relates to the sex of the parties to the ceremony. The effect of this provision is to ensure that no religious body will be required to authorise new marriage ceremonies for same-sex couples. The section goes on to specify that no religious solemniser shall

be obliged to solemnise a marriage in accordance with a form of ceremony not recognised by the religious body of which he or she is a member. This is a double-lock guarantee. Neither a religious body nor an individual cleric will be compelled to solemnise marriages which do not comply with the marriage criteria of the relevant religious body.

In short, section 7 demonstrates that the constitutional guarantee contained in Article 44 of the Constitution, namely, that each religious denomination shall have the right to manage its own affairs, is not undermined by this most recent constitutional change. What this means is that religious bodies will not be compelled to do anything by this legislation. They will have the choice to decide whether to solemnise same-sex marriages. I am aware that some religious denominations may decide or may already have decided to enable same-sex couples to marry in their ceremonies. There is nothing in this Bill or in the Civil Registration Act which will restrict them from carrying out the civil as well as religious aspects of these marriages. That decision will be up to them.

Part 4 sets out the arrangements being made for civil partnership. As I have already mentioned, that policy, based on the new constitutional context, is that civil partnership registration will cease after a reasonably short transitional period. Section 8 repeals a large proportion of Part 7A of the Civil Registration Act 2004, which had set out the basis for registration of civil partnerships. Some provisions are retained to ensure proper maintenance of the civil partnership register for the protection of couples who are currently civil partners.

I should, of course, stress that the status of current civil partners will be completely unchanged. There is no question of removing any of the rights and obligations of couples in civil partnerships or of changing their status in regard to each other. They will be free to marry each other if they so choose, but are under no obligation to do so. If they choose, they can remain as civil partners for the rest of their lives. To achieve this, the repeals in the Bill are carefully targeted so they will remove access to civil partnership registration, but will leave the status of existing civil partners unaffected. They will also preserve the registrar's powers and responsibilities regarding corrections to and maintenance of the civil partnership register.

Section 9 inserts a new Part 7C in the Civil Registration Act 2004 to make certain transitional provisions. The inserted section is a technical one which allows the registrar, on the marriage of a couple who are civil partners, to record in the civil partnership register that the civil partnership was dissolved on their marriage to each other. This is a housekeeping provision; where the couple have registered their civil partnership in Ireland and subsequently marry here, those facts will be fully recorded in the registers.

The new section 59L of the Civil Registration Act 2004 contains important transitional provisions relating to the wind-down of civil partnership registration. For example, for couples who have already notified the registrar of their intention to register in a civil partnership, it provides that they may request that the notification be converted into a notification of marriage. The notification period does not re-set, so a couple who have notified the registrar of their intention to register in a civil partnership on 1 December may be able to convert that notification into a notification of their intention to marry on that same date.

The registrar will contact couples directly in the coming weeks to advise them on the differences that exist between the impediments to civil partnership and those relating to marriage. This is to ensure that in the unlikely event of a couple being prohibited from marrying by the prohibitions relating specifically to marriage, they will be able to proceed to civil partnership

instead. The section also provides that where a couple have completed a civil partnership registration form before the commencement date, it will remain valid. The couple will be able to proceed to register their civil partnership within the six month period for which the form remains valid. These are all necessary technical adjustments.

Another exception is made for the very unusual circumstances in which an objection to a civil partnership registration is made. If a couple are unable to register their civil partnership due to an objection which, on investigation, is found to be without merit, they will still be able to proceed to register their civil partnership, even if the finding that the objection is unfounded is not until after commencement of the Bill. Despite the repeals set out in section 8, those repealed provisions will continue to apply in their entirety to the exceptional cases I have just outlined.

Some of the circumstances for which these exceptions are set out, as Deputies will see, are quite unusual and may not arise. However, if they did, the consequences for a couple who found themselves in those situations could be quite grave. They would no longer be able to assume legal rights and responsibilities for each other and receive legal protection for their relationships. The exceptions that we are making are careful and limited. They are designed to ensure that couples who have already commenced the formal legal processes involved in registering their civil partnerships can do so. They are very practical sections.

Section 10 inserts a new section in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010. Although the general rule is that a civil partnered couple may not dissolve their relationship unless they have been separated for two out of the previous three years, this new section specifies that where a civil-partnered couple marry each other, their civil partnership is dissolved effective from the date of the marriage. This is to ensure that the status of the couple in relation to each other is completely clear and they are not considered to be married and civil partners at the same time.

Part 5 deals with the recognition of certain foreign relationships. It essentially provides that marriages lawfully contracted abroad by same-sex couples will be recognised as marriages here. Under current law, a marriage is not recognised in Ireland if, under the law of their habitual residence, the parties did not have the capacity to marry at the time that they married. If we did not include specific provisions on recognising foreign relationships, this could have serious consequences for Irish couples who married in other jurisdictions before the commencement of this Bill. Subsection (1) therefore specifies that the sex of the parties to a marriage does not preclude its recognition in Ireland. Of course, if there were another impediment, such as one of them being already married or underage, the marriage would not be recognised. The same rules apply.

Subsection (2) specifies that the recognition of a marriage between a same-sex couple will take effect from the date of the marriage or the date on which the section comes into force, whichever is later.

Subsection (3) provides that a marriage recognised under a section 5 order is not precluded from being recognised as a marriage. Section 5 orders are the orders under the civil partnership Act that recognised certain registered foreign relationships as entitled and obliged to be treated as civil partnerships under Irish law. These orders essentially recognised marriages contracted abroad as civil partnerships here because we did not have marriage then so that was the way we dealt with it. These provisions, given that we have a changed situation, are now being removed.

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These marriages contracted abroad will therefore be able to be treated as marriages with no need for any further action on the part of the couple married abroad.

Subsection (4) provides an exception to the recognition rule for cases in which a couple has married in another jurisdiction and has since dissolved that relationship, whether under the provisions of the civil partnership Act or otherwise. It would be absurd and unfair to subject a couple in these circumstances to having to divorce for, as they would see it, a second time.

Subsection (5) is another transitional provision relating to relationship breakdown. Our constitutional provisions on divorce require that the couple concerned must be separated for four out of the previous five years in order to divorce. This provision takes account of the fact that some couples who married in another jurisdiction may currently have been separated for some time. Recognition of their marriage should not reset the clock, and so a period of separation prior to commencement of the Bill will be taken into account for the purposes of the Family Law (Divorce) Act. There is other legislation for which periods of separation are similarly relevant, including access to certain State benefits. Any pre-commencement separation period will be recognised for those purposes too.

Subsections (6) to (10) of the section repeal each reference in every section 5 order to marriages made in the specified jurisdictions. This ensures that marriages will be recognised exclusively as marriages. There will be no risk of their being treated as marriages in some situations and as civil partnerships in others.

Section 12 sets out a restriction on the recognition of other types of foreign relationship recognised by section 5 orders. I have set out the policy that civil partnership registration for new couples is to close. The last day on which a civil partnership may be registered in Ireland will be six months after the Bill commences. For consistency with this policy, section 5 orders will not recognise new civil partnerships registered in other jurisdictions more than six months after the Bill commences. Couples whose relationships are currently recognised will be completely unaffected by this change. Couples whose relationships are registered after the cut-off date will not be recognised as civil partners in Ireland. However, the option to marry here in Ireland will be open to them.

Part 6 of the Bill amends a range of legislation. Some of the amendments are simply to ensure that a married person has the same rights and obligations whether the person is married to someone of the same sex or someone of the opposite sex. I will outline these very briefly. Section 15 amends the Guardianship of Infants Act to ensure that where a child is jointly adopted by same-sex spouses, both will be the guardians of the child jointly. If either spouse dies, the other will be the child's guardian alone, or with any testamentary guardian or court-appointed guardian. It also amends section 6B(1) of the Act, which was inserted by the Children and Family Relationships Act 2015. Where the spouse, whether the husband or the wife, of a donor-conceived child's birth mother is also a parent of the child within the meaning of the 2015 Act, that spouse is also automatically a guardian of the child.

Section 16 amends the Succession Act 1965. The usual rule is that a will is revoked on the marriage of the testator, unless the will is made in contemplation of the marriage. The amendment modifies the rule so that, where civil partners marry each other, a valid will made by either of them will not be revoked by their marriage. A reference in such a will to the testator's civil partner will be construed as a reference to the testator's spouse. This will reduce the risk of unexpected consequences emerging, possibly many years later, for civil partners who marry each

other. It will also eliminate unnecessary administrative burden and costs to them in preparing new wills.

Section 20 amends the statutory provision setting out the declarations to be made by the parties to a marriage within the ceremony. Each of the parties can, as appropriate, accept the other as a husband or a wife or a spouse. This ensures that there is no question of a same-sex couple only being able to accept each other as spouses. This will not require any change to any form of ceremony currently approved. Opposite-sex couples remain free to accept each other as husband and wife. However, this is one of the few provisions in the Bill which has a very small direct effect on opposite-sex couples intending to marry. This is because these couples may also, depending on whether they are marrying in a religious or a civil ceremony, choose to accept each other as spouses, if they prefer.

Section 23 makes a very symbolically important amendment to the Gender Recognition Act 2015, in that it removes the single status requirement for an applicant for a gender recognition certificate. On commencement of that Act, those provisions were not commenced because the marriage amendment had already taken effect. This was a source of great relief for people who feared they would be in the invidious position of choosing between their relationship and their preferred gender. The Tánaiste, Deputy Joan Burton, has done a huge amount of work on these provisions and I am very happy to take this early opportunity to remove them entirely.

As can be seen from what I have said, this is a short Bill. It is very technical. It must deal with many technical issues, but it is clearly a momentous Bill which brings into force the amendment supported by the people of Ireland earlier this year. That result was brought about because of the actions of a very broad range of people and, as I stated at the beginning, because of individual stories, the support the LGBT community got from so many individuals throughout the country, the work of people from Yes Equality and the Marriage Equality campaign and so many individuals who made such a contribution.

The Bill confirms that marriage is not being changed. Couples will go through largely the same arrangements to register a marriage once the Bill has been enacted as on 21 May. However, what will have changed fundamentally as a result of the referendum is the notion that marriage is the preserve of one group and denied to others. What will have changed radically is the idea that some couples' relationships are less valued than others. On 22 May 2015, the people of Ireland sent forth to the world a resounding message about Ireland. They told the world that Ireland values people in all their diversity. They told the world that Ireland values relationships. They reminded the world that families come in many forms and all deserve our support. We owe it to the people of Ireland to implement what they have decided. We owe it to the many couples who are waiting patiently to get married. That wait is coming to an end. This legislation will enable couples to get married without distinction as to their sex. Finally, marriage equality will become a reality in Ireland. I commend this Bill to the House.

Deputy Niall Collins: It is a great pleasure to welcome this Bill before the House today, which will implement the will of the Irish people as expressed in the referendum result in May this year. Ireland has travelled a significant road to reach this point today, where legislation can be introduced in Dáil Éireann to allow for same-sex marriage in our State. The date 23 May 2015 will be remembered and celebrated in our Republic and across the world for years to come. As a country - the first to approve same-sex marriage in a popular vote - we can be rightly proud of the journey we have made together. I take this opportunity to thank and congratulate all those volunteers, both from political parties and from civic society, who went out

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night after night to knock on doors to win this campaign.

I was honoured to have led the Fianna Fáil efforts in the campaign in May as our director of elections for the marriage equality referendum. One thing on which I am sure the Minister will agree is the massive contribution made by young people throughout the country in this campaign. The engagement from our young people was heartening and created a buzz and positivity throughout the weeks leading up to the referendum vote. The fact that many supplementary registers were adding thousands of new young voters before the referendum shows that our young people remain engaged and anxious to play an active role in our political system.

I hope that Members opposite would allow me indulge in noting today Fianna Fáil's role in legislating for key issues in the lesbian, gay, bisexual and transgender community, guided by the fundamental principle of equality among citizens. From the decriminalisation of homosexual acts in 1993 to the Civil Partnership Act 2010, it was a Fianna Fáil-led Government that brought legislative change. This legislation before us today is a natural outcome of the years of progress that have been made thus far. As I did during the debate to legislate to allow the referendum take place, I commend the Government and the Minister on putting the referendum before the people and winning that referendum. I also congratulate the Minister on finally putting in place the last piece of legislation required to allow for same-sex marriage to take place in this country.

I will note one area of dissatisfaction in how this legislation has been brought before the House. I would like it noted by Members that when the Supreme Court examined the judgment on the marriage equality referendum's process, the judges noted that it was relevant to mention the fact that we in this House and in the Executive must respect "the legal process by other organs of State". This is not the first time this Government has come into difficulty with referendums and the Judiciary. The judgment of the court did not affect the progress of this legislation, but that is not to say that a similar mistake on behalf of the Government in the future could not undermine referendums. The Supreme Court had time to consider the appeal from a member of the public but there was sloppy practice from the Government that could have serious consequences if it is replicated in the future.

I am happy that I and my party have the opportunity to vote for this Bill, which is a result of decades of hard work by so many people. It is an important moment in the journey towards full equality for same-sex couples and I believe the legislation before us will strengthen the concept of marriage in Irish society. I look forward to seeing this important legislation passed by the Dáil and Seanad so that it can be formally enshrined in law.

Deputy Pádraig Mac Lochlainn: The events of 22 May 2015 changed lives forever. The result of a referendum in favour of marriage equality was hard-fought by equality champions along a journey that stretched back many years. They changed lives that day when they campaigned and marched for rights. Those people faced discrimination and intimidation and were labelled second-class citizens. Those people stood tall when others tried to bring them down on their knees. They knocked on doors, wore badges, spoke to their friends and built the movement for change and the movement for equality. These are the people I am so deeply honoured to call family, friends, comrades and fellow Irish men and women. They were ordinary people who carried out an extraordinary task. They saw injustice and set about to change it, and that is deeply commendable.

Sinn Féin welcomes this Bill to the floor of the House with open arms. It is a momentous

occasion, where we as a people come together to end a two-tier system of marriage inequality. Sometimes in reading from a speech it is much better to speak from the heart. Today I will stick to the strict script and we can enjoy the peculiarities of parliamentary practice. Marriage is about one thing: love, and a lasting commitment to honour love. Nobody should ever be denied that opportunity. It is quite difficult to sum up the magnitude of this decision. It is hard to put into words the effects that this will have, the happiness for thousands of citizens and their families and the foundation it has laid to build on this equality and expand it in terms of socio-economic rights to others at the margins of society. This great occasion called for something different. It needed to hear a voice representing those who it affects the most.

The following is an extract from a letter that was sent to me from a gay man who became a civil partner in May and now plans on becoming a husband. Chris put his journey into words and they carry much more weight than mine. He states:

As a gay man who in his formative years was terrified by my own identity, it is impossible to accurately communicate the meaning of what the result truly means to me. When I was a teenager I hated myself because I did not fit in, I did not belong, I was an outcast. I thought that being gay was a feeling that would just go away and that someday I'd marry and have my own family. The feeling of being attracted to another man never went away. In reality, the law told me I was a criminal. The church told me I was an abomination and the mere mention of being gay in the schoolyard was enough to set off alarm bells that stopped me from being the person I wanted to be.

Although the decriminalisation of homosexuality took away the criminalisation aspect, it did not change how I felt inside. Inside, I had a shadow over me, a scar, and I was wounded. My true identity was not just hidden from my friends and family – it was hidden from me. I was oppressed by my own conditioning and the loneliness nearly killed me, for nobody knew the isolation in my head.

He continues:

Coming out was one of the most terrifying moments of my life. I had to ask those around me for their approval. I was terrified they'd reject me and I'd become further isolated in my own loneliness. In the end, nobody rejected me. Those around me only wanted me to be happy and to encounter the true feeling of love. You see - the isolation and marginalization was embedded in my subconscious since my early teens. It took years for me to see it and to deal with it. From working with groups like Gay Switchboard I knew I wasn't alone and I know there's many more like me.

Four years ago I found that love. I found the most beautiful kind hearted [soul] and I cherish every day I have with him. It took me 40 years to find him and I'd wait another 40 years to spend just one day in his company, to experience just one moment of the serenity of love. We're planning on getting married in August. We don't know if it will be a civil partnership or marriage as the legislation may not be through in time. But we don't care because May 23rd represented our freedom, our emancipation!

For me, The Marriage Equality Referendum represents the abolition of the shadow I held inside. The emphatic nature of the result was Irish society saying it's OK to be gay - it's OK to be different and we want you. It was normal Irish people sending a message to say we are equal and they want to shake off the shackles of the past and demanding a new,

equal Ireland.

On the day of the count, when we were inside the central count centre waiting for the final declaration in Dublin Castle, it was an honour to be there but my heart was not in the courtyard. I wanted to be outside. I wanted to be with my soul mate. That's my only regret but I'm sure there'll be plenty of time to make up for it.

I'd go so far as saying that in a hundred years' time the 23rd of May will be seen as, not Ireland's, but one of humanity's proudest moments because it was a day when equality conquered fear. Perhaps May 23rd should become a bank holiday and called Equality Day to remind future generations of the significance of, not just our emancipation, but the equality of every citizen.

I wanted to read Chris's words into the record today because they say much more than the typical contribution from a political party to a Bill on a day like this. Just reading them now has the hair standing on the back of my neck. Chris's journey, and the journey of thousands like him, is admirable. It makes me proud that I put an X next to the Tá box on the day of the referendum.

This Bill is, therefore, welcome. I commend the speed with which the Government has brought it before the House following the court challenges and it goes without saying that Sinn Féin will not be submitting any amendments, but will facilitate the speediest passage possible through both Houses in order that Chris, and other couples throughout the State, can marry the person they love as soon as possible.

There's a Gaeilge saying: "Níl aon leigheas ar an ngrá, ach pósadh", meaning "There is no cure for love, but marriage". To stand in this House to legislate for that love, for marriage equality, is an honour.

Acting Chairman (Deputy Liam Twomey): Deputy Halligan is sharing time with Deputies Paul Murphy and Clare Daly.

Deputy John Halligan: So I gather. I will take my ten minutes for starters and see what happens. Not only does this Bill give effect to May's referendum by making marriage equality a reality in Ireland, it also puts into perspective just how extraordinary the vote was. If one looks at foreign media over recent months, especially during the referendum, Sky News, BBC, Fox News - of all news stations - and others all recognised that something extraordinary was happening in Irish politics and in the Irish political or social system. Although about 20 countries worldwide had already legalised gay marriage, what was so extraordinary about Ireland was that we became the first to do so in a plebiscite and we showed the world just how far we had come since 1993 when homosexual acts were still illegal in this country. The 1.2 million people, 62% of the population, who voted in favour of same-sex marriage in May are now inspiring governments in other countries around the world to proceed with a similar referendum. That is an historic achievement of which people should be proud. I know Irish people around the world in other countries where there is a difficulty with same-sex marriage are advocating this on social media and are advocating change in countries where it may or may not take place in the next few years. The battle to get to this day has been hard fought. I acknowledge the campaigners who put many years into working for a "Yes" vote. There is a widespread consensus that it was the parents, grandparents, siblings, cousins and neighbours who made a "Yes" vote a reality.

I also acknowledge the cross-party co-operation. For instance, I openly canvassed with Seán Kelly, MEP, in Waterford one full Saturday and I thought he was fantastic. I had some of my councillors with us and there were also some Fine Gael councillors. We all worked together on that day and that was very important, to show the people this had cross-party support. It remains important. Perhaps it is a message for further on in the Dáil that we are not all about being in opposition or in government. It is possible to work together and we need to be more communicative with one another to be able to do that because many ideas and ideals are not too far apart for many of us. If the Government does something good, I acknowledge it. I have acknowledged the Minister, Deputy Fitzgerald, on a number of occasions and I do so again now.

We also need to acknowledge the honesty of the young campaigners who, in sharing their personal stories on the doorsteps and in the media, convinced the Irish electorate that it was not a debate about family values but simply a debate about equality. That was very important. This was not about values but about equality. It was about removing discrimination and prejudice from the personal decisions that everyone in the country now had a right to make. It is wonderful that the current generation of Irish schoolchildren will grow up in a country where civil marriage is a legal, political and human right for all. As they do so, I hope the homophobia that was commonplace in previous generations fades into oblivion. Those of us who bothered to go out and campaign and knock on doors and so on got a little bit of it and it was dreadful to find that there were still people who had this homophobia embedded in them for some reason. Having said that, it was quite clear to many of us during the debate and the campaign that this was going to be passed, that a substantial number of people were going to stand by this Bill and the proposals the Government had put forward.

That is why I applaud the Government for making the passing of this Bill a priority in this new Dáil. Registrars and wedding venues are already experiencing a surge of inquiries from same-sex couples wanting to tie the knot. Many of these people have waited decades and the sooner we can get this Bill through the House, the better for them. I think it will pass pretty quickly, as Deputy Mac Lochlainn said. I welcome the provision in the Bill which states that same-sex couples who contracted marriage in another state are automatically recognised once this Bill passes and the Act commences, and that the marriage is recognised not just from the day of commencement of the Act but from the date of the actual marriage. This will be meaningful to many couples.

Although I was wholeheartedly disappointed with the church's campaign for a "No" vote in the referendum, I agree that priests and religious ministers or organisations should not be compelled to solemnise a marriage under the Bill. Just as I believe in equality, I also believe in the right of religious freedom and I am a humanist and an atheist. This is still a highly sensitive issue and Irish people now hold a broad range of views on it. It is important the referendum was never about asking people to change their beliefs in any way. We were insistent that this was an equality issue, as has been said by the European Parliament and all the campaigners on the "Yes" side. It is important we remember this is what it was about. The Government parties, in supporting the referendum in May last, made great leaps in recognising the injustice and discrimination in Ireland in the 21st century. They further demonstrated their support for equality by introducing the Gender Recognition Act, which is a marvellous piece of legislation. I must applaud the Government on bringing forward that long-overdue legislation. This has been spoken about in manifestos by Government and Opposition over a long number of years and I wondered was it ever going to happen. I am delighted that happened. It is important for all of us.

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It is important for this country to push ahead and to deal with what we perceive to be inequality within our country. There is a lot of inequality in our country. This is not the time to talk about it. We are here now to congratulate and praise the Government and the Minister for bringing this legislation forward.

I thank all the people of Ireland, particularly the young people. Fourteen friends of mine who had emigrated to Australia came home specifically to vote and then went back after two days. It was a wonderful act to come all the way from Australia. They were tired on arrival, came down from Dublin, voted and two days later they went back. They felt strongly about it and I think that is important.

I again congratulate the Government. I congratulate all in the Opposition who came together to stand by this Bill. I am delighted that it will speedily go through the Dáil.

Deputy Jerry Buttmer: I think I have 20 minutes. The Whip's office was on. I think the Technical Group's last speaker was Deputy Halligan, am I right?

Acting Chairman (Deputy Liam Twomey): That is correct.

Deputy Jerry Buttmer: I compliment the Minister and commend her for successfully piloting this Bill through the House today but, more importantly, for her work prior to the referendum. It is appropriate this morning that we pay tribute to the men and women of the Yes Equality campaign who are in the Gallery. These are people who have for a long time worked to bring the referendum to the people.

The Minister, in her speech, stated that the Bill was giving effect to the vote of the people, and that is what we just did. Four short, but seemingly long, months ago the Irish people voted after a campaign the likes of which was not seen before in any type of referendum or political campaign and that is a tribute to everybody who was involved in the Yes campaign. We will not engage in revisionism or re-fight the referendum today, but all of us could read out a letter, such as Deputy Mac Lochlainn's, because the referendum empowered people. The referendum gave people a licence from within to be free, to be who they were.

I suppose it was encapsulated by Ursula Halligan in her remarks during the referendum campaign about herself. For those of us involved in public life there is a certain element of us signing up for it, but if I could, I will pay tribute to Ursula Halligan for her courageous bravery in a key part of the campaign. When we hear about standards in journalism, this was a woman, in my opinion, who was absolutely brave, and I commend her on the floor of this House.

The Minister, in her remarks, makes reference to the new provision in Article 41. Is it not fantastic that we can have a new provision within the Constitution? Next year, we will celebrate the centenary of the Rising. This year, the Irish people have had their own rising, awakening and empowerment, and by their vote they have said "Yes" to each one of us. That is why this referendum was so important and that is why this Bill is critically important.

It may be a technical Bill but it means so much more to many of us because it is about our lives and the quality of the lives that we all share. One hears about people shattering glass ceilings and about reaching to the highest offices in a part of the world etc., but if one were to reflect on the period since we decriminalised homosexuality to today, there has been a considerable change in the attitude and culture of the Irish people toward those of us who are gay, lesbian, transgender and bisexual. One need only look at what we achieved in the calendar year of 2015

- the Gender Recognition Act, the Children and Family Relationships Act 2015 and marriage equality.

Last week I happened to be in the Balkans where I had the pleasure of speaking in the Serbian Parliament in Belgrade. The sense of Ireland amongst people there because of this vote has increased 100%. I was in the company of many people. Mr. Brian Sheehan, who is involved with ILGA-Europe, is here in the Gallery and he knows much more than I do about the struggle and fight of many to bring change across the world. Those people engaged in a struggle are uplifted by what we have done. It is not about the politicians. It is about the people involved in Yes Equality, Marriage Equality, GLEN, LGBT Noise - all the groups coming together to form one concerted unified voice.

I was struck during the course of the referendum campaign, as the Minister for Agriculture, Food and the Marine, Deputy Coveney, and I stood at the College of Commerce bridge in Cork, by the engagement of people. Whether pro or anti, they were engaged. The referendum was a demonstration of political engagement that, I hope, many of us can replicate in other social issues and other issues of importance. As for what the referendum did, I use the word “empowered” a lot. Having canvassed nearly every night with people who were never involved in any type of political process previously, after the first night they got into the referendum campaign and enjoyed it, and it gave them a licence but it also gave them a sense of civic duty.

I suppose one of my nicest moments in the referendum was seeing, at almost a minute to closing time on polling night, a young man sprinting in to vote having had to go through an arduous bus journey. Having had to take a difficult route because of a car crash, he got there. He sprinted, and leapt in the door. That is what it meant.

It meant grandparents and parents, in many cases for the first time, had a conversation with their child, grandchild or family member. I do not want to relive the campaign, but the opponents of the referendum did not understand that this was about people. It was about humanity.

The Pope is in America today and he is meeting President Obama, and he is, hopefully, engaging in a changing of the church’s attitude. The Minister makes reference to the issue of religious solemnisation in the Bill. I hope - I want to use this Chamber today - to extend an invitation to the hierarchy of the church, in particular, the Catholic Church, to meet those of us in the LGBT community and to engage with us in a dialogue that is meaningful and real because this is about the lives of people. It is not about a church teaching or about State versus religion. It is about the lives of all of us. I hope Archbishop Martin, as the Primate of Ireland in Armagh, will engage and I invite him to, and I will write to him after today to do that. It is important as we move to an Ireland that is a gentler and friendlier society that we have real engagement.

It would be remiss of me if I did not make reference to Yes Equality people in Cork. They ran a phenomenal campaign. It motivated and inspired a whole new range of people to become involved in civic society and I commend them on it. It is extraordinary that in this Chamber today we are debating a Bill that arises from a referendum result to allow all of us to get married. The Taoiseach, in his Ard-Fheis remarks in Castlebar and during the course of the campaign, and the Minister for Justice and Equality, Deputy Frances Fitzgerald, today, mentioned 17 words. That is all it is: “Marriage may be contracted in accordance with law by two persons without distinction as to their sex”. That is what it is.

In the course of the Minister’s remarks, she referred to section 16 in terms of the Succes-

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sion Act. I have received a number of pieces of correspondence regarding it around the issue of section 67A of the Succession Act, about which some people have concerns regarding people who are gay. I will pass the information to the Minister. There are issues she might examine. Although I am not a qualified expert in it, some of the people who have contacted me are and I will be happy to pass the information on to the Minister after the debate to see whether she and her officials see any merit in the suggestions being proposed.

Ireland's position in the world has changed as a consequence of the vote. While we are a small nation, in that last week of May we had a huge heart and shone brightly across the world. I was in America during the summer, where the Supreme Court made its decision, and they were still in awe that the Irish people, in their eyes a conservative nation, would have voted in such numbers for marriage equality.

The Minister of State at the Department of Transport, Tourism, and Sport, Deputy Ring, was here earlier and was getting worked up about the Wild Atlantic Way.

Deputy Finian McGrath: He is always getting worked up.

Deputy Jerry Buttiner: In his absence, we could use the referendum result as a tourist benefit for the country. We could seek out people to come here.

Deputy Finian McGrath: Yes, Dublin Bay North is a beautiful place to visit.

Deputy Jerry Buttiner: That is what I am saying, yes. The Deputy has a fine hotel in his constituency which we could use for weddings, wedding fairs and stag nights.

Deputy Finian McGrath: Yes, Clontarf Castle.

Deputy Jerry Buttiner: The message we sent was a positive and welcoming one and I hope our tourism sector can build on it because there is economic potential.

In the Minister's capacity as Minister for Justice and Equality, I hope she will work with other countries to bring equality. As long as we see inequality in parts of the world where people's human rights are being denied, particularly people who are lesbian, gay, bisexual or transgender, we have a job to do. While we, in this country, may be putting the roof on our house, work will always remain to be done in the pursuit of equality. In many parts of the world there are people less fortunate than we are. As I said, I was in the Balkans last week, where they have made significant progress in some states. Although progress is being made, we have much work to do. While we may be happy today in our country, we must not lose our international outlook in working with our brothers and sisters who require and need our help. We must always be outward looking in how we approach the issue of rights for LGBT people.

In 2012, I had the pleasure of forming Fine Gael LGBT with a group of very dedicated people. I commend those people, whom I will not name. The Minister was the first Minister to speak at the inaugural event. It was because of those people within my party that we got major support across the board and I pay tribute to the members of Fine Gael LGBT. I never thought I would speak in a parliament welcoming such a Bill. Ironically, on this day in 1984, I entered St. Patrick's College, Maynooth as a seminarian. It just came into my head as I spoke, 23 September. On that day, Kerry beat Dublin. The roles have been reversed. It is ironic that, today, I can speak on the Bill as an openly gay Member of our Parliament, of Dáil Éireann. I am very proud of this and I commend the other Members of our Dáil and Seanad who are gay and

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lesbian because they have played a major role. I also thank all Members of the Dáil for their support, not just in the referendum but in the events up to it and since. For many in the Chamber it was a significant leap forward, a journey which many did not shirk. I commend them on it.

It is a fantastic piece of legislation, and is not just technical but very personal for many of us. The referendum result in May transformed people's lives and gave them a new and different outlook and attitude about themselves. In a time when we speak about mental health, the referendum in May freed many people from the shackles of worry and concern about what people thought about them and how they would be treated. The Irish people across our country, in hundreds of thousands, who had never voted before, said "Yes" to marriage equality. What pleased me most was that we gave old and young, mothers and fathers, and grandparents the opportunity to say "Yes" and they did not let us down. The challenge for all of us in the political world is to listen to the people on social issues and engage with them.

I pay tribute to the former Minister for Justice and Equality, Deputy Shatter, whom we should mention today, for the role he played before leaving office. He was a significant player. We always say civil partnership was a "stepping stone". It was probably the wrong term. It was what was available to those of us who wanted to get married at the time. Thankfully, it will enter the lexicon of history and we will have full and equal marriage.

Again, I thank the people involved in Yes Equality, without whom we would not be here today. They mobilised and supported people, travelled the country and made it personal. The referendum campaign was an opportunity for people to tell their stories, and that is what happened. It was a telling of a story that had a ripple effect that challenged the perception and the notion, and that gave people the opportunity to vote "Yes" to change our world for the better. I commend the Bill and thank the Minister for her work. I look forward to its being enacted and to the first marriage in our country which we will celebrate as a new and better Republic in which we are all free to be who we are.

Deputy Finian McGrath: The Deputy will have two courses at that wedding.

Deputy Paul Murphy: For us, the Bill marks a big step forward for LGBTQ equality in Ireland. The referendum was an opportunity for people across Ireland - and they took it - to say they opposed discrimination and homophobia. The referendum was held because of pressure from campaigning groups and the vote was won because of activists who had worked tirelessly over the years on the issue, Marriage Equality, the Gay and Lesbian Equality Network ,GLEN, LGBT Noise and a host of other organisations. LGBTQ people who had never been politically active before became campaigners and fighters for equality, going door to door, talking about their stories, mobilising their friends, organising canvassing and sharing their stories on social media. The work they did had an enormous effect across the country. Particularly, young people, women and working class communities were inspired to mobilise, come out to vote and be part of the campaign.

12 o 'clock

People instinctively understood that discrimination should be rejected and supported the referendum.

Debate adjourned.

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Topical Issue Matters

Acting Chairman (Deputy Liam Twomey): 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 Jim Daly - the need to publish the review of the Protection of Employees (Employers' Insolvency) Act as a matter of urgency;

(2) 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;

(3) Deputy Pearse Doherty - the need to identify alternative accommodation for the HSE-operated training centre for people with disabilities at the Cleary Centre in Donegal town;

(4) Deputy Eric Byrne - the need to protect the cairns at Tibbradden, County Dublin;

(5) Deputy Thomas Pringle - the need to address funding concerns for the Rosses community development project in County Donegal;

(6) Deputy Jerry Buttmer - the need for increased respite services for adults with intellectual disabilities in County Cork; (7) Deputy Michael McNamara - the need for a timeline to be provided for ongoing works on the N67;

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

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

(10) Deputy Catherine Byrne - the need to increase the scope of the Road Traffic Act to address the increasingly dangerous use of dirt bikes in communities;

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

(12) Deputy Joe Costello - the need to reassess the policy of a VAT reduction on services provided by the hospitality sector; (13) Deputy Noel Harrington - the need for funding to address flood damage caused in areas of west Cork in recent weeks;

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

(15) Deputies Mick Wallace and Clare Daly - the need to discuss Ireland's response to the current refugee crisis; (16) Deputy Richard Boyd Barrett - the need to declare a housing and homelessness emergency;

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

(18) Deputy Billy Kelleher - the need to consider the introduction of tax measures to reduce sugar intake

The matters raised by Deputies Michael McGrath; Eric Byrne; Mary Mitchell O'Connor; and Mick Wallace and Clare Daly have been selected for discussion.

Dáil Éireann
Leaders' Questions

Deputy Micheál Martin: I want to raise with the Taoiseach the sale of NAMA's Northern Ireland loan book, known as Project Eagle. This is the largest sale in which NAMA has engaged to date. We know from correspondence to the Minister, Deputy Noonan, at the time that even though misgivings were raised by one of the bidders - Pimco, which made NAMA aware of fee arrangements with third parties including NAMA's adviser on the Northern Ireland advisory committee - the Minister did not suggest to NAMA that the whole thing should be stopped in light of the stench that was emerging at that early stage. Of course, we know about the fee arrangements between the solicitors' firms - Brown Rudnick and Tughans - and third parties. Deputy Wallace has alluded to this in the Dáil. Again, no attempt was made stop the deal. People ticked the boxes and said they got assurances when Cerberus came in, despite the fact that they used the same solicitors' firms and the same fee arrangements to which NAMA had been alerted by Pimco. When I raised this issue with the Taoiseach in July of this year, I outlined all of my concerns. There are fundamental issues here because it involves the taxpayer. According to a report in this morning's *The Irish News*:

One of the bidders for Nama's northern debt portfolio expressed concern in a letter to the Taoiseach's office over the business practices of third parties leading up to the £1.2bn sale. Fortress Investment Group, [apparently] one of the final three potential buyers alongside US rivals Pimco and Cerberus Capital Management, is understood to have sent the letter to the Department of the Taoiseach in February 2014.

An Ceann Comhairle: A question, please.

Deputy Micheál Martin: It seems that this letter "complained about business practices leading up to the sale of Nama's loan book, dubbed Project Eagle". Can the Taoiseach confirm that such a letter was sent to him and his Department? If so, can he confirm the contents of that letter and will he make arrangements to publish that letter? The Minister, Deputy Noonan, did not alert the Dáil at any stage about this entire saga until it was raised by a Deputy in the House. It is important for the Taoiseach to indicate whether he received such a letter. What happened in relation to any correspondence he received? What is his current position in relation to the ongoing investigations into Project Eagle?

The Taoiseach: This is a matter of very considerable concern. Obviously, questions about it have been raised and answered here previously. I think the Deputy said that a letter was sent to the office of the Taoiseach in February 2014. Is that his information?

Deputy Micheál Martin: That is what is being said.

The Taoiseach: Yes. I do not know, but I will have it checked immediately. If such a letter was received, I will see what happened in respect of it being replied to or where that was sent to, I will have the letter published and I will come back to Deputy Martin as soon as possible. As I stand here, I cannot recall receiving a letter in February 2014. If the Deputy says it was sent to the office of the Taoiseach, I am sure there is a record. I will have it checked and I will respond to the Deputy as soon as I can.

Deputy Micheál Martin: I would appreciate it if the Taoiseach would do that. It appears that his office was asked to do so yesterday, but it did not respond to the questions that were put to it regarding this correspondence. I would like to refer to the international investigation,

particularly in the United States, where the matter is being taken extremely seriously. The national crime investigation unit or service in the United Kingdom is also involved in investigating this deal. Given that this involves Irish taxpayers, who would be the ultimate beneficiaries of the sale of these assets, does the Taoiseach not accept that there is an extraordinary contrast between how the Irish authorities are responding to this saga and how the UK authorities and the US criminal investigation authorities are responding to this serious issue? How does the Taoiseach account for the rather light response from the Irish authorities?

The Taoiseach: The Deputy has described the response of the Irish authorities in a very particular way. I am advised that the loan sale was executed in a proper manner. Despite all the confusion and the coverage in the media, the fact is that there are no claims of wrongdoing against NAMA. The loan portfolio sold for €1.5 billion because that is what the properties securing the loans were worth. The original amounts of €5.7 billion that were loaned by the banks prior to the establishment of NAMA have no relevance to the current value of the underlying property security. I am informed that NAMA paid no moneys to, or had any relationship with, any party to this loan sale against which allegations of wrongdoing are now being made. The loan portfolio was sold to the highest bidder for what it was worth following an open process. Attempts to conflate NAMA's open market loan sale process with an internal issue on the other side of the sale are wrong. As is now known, NAMA did not appear before the Committee for Finance and Personnel of the Northern Ireland Assembly. I understand it is not the intention of NAMA to be in any way unhelpful in the committee's work. It seems that its decision not to appear before the committee was a reflection of its sensitivity to the fact that it is accountable here to the Minister for Finance and the Oireachtas through committees like the Committee of Public Accounts-----

Deputy Micheál Martin: It sounds like the attitude of the European Central Bank to the banking inquiry.

The Taoiseach: -----before which it recently appeared to discuss these important issues. Furthermore, as Deputy Martin will understand, NAMA undertook to respond to any written questions that the Northern Ireland Assembly committee may have regarding the sale which were not covered during the appearance of NAMA before the Committee of Public Accounts on 9 July. Last month, the committee submitted a list of questions to NAMA regarding the sales process. On 4 September, NAMA responded to the committee with detailed responses to its questions. The full response of over 300 pages is available on NAMA's website and has also been provided to the Committee of Public Accounts. Obviously, people with an interest would read that material. As I have said, I will check the report that a letter was received in the Department of the Taoiseach in February 2014 and I will advise Deputy Martin in that regard as soon as possible.

Deputy Micheál Martin: I would appreciate that.

Deputy Gerry Adams: Just for the record, there are serious claims of wrongdoing by NAMA. I have written to the Taoiseach and the Minister for Finance about this matter. I have yet to receive a satisfactory reply.

I want to raise another issue here this morning. I have sent notice of this matter to the Taoiseach because it is very serious. On 26 August last, the two back wheels of an ambulance coming from Letterkenny fell off outside Sligo. The vehicle was carrying a chronically ill patient on a life-support unit, a nurse, two anaesthetists and two paramedics. The skill of the

driver prevented this accident from becoming a much more serious incident with lives lost. The patient in question subsequently died, although it is not believed that the accident played any part in this. Go ndéanfaidh Dia trúcaire orthu. Understandably, there was a delay of at least 30 minutes while a new ambulance was sent for. The ambulance which lost its wheels, which is a Mercedes Sprinter 515 model, is eight years old and has 411,000 km on the clock. That means it has been travelling 50,000 km a year.

The nub of my question and of the concern that is being expressed about this matter relates to an inspection report that has been carried out by an independent consulting engineer and assessor. According to the report, there is a serious design flaw with this model of ambulance. The engineer and assessor has suggested that the vehicle design has a major negative characteristic in the wheel stud nut design. His opinion is that this weakness in design could result in a wheel stud failure if a sudden stress were transmitted to the vehicle via the wheel. He has said, on the basis of his experience, that the wheel studs on the Mercedes Sprinter 515 are too small. Do we know how much of our ambulance fleet is made up of this model? The implications of this for patients, paramedics and other road users are obvious. The independent report has been with the HSE for three weeks. Has this matter been brought to the Taoiseach's attention? What steps has the Government taken to ensure that this matter is urgently and thoroughly investigated?

The Taoiseach: I thank Deputy Adams for giving notice about a very specific matter here. In a general sense, obviously, the Government is very anxious to ensure that people get medical treatment as swiftly and as safely as possible from the health service. Since 2011 there has been a major change programme under way to reconfigure the way pre-hospital emergency care services are delivered throughout the country. Clearly, great progress has been made, but there is still a good deal of further work to be done. For instance, in 2015, €144 million was allocated to the National Ambulance Service, which serves 4.6 million people, responds to 300,000 ambulance calls per year and employs more than 1,600 staff across 100 locations. The service has a fleet of 500 different vehicles, including emergency ambulances, rapid response vehicles, intermediate care vehicles, motorbikes and the Dublin Fire Brigade ambulances. Clearly the programme is continuing to evolve and to change.

Deputy Adams raises a very specific case. I asked for a report on this, and I have a preliminary report here. The National Ambulance Service can confirm that an ambulance broke down near Ballindine, County Mayo, on the Mayo-Galway border, at ten minutes past two on 26 August 2015. Two of the vehicle's rear wheels were dislodged from the vehicle while a patient was being transferred from Letterkenny General Hospital to University College Hospital Galway. There was a patient on board the ambulance at the time, as Deputy Adams mentioned, as well as two paramedics, a doctor and a nurse. An ambulance was immediately dispatched to the incident, arriving at the scene at 2.15 p.m. - that is, five minutes after the incident happened - and the driver took the appropriate action. The patient, medical personnel and one of the paramedics travelled in the second ambulance to University College Hospital Galway and the patient arrived safely at 3.05 p.m., or five minutes past three. The ambulance from which the wheels had dislodged was recovered from the scene for further investigation and examination. I would point out that there was no deviation at all from the care and attention being given to the patient in question, and it is important to say that.

I can confirm for Deputy Adams that the ambulance service is carrying out a comprehensive investigation to determine what exactly happened and why this breakdown occurred. That investigation will include interviews with all of the staff members who operated the vehicle

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concerned during the transfer of the patient to Galway. Obviously the driver took appropriate and careful action which resulted in no adverse effects and no deviation from the care being provided to the patient. The investigation will also include a detailed examination of the vehicle by an independent engineer to determine the nature of the breakdown and an examination of the vehicle's service and maintenance history to see how that stacks up.

The vehicle, as Deputy Adams mentioned, has an 07 registration and had driven 411,786 kilometres in total. It was stationed at Letterkenny. The engine was replaced on 17 August 2010 at 165,000 km and again on 16 February 2015 at 390,000 km. The preliminary findings, for Deputy Adams's information, suggest that the wheel nuts loosened, which resulted in the wheels becoming dislodged. This is a cause of extreme concern to the NAS. An urgent examination of the vehicle is being undertaken and any necessary corrective action will be taken.

When I drove my own car, that happened to me once. The wheel became dislodged and the reason was that the change from wheel braces to air-tightening of nuts resulted in somebody not doing the job properly.

Deputy Michael Healy-Rae: There is another wheel coming off now.

The Taoiseach: I thank Deputy Healy-Rae for that. I am quite sure that the ambulance service will determine the real cause of this, whether it was somebody inadvertently not tightening nuts properly or an incorrect configuration. In any event, it is lucky that the driver took appropriate action and was in charge of his vehicle, that another ambulance arrived within five minutes and that the patient was brought safely to UCHG with no change or lack of attention to the patient in question.

Deputy Gerry Adams: I have to say I am very disappointed with the Taoiseach's answer. It is of interest to the nation that the wheel came off his car one time, but that has nothing to do with the question I raised. The independent assessment - I have it - says very clearly that there is a weakness in the design. The independent assessor has pinpointed that in this particular model of ambulance there is a weakness in the design. My question was, what steps has the Government taken to ensure that this matter is urgently dealt with? I understand that some staff in the Sligo area are refusing to drive this particular model of ambulance. The Taoiseach may also be aware that there was a similar incident in March 2014 in County Louth. The week before, there was another such incident in the mid-west, and earlier that year a Dublin Fire Brigade ambulance lost a wheel. I do not know whether these ambulances were the same model as that which lost its wheels last month on the way from Donegal to Galway, but clearly this is a question that needs to be answered. We in Sinn Féin have continuously made the case that the Taoiseach's Government has presided over the erosion of our public services, and this incident is another example of a lack of proper investment.

An Ceann Comhairle: Thank you.

Deputy Gerry Adams: This is most crucially felt in rural Ireland. Even the fact that a patient has to be transported from Donegal to Galway illustrates the deficiencies in the Government's health policy.

The questions are quite specific and I am not trying to score political points in terms of the particular report that has been made by the independent assessor.

An Ceann Comhairle: Thank you, Deputy.

Deputy Gerry Adams: He says clearly that there is a weakness in the design of this particular model. Ambulance users, hospital users and ambulance crews need to be assured that vehicles with this weakness in design are removed from service and replaced. That is number one. Two, we need to know how many ambulances have lost their wheels and whether it was as a result of this weakness in design. This report has been on the desk of the HSE for three weeks now. What has it done since then? It does not need to be a convoluted process. It has been identified as a weakness of design. What has it done to ensure that there is no recurrence of this dreadful incident?

The Taoiseach: I know it is of no interest to Deputy Adams what happened in my own personal case. All I am saying is-----

Deputy Gerry Adams: No. I said it was of no interest to the nation-----

The Taoiseach: Thank you. I appreciate that.

Deputy Gerry Adams: I am really interested.

Deputy Billy Kelleher: Deputy Adams speaks for the nation.

The Taoiseach: All I am saying is that when one investigates something, there is a reason why a wheel comes off. Obviously if the nuts are the wrong configuration or they are not put on properly, then that happens. I am informed, and I do not know whether Deputy Adams has the independent engineer's report that he is quoting from-----

Deputy Gerry Adams: I have it, yes. Does the Taoiseach want it?

The Taoiseach: Yes. I would appreciate having it.

Deputy Gerry Adams: Okay.

The Taoiseach: It is actually a tribute to Deputy Adams's own sources of information that he has the final report from the engineer while I have a preliminary report.

Deputy Gerry Adams: The HSE has had it for three weeks.

(Interruptions).

Deputy Gerry Adams: For three weeks the HSE has had it.

The Taoiseach: I understand that the Mercedes ambulances in the NAS fleet comply fully with maintenance and service records and I understand that the independent report from which the Deputy quoted has been acted upon. It is a matter of serious concern to the NAS if something like this happens, and I commend the driver involved. Deputy Adams mentioned in his initial question that there was a 40-minute delay, but I am informed by the NAS that it was a five minute-----

Deputy Pádraig Mac Lochlainn: The Taoiseach was wrongly informed, I can assure him. He was wrongly informed.

The Taoiseach: So what I have here is not correct? I am informed here-----

An Ceann Comhairle: Sorry, excuse me-----

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Deputy Pádraig Mac Lochlainn: There was the length of time involved in moving the patient to the second ambulance-----

An Ceann Comhairle: Sorry. Excuse me-----

The Taoiseach: I am quoting from this-----

An Ceann Comhairle: There is a time limit on this question.

The Taoiseach: This is an important point in everybody's interest.

An Ceann Comhairle: We are already four minutes over time with this question.

The Taoiseach: The ambulance was immediately dispatched to the incident and arrived at the scene at 2.15 p.m. The wheels dislodged at 2.10 p.m. Now, if the Deputy has different information, then we need to determine that as well.

Deputy Gerry Adams: That is a secondary issue, with respect.

The Taoiseach: I thank Deputy Mac Lochlainn for that information. This is a matter of serious concern. Let me confirm from my information here that the independent report has been acted upon and that all Mercedes ambulances in the fleet comply with the maintenance and service records fully.

Deputy Pádraig Mac Lochlainn: That was not the question.

An Ceann Comhairle: Thank you. Deputy Fitzmaurice.

Deputy Michael Fitzmaurice: As a nation, we look at our children and decide how much we cherish them and at our elderly and decide how well they are cared for. Old age comes to each and every one of us. The west has the highest population of elderly people *per capita* of the regions, with counties Leitrim and Roscommon having the highest number of people *per capita* with dementia in the country. In recent years, the Health Information and Quality Authority, HIQA, has visited and reported on many care homes and the Health Service Executive has given commitments to address the problems highlighted in HIQA's reports. The findings of some of HIQA reports are questionable, including, for example, the finding that not more than one person should be accommodated in a room. Some elderly people in nursing homes, which are their homes, do not have any relatives and wish to have somebody near them to talk to. That issue is one to be fought on another day and one for politicians to resolve through regulations or laws.

I welcome the recent announcement by the Minister of State at the Department of Health, Deputy Kathleen Lynch, that a funding package of €300 million will be provided for nursing homes and homes for persons with disabilities. I also welcome the announcement of a €150 million investment through public private partnerships, PPPs. I hope the new partnerships will not be similar to those used previously for medical centres as they gave builders a licence to print money. The State entered 25-year contracts that had to be renegotiated when they expired. The builders said the Government or State would pay €1 after 25 years to own the facilities.

An Ceann Comhairle: Will the Deputy put a question, please?

Deputy Michael Fitzmaurice: In the west, we have care homes such as the community care home in Carrick-on-Shannon, Áras Mhuire in Tuam and, above all, the Sacred Heart Hos-

pital in Roscommon which passed an inspection with flying colours in terms of the care provided by staff. Residents are happy in the home. People in Roscommon suffered a blow when the accident and emergency unit of the local hospital was closed. Politics should not be a game of leaving an elderly person of 80 or 90 years wondering whether money will be provided to allow him or her to stay in a nursing home.

An Ceann Comhairle: The Deputy is one minute over time. He must put a question.

Deputy Michael Fitzmaurice: I will ask a straight question. Will funding be provided to the Sacred Heart Hospital in Roscommon to ensure the 90 year old person to whom I spoke no longer lives in fear? The Government should not play politics by waiting for one, two or three weeks to decide when is the right time to make an announcement. Will funding be provided because the people in question do not deserve what they are going through?

The Taoiseach: Deputy Fitzmaurice raises a number of issues. He will be aware of the constraints placed on the Government in recent years in respect of the availability of money and the capacity to spend. That is the reason the public private partnership concept was brought into being and is, for example, delivering the extension of the motorway from Gort to Tuam at a cost of nearly €600 million. It is also delivering exceptionally high quality schools for children who need them at primary and secondary level as a matter of urgency. We did not have the capacity to deal with this issue because of the state of the public finances. Changes have been brought about in the operation of public private partnerships to make them more acceptable, effective and streamlined. However, these are difficult and complex contracts. In cases where projects have been delivered under public private partnerships, they have been built on time and on budget using contracts of 25 years. People in communities where schools and so on have been provided have seen very quick results.

As the Deputy is aware, the Health Information and Quality Authority was set up as an independent authority to make unannounced visits to facilities in any location and assess their quality. HIQA has brought to light some very unsavoury practices, inferior facilities and inferior attention to elderly people. The elderly person to whom the Deputy spoke in Roscommon must be treated with the same dignity and afforded the same quality of treatment as everybody else. However, the fact is that numbers of elderly people are living in homes in which facilities are inferior. In many cases, the buildings are very old and the quality of facilities is not up to standard.

I agree with Deputy Fitzmaurice that there are some people in these homes who would like to have another person accommodated in the room. However, HIQA has raised the standards laid out for single-occupancy rooms, including in respect of access, visibility for staff and so forth. People often tell me they would love to have somebody to talk to or someone else in the room. This depends on the individual's mentality, circumstances or, perhaps, his or her condition, for example, if dementia is advanced. The Government must deal with the reports of the Health Information and Quality Authority in respect of inadequate and poor quality facilities in some homes and institutions. That is the reason the Minister of State made the reference she did.

To be honest, I will not give a definitive answer about any of the ten or 11 homes that need to be-----

Deputy Billy Kelleher: Why does the Taoiseach not make another promise to people in

Roscommon?

An Ceann Comhairle: Deputy Kelleher should button it for a second. The time has expired.

The Taoiseach: I am talking about not discriminating in respect of the quality of life of elderly people living in institutions and homes which have to be repaired.

The budget is on its way and the detail regarding Deputy Fitzmaurice's request about homes that will receive direct funding will be made known at that stage. That addresses the point the Deputy raises about public private partnerships and an individual home in Roscommon, one of quite a number that features in HIQA reports pointing out the need to deal with inadequate and antiquated facilities. The level of care and attention should be the same for the person to whom Deputy Fitzmaurice spoke and everyone else. I thank him for his question.

Deputy Michael Fitzmaurice: Everyone agrees that elderly people should receive the best possible care. Two weeks ago, senior HSE officials told me the Cabinet had to meet and the HSE would shortly know the outcome of that meeting. What does "shortly" mean to a 90 year old person who looks one in the eye and asks whether a nursing home will close forcing him or her to move out? I will not tell a lie to anybody and I looked the person in question in the eye and said I would do everything possible to help. The facts are, however, that the Government has the cheque book, the figures have been done and the announcement has been made. Why keep this person waiting and wondering? Are politicians in the game of trying to shorten people's lives by causing them to feel trepidation as a result of not knowing what will happen? Why does the Government not come clean and be straight when it makes announcements? Why not state whether funding is available for a home? There is an onus on the Taoiseach to be straight and tell people in Roscommon and other areas where nursing homes are needed that the funding required is available.

Deputy Finian McGrath: Paddy wants to know.

The Taoiseach: While there is certainly nothing wrong with the Deputy's comment, the annual budget is the outcome of the decisions made by the Cabinet in respect of providing services and running individual Departments for which Ministers have responsibility. As the Deputy is aware, the Health Service Executive submits its service plan to the Minister for Health who must sign off on it before it can be delivered. This can only happen when the Cabinet has signed off on the extent of moneys allocated to each individual Department and agency. It is not possible to give the Deputy a direct answer today because decisions have not yet been made about the budget. We have set out the parameters of it - out to €1.5 billion. Ministers are looking for far more than is available but we will not go down the same road we went down before.

This causes a complication if one has ten or 11 homes that are aged in building terms and where the facilities are not up to the standard determined by HIQA. Can they all be put together? Does one have the resources to do them all together and look after all the other things that apply also? In that sense, where many of these institutions or homes have come to light in this manner, one needs to have a strategy and plan to improve them and bring them up to standard or whatever else. If they do not meet the standard, they cannot remain open. The critical issue must be to give every person in all of those homes the best level of care, attention and dignity they can have in their circumstances. I would like to think that "shortly" means what the word is supposed to mean. The budget will determine the allocation of money to each Department

and the priorities that apply afterwards, but if one has 11 or 12 of these homes to do now, one must have a method, strategy and plan to upgrade them and provide the facilities that are appropriate for elderly people in these circumstances. Many of them are in places they call home but the facilities they have are not up to standard by today's terms.

Order of Business

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): It is proposed to take No. 14, motion re referral to select committee of proposed approval by Dáil Éireann of Ireland's accession to the memorandum of understanding concerning the principles for the establishment and operation of a battle group; No. 15, motion re referral to select sub-committee of proposed approval by Dáil Éireann of taxation agreements; No. 16, motion re referral to joint committee of proposed approval by Dáil Éireann of the Health and Social Care Professionals Act 2005 (Section 4(7)) (Membership of Council) Regulations 2015; No. 6, Marriage Bill 2015 - Second Stage (resumed); No. 48, Public Transport Bill 2015 - Second Stage (resumed); and No. 1, Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015 [*Seanad*] - Second Stage.

It is proposed, notwithstanding anything in Standing Orders, that (1) Nos. 14, 15 and 16 shall be decided without debate; and (2) for the purposes of the fortnightly Friday sitting under Standing Order 21(1) on 9 October 2015, the deadline for the submission of Bills to be included in the lottery shall be Friday, 25 September 2015 at 11 a.m., and related Standing Orders shall apply accordingly. Private Members' business shall be No. 208, motion re health service funding (resumed), to conclude at 9 p.m. if not previously concluded.

Tomorrow's business after Oral Questions shall be No. 6, Marriage Bill 2015 - Second Stage (resumed); No. 48, Public Transport Bill 2015 - Second Stage (resumed); and No. 1 - Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015 [*Seanad*] - Second Stage.

An Ceann Comhairle: There are two proposals to put to the House. Is the proposal for dealing with Nos. 14, 15 and 16 without debate agreed to?

Deputy Aengus Ó Snodaigh: That is not agreed. No. 14, which deals with the referral to select committee of a proposal for Ireland to participate in the establishment of a battle group, is an odious motion. It is a huge move or development in terms of our international relations. As such, this Chamber should first debate the matter before it goes to committee. If committee adopts it, it should come back here and be debated once again. It is a substantial change in the supposed neutrality of the State.

Deputy Richard Bruton: We are not in a position to accede to the Deputy's request. It is appropriate that the committee should have an opportunity to tease the matter out before it comes back to the House.

Question, "That the proposal for dealing with Nos. 14, 15 and 16 without debate", put and declared carried.

An Ceann Comhairle: Is the proposal for dealing with the fortnightly Friday sitting on 9 October 2015 agreed to? Agreed. I call Deputy Micheál Martin on the Order of Business.

Deputy Micheál Martin: I am sure the Minister will agree that the loss to Dublin of the

internationally renowned Web Summit is a hugely embarrassing development for the city and the country. Will the Minister indicate whether the Government has any legislative proposals or if it will implement the programme for Government to create a sufficient technology infrastructure and address the other factors which have been blamed for the decision to move the Web Summit to Lisbon, including a lack of State funding? The Minister will agree that this is a major development. The summit is worth millions to the Dublin economy and more to the country in terms of potential foreign direct investment. Could the Government have done more to salvage the situation by acting faster? Will the Minister outline what the Government knew in advance of this decision?

The second issue on which I ask the Minister for confirmation relates to the commissions of investigation legislation. Recent newspaper reports have indicated some concerns about the constitutionality of the inquiry into certain sales by IBRC which is being undertaken by Mr. Justice Brian Cregan. He is reporting to the Taoiseach's Department at the request of the Minister for Finance, Deputy Noonan. Is the Government aware of this and can it confirm whether the Taoiseach's office has received any information or communication from Mr. Justice Cregan on concerns about the constitutionality of the inquiry into certain sales by IBRC?

On the public health (alcohol) Bill, a drink sponsored report has been published today which, of course, given the sponsors, does not recommend limiting alcohol advertising at sporting events. Will the Minister indicate when the public health (alcohol) Bill will be brought before the House and say what the up-to-date position is on legislation pertaining to minimum pricing of alcohol?

Will the Minister refer to the Taoiseach and Government the need to have a Dáil debate on the unfolding troubling situation in Northern Ireland since summer? It would be appropriate to make time available for the House to debate that.

Deputy Richard Bruton: I am sure the Whips will deal with the Fianna Fáil suggestion for a debate on Northern Ireland. The public health (alcohol) Bill is this session and the issues, including the issue of minimum pricing, will be debated on that occasion. I have no knowledge of any issues around the constitutionality of the Tribunals of Inquiry Acts, but if the Deputy wishes to raise it by way of a parliamentary question, a reply can be furnished to him.

The Web Summit has been a very successful Irish company. It started from small beginnings five years ago and has become an international success. As its sponsor stated, this is a natural step, the next chapter, in its growth. I have just returned from China. The company has a significant conference in Hong Kong and the US and is moving into India. This is a new development.

The summit is a great success and this does not in any way alter the strong start-up environment that we have in Dublin, which is something that we have nurtured and has grown from strength to strength. I wish Mr. Paddy Cosgrave and the company well. It has been a successful undertaking and has put an Irish company on the map. I welcome that and we will continue participating.

Deputy Aengus Ó Snodaigh: We heard this morning that the rents in this city were at the boom-time level even though the rent supplement was out of touch with the rents being demanded, that is, some €300 less than the average rent for an apartment and €400 less than the average rent for a house. The Minister for the Environment, Community and Local Govern-

ment, Deputy Kelly, promised action on radio this morning, yet the legislative programme that was published yesterday and which I have perused contains nothing in that regard. Will the Minister pursue legislation on rent controls or rent freezes, which was what he mentioned? For four and a half years, the Government has discussed making changes, yet the rent supplement budget has been cut by €200 million in that time and the mortgage interest supplement budget has been cut from €77 million to €12 million. What legislative action will be taken to address a crisis that is going through the roof? Many people do not even have a roof for it to go through.

I welcome two Bills on the legislative programme, as I have been asking for them for months. However, they still have the same status. It is not possible to indicate when No. 100, the national children's hospital establishment Bill, will be published. It first appeared on the legislative programme in 2013. The other Bill is probably in line with what the Minister discussed a moment ago, namely, the digital hub Bill, which the Government announced with a great deal of fanfare would address a large number of quangos. It has been on the programme since 2011, but it is in the section about which it is not possible to indicate when Bills will be published. Despite that, it is still operating. Another Minister, Deputy White, opened a new development in that regard last week. That is welcome, but certainty is required. Will the Minister ensure that this Bill is moved from section C to section B so that it can be passed before the dissolution of the Dáil?

Deputy Richard Bruton: I thank the Deputy for his question. I assure him that the Government is actively considering housing initiatives. The Cabinet committee met this week and initiatives are being developed. Any such initiative will appear before the House in the normal way. Those issues will not be on the legislative programme until they are agreed by the Government and moved to drafting stage. That is the normal approach to the legislative programme.

I understand that a planning application regarding the children's hospital was submitted on 10 August. A great deal of work has been done to get it to this point. The drafting of the legislative requirement is ongoing and is on track for publication in 2015, in accordance with the Minister's priorities. The practical implementation of the legislation has been initiated with the submission of a planning application.

The digital hub Bill is for next year. I will bring to the attention of the Minister the Deputy's concern about its priority, but it is still in section C.

Deputy Willie O'Dea: This morning, the well-known Capuchin, Brother Kevin Crowley, stated that the housing crisis was the worst in the history of the State. In the Limerick council area, 5,200 people are on the housing waiting list with just 38 vacancies. In reply to Deputy Ó Snodaigh, the Minister stated that the Government was "actively considering housing initiatives". The Minister for the Environment, Community and Local Government stated yesterday that emergency legislation was necessary to bring what he called "certainty" to the rental situation. Speaking on behalf of those in Limerick and elsewhere who are becoming homeless on a daily basis, when can we expect to see that emergency legislation? This is an emergency. The legislation must be introduced now, not considered or discussed.

Deputy Richard Bruton: Legislation on housing will be considered in the context of the Minister for the Environment, Community and Local Government's programme and the Minister for Finance's programme in terms of budgetary measures. In the normal course, they will appear before the House when decisions have been taken by the Government.

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Deputy Willie O'Dea: People are becoming homeless on a daily basis.

Deputy Richard Bruton: As the Deputy well knows, given the fact that he was in government when the housing collapse occurred and the number of houses built fell from 90,000 to 5,000-----

Deputy Willie O'Dea: People are becoming homeless on a daily basis. Stop waffling and answer the question.

Deputy Richard Bruton: That was largely on the back of the bad policies pursued.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Willie O'Dea: So, that is the Minister's answer.

Deputy Richard Bruton: No.

An Ceann Comhairle: Sorry, but hold on.

Deputy Richard Bruton: I am making the point that the collapse of the construction sector is something about which the Deputy ought to know well.

Deputy Willie O'Dea: Tell that to the people who are becoming homeless in Limerick and the Minister's constituency on a daily basis.

Deputy Michael Healy-Rae: It is a poor answer.

Deputy Richard Bruton: We are rebuilding this economy-----

Deputy Willie O'Dea: Is that the Minister's answer?

Deputy Bernard J. Durkan: Ten years of negligence.

An Ceann Comhairle: Deputies, please.

Deputy Richard Bruton: -----and we need to fix the housing sector, which was part of the most damaged sector in the crash.

Deputy Willie O'Dea: The Government has had five years to fix it, and it is worse than ever.

Deputy Bernard J. Durkan: Ten years of negligence.

Deputy Richard Bruton: Indeed.

An Ceann Comhairle: We are not having a debate.

Deputy Paul Kehoe: Fianna Fáil left the country broke.

An Ceann Comhairle: Excuse me, but we are not having a-----

Deputy Bernard J. Durkan: It broke the country as well.

An Ceann Comhairle: Excuse me Deputy Durkan, but we are not having a debate on housing.

Deputy Bernard J. Durkan: I am sorry, a Ceann Comhairle.

Deputy Paul Kehoe: Fianna Fáil broke the country.

Deputy Willie O'Dea: People will be glad to hear from the Minister of State anyway.

An Ceann Comhairle: This is about promised legislation.

Deputy Joe Carey: Fianna Fáil co-piloted the crash.

An Ceann Comhairle: Will Deputies stick to this, please? There is a list of Members.

Deputy Richard Bruton: I assure Deputy O'Dea that this matter will receive an absolute priority and Government attention. He will have read in newspapers about how the Cabinet sub-committee sat on this matter and groups were working to introduce proposals.

Deputy Willie O'Dea: It is sitting on it.

Deputy Michael Healy-Rae: That is the problem. The Government is sitting on it.

An Ceann Comhairle: It is Deputy Healy-Rae's turn now. Instead of shouting from the sidelines, he can stand and ask his question, provided it is in order.

Deputy Niall Collins: Stand up and be counted.

Deputy Michael Healy-Rae: I thank the Ceann Comhairle, and it is in order. At the start of the summer, I asked the Taoiseach about a tenant purchase scheme for local authority housing. It was to be introduced but has been long-fingered by the Government. Unfortunately, many local authority tenants are waiting for the scheme to be introduced so that they might purchase their houses. Will the Minister state clearly when the scheme will be put in place and when local authorities around the country will be notified?

Deputy Richard Bruton: I understand that a tenant purchase scheme would be introduced by way of regulation, that is, secondary legislation passed by the Minister. I will convey to him Deputy Healy-Rae's concern and I am sure that he will correspond with the Deputy.

Deputy Bernard J. Durkan: In the context of the importance of the bail Bill, a fundamental element in the fight against crime, is it expected that the Bill will be presented to the House during this session or next session?

Deputy Richard Bruton: Yes. The heads of the Bill were cleared in July and it has gone to the office of the parliamentary counsel for drafting. As soon as that is completed, it will be published. The Bill is well on track.

Deputy Bernard J. Durkan: Will it be this session?

Deputy Richard Bruton: No. It will be next session, given the constraints on drafting.

Deputy Dessie Ellis: The Minister for the Environment, Community and Local Government, Deputy Kelly, has stated that he would introduce rent controls or, as he called them, "rent certainty". When I asked about this matter, I was repeatedly told that the Minister was considering introducing legislation. We have a crisis. It has been described by eminent people as a humanitarian crisis.

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An Ceann Comhairle: Is there a rent controls Bill?

Deputy Dessie Ellis: Once again, I am asking whether we can introduce emergency legislation to address this situation. Is any being considered? I have received the same answer repeatedly, namely, that we would see the legislation before Christmas. A Bill is not even on the clár. The situation is urgent and will get much worse.

An Ceann Comhairle: The Deputy has made his point, thanks.

Deputy Dessie Ellis: I know, but we are in a serious situation.

An Ceann Comhairle: I understand, but this is the Order of Business.

Deputy Dessie Ellis: The Minister, Deputy Bruton, stated that it had not even been discussed by the Cabinet. This is the problem. When is an emergency an emergency? We need to move on this matter.

An Ceann Comhairle: The Minister has not answered yet.

Deputy Dessie Ellis: The Government is sitting on it. This is crazy.

Deputy Richard Bruton: Clearly, there are serious issues in the housing area, which are being tackled by the Minister, Deputy Kelly, and by the Government at large. The Deputy is aware he put in place a programme earlier this year to deal with the crisis that emerged around Christmas. A number of initiatives have been put in place to stimulate housing. As the Deputy is aware, this includes the new fund to help construction of new houses, the increased activity of NAMA in this sphere and the restoration of voids in the city. Moreover, further initiatives are under consideration to improve housing supply-----

Deputy Dessie Ellis: It is getting worse.

Deputy Richard Bruton: -----including the assessment of modular housing as a potential solution in this area. There may be legislative proposals that emerge as well and I can only answer for decisions of the Government at this point that go on to the legislative programme. There are a number of issue, which have been raised by the Deputy and a number of other Members. Issues also have been raised on finance issues and their impact on housing. All of these are being considered, decisions will be issued and the House will be informed.

Deputy Denis Naughten: For the past six years, I and many others in this House have been waiting for the publication of the Criminal Law (Sexual Offences) Bill and I welcome its publication this afternoon. However, I realised only this morning that the provisions to close off the gaping loopholes within the sex offenders register are not to be included in this legislation.

An Ceann Comhairle: No, we cannot debate the content. Thank you.

Deputy Denis Naughten: At present, there are high-risk sex offenders roaming across this country, some of whom have moved from the United Kingdom, where there is a far more rigid regime in place.

An Ceann Comhairle: Sorry, Deputy, you cannot-----

Deputy Denis Naughten: We need effective monitoring of sex offenders in Ireland.

An Ceann Comhairle: No, sorry Deputy, please.

Deputy Denis Naughten: So much so that the Prison Service-----

An Ceann Comhairle: Thank you.

Deputy Denis Naughten: -----went ahead and bought 50 electronic tags to monitor these individuals-----

An Ceann Comhairle: Deputy-----

Deputy Denis Naughten: -----and yet Members still do not have the legislation.

An Ceann Comhairle: Deputy, this is the Order of Business. Would you please respect the Chair?

Deputy Denis Naughten: I wish to know why the provisions are not included in this legislation.

An Ceann Comhairle: No, you want to know. You do not-----

Deputy Denis Naughten: When will Members have sight of the legislation, once and for all, to monitor effectively these individuals-----

An Ceann Comhairle: Sorry, would you resume your seat please? Thank you.

Deputy Denis Naughten: -----who are posing risk to women and children nationwide?

An Ceann Comhairle: Deputy Naughten. I call Deputy Fitzpatrick.

Deputy Peter Fitzpatrick: I thank the Ceann Comhairle. The sale-----

Deputy Denis Naughten: A Cheann Comhairle, can I have an answer to my question on legislation?

An Ceann Comhairle: No, you are not getting an answer. The Bill has been published.

Deputy Denis Naughten: No, it has not. It is the criminal justice (community sanctions) Bill.

An Ceann Comhairle: You have just stated it is being published.

Deputy Denis Naughten: No, the criminal justice (community sanctions) Bill is separate legislation-----

An Ceann Comhairle: I am sorry.

Deputy Denis Naughten: The Government has taken out these provisions from the legislation-----

An Ceann Comhairle: All right, all right.

Deputy Denis Naughten: -----Members have been promised for the past six years.

Deputy Richard Bruton: I understand that Bill will be published next year.

An Ceann Comhairle: I call Deputy Fitzpatrick. I am sorry, I did not realise it was a separate Bill.

Deputy Peter Fitzpatrick: I refer to the sale of alcohol Bill, which is to codify the law related relating to the sale and consumption of alcohol. When does the Minister expect its publication? In addition, the apprenticeship Bill is to provide for the protection and responsibility applying to the employer and apprentices with the introduction of the new apprenticeships. When can Members expect this to be published?

Deputy Richard Bruton: The sale of alcohol Bill will be published next year and work is ongoing on the apprenticeship Bill. However, as the Deputy is aware, 25 proposals have been accepted by the Government and they are being fast-tracked and I understand they will involve an intake of 1,500 new apprentices in those entirely new apprenticeship areas. It is a very exciting area and one on which the Minister should be commended. The Bill will underpin this in due course.

Deputy Peter Mathews: I have two items under consideration. The first is Deputy Penrose's Bill for one-year bankruptcy. At present, an increasing and pressing inequality is visibly apparent. The Ceann Comhairle will have seen Professor David McWilliams's television programme, which shows, in simple Seán and Mary language, what a few Members have been trying to get across and impress on the Government's minds for the past four years. Unfortunately-----

An Ceann Comhairle: Is it a Private Members' Bill?

Deputy Peter Mathews: I believe it is being supported by the Government but it needs to be fast-tracked because there are 100,000-----

An Ceann Comhairle: Yes, I appreciate the-----

Deputy Peter Mathews: No, there was an undertaking-----

An Ceann Comhairle: I just what to-----

Deputy Peter Mathews: Definitely an undertaking, by the Government.

An Ceann Comhairle: Yes, okay.

Deputy Peter Mathews: One-year bankruptcy is needed, people are being bullied-----

An Ceann Comhairle: Yes, that is grand. I think that we have a reply for the Deputy.

Deputy Peter Mathews: I was at the IMO briefing session at which doctors had people in their surgeries whose health is falling apart. Suicides are taking place because the banks are out of control. They caused the problem, and the banking inquiry has not even revealed this-----

An Ceann Comhairle: Thank you Deputy.

Deputy Peter Mathews: -----but there is measurable culpability on the part of bank boards for the collapse-----

An Ceann Comhairle: Deputy, we cannot discuss any issue. This is about promised legislation.

Deputy Peter Mathews: We can if it affects the people of Ireland, a Cheann Comhairle.

An Ceann Comhairle: No, not on this particular item.

Deputy Peter Mathews: Under the umbrella of legislation we can.

Deputy Richard Bruton: I understand that-----

An Ceann Comhairle: We can when the legislation is published.

Deputy Richard Bruton: I understand Deputy Penrose's proposal is contained in a committee report, which obviously will be considered by the Government. However, there is no promised legislation in respect of it at this point.

Deputy Peter Mathews: Right. So the Government is prepared to let the people-----

An Ceann Comhairle: No, thank you. Deputy Carey.

Deputy Peter Mathews: -----be oppressed by the banking sector, which caused the problem and it can be shown from their balance sheets-----

An Ceann Comhairle: Sorry, Deputy, you got your answer about the legislation. Please respect the Chair.

Deputy Peter Mathews: -----which the banking inquiry has failed to do.

An Ceann Comhairle: Please respect the Chair. Thank you. Deputy Carey.

Deputy Peter Mathews: And out of their own words.

The second item I wish to mention, and I keep repeating this, is the gambling control Bill. Paddy Power has taken over Betfair to become one of the world's biggest betting organisations-----

An Ceann Comhairle: We do not need a statement.

Deputy Peter Mathews: -----and the Government has sat on its hands in this regard. Since the summer, the betting organisations are taking over the world and the Government has done nothing.

An Ceann Comhairle: The gambling control Bill.

Deputy Richard Bruton: Next year.

Deputy Paul Kehoe: The Deputy should have stayed with us.

Deputy Peter Mathews: And it will be the year after. It is pathetic.

An Ceann Comhairle: Deputy Carey. Thank you.

Deputy Peter Mathews: The Government has squandered a majority; it is unbelievable.

Deputy Joe Carey: I welcome the recent announcement by the Shannon Group of a €21 million redevelopment of the industrial zone in Shannon. What is the position in respect of No. 127, the Irish Aviation Authority (amendment) Bill? When can Members expect to debate it in

the House?

Deputy Richard Bruton: I understand that will be introduced next year.

Deputy Thomas P. Broughan: I again wish to ask the Minister about the appalling housing and homelessness crisis. As the Minister is aware, the constituency he and I share probably has the largest number of homeless families and people living under pressure in hotels and guesthouse accommodation in the entire country. While the Minister answered my colleagues here, when can Members expect the Minister to come into the House with a radical emergency programme to tackle this issue?

An Ceann Comhairle: Thank you.

Deputy Thomas P. Broughan: The famous modular housing was exhibited close to the edge of our constituency.

An Ceann Comhairle: Sorry, Deputy, we cannot debate that on the Order of Business.

Deputy Thomas P. Broughan: I am not sure the Minister went to see it but this is a pathetic response by the Minister, Deputy Kelly, and by the Government to addressing this problem. This is a really serious issue-----

An Ceann Comhairle: I think the Minister already has dealt with the issue.

Deputy Thomas P. Broughan: -----for Dublin Bay North and the Government is doing nothing about it.

An Ceann Comhairle: Thank you.

Deputy Thomas P. Broughan: The Minister wishes to answer.

An Ceann Comhairle: We already have discussed the issue.

Deputy Thomas P. Broughan: No, he has not told me. When can Members expect-----

An Ceann Comhairle: What item of legislation are you talking about?

Deputy Thomas P. Broughan: When can Members expect a Minister to come into this House? I mean some Minister, if not the Minister, Deputy Kelly, who has had 15 months of doing absolutely nothing about this issue.

An Ceann Comhairle: Hold on a second now. Please respect the Chair. Thank you.

Deputy Thomas P. Broughan: When can we expect a Minister to come in and produce a programme for Members about rent control?

An Ceann Comhairle: You have made your point. There are plenty of other ways to raise the issue.

Deputy Thomas P. Broughan: The Minister's constituency and my constituency are suffering desperately.

An Ceann Comhairle: Is there promised legislation that can help in this regard?

Deputy Richard Bruton: I have dealt with the issue of the legislation the Deputy is raising. However, I would point out that the Minister, Deputy Kelly, has introduced a significant investment in social housing. NAMA is now stepping up its activity in the housing area.

Deputy Thomas P. Broughan: Nothing is being delivered. Nothing.

Deputy Richard Bruton: Voids are being tackled-----

Deputy Thomas P. Broughan: Handfuls.

Deputy Richard Bruton: -----and the modular housing, with which the Deputy clearly does not agree, is under active consideration. Moreover, new legislative measures also are being considered-----

Deputy Thomas P. Broughan: It is not the answer.

Deputy Richard Bruton: -----including measures in the planning area which have been introduced.

An Ceann Comhairle: That is grand Minister, thank you.

Deputy Richard Bruton: There is an active programme in this regard and no one is downgrading the importance of this issue-----

Deputy Thomas P. Broughan: The Government is a complete failure in this regard.

Deputy Richard Bruton: ----but there is an active programme under way here.

Criminal Justice (Knife Possession) Bill 2015: First Stage

Deputy Niall Collins: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Firearms and Offensive Weapons Act 1990 to create a mandatory minimum sentence on conviction of unlawful possession of a knife in a public place

I am introducing this relatively short Bill as a result of the recent release of some truly shocking statistics from the Central Statistics Office, CSO, in respect of knife crime. The involvement of the Central Statistics Office in the verification and release of verifiable crime statistics is welcome because for too long, conversations and debate on crime and crime statistics have been shrouded in doubt as to the veracity of the figures available. People often sought to debunk other people's arguments with regard to how resources should be deployed in the criminal justice system based on the veracity of figures. However, at least we now have an independent organisation, namely, the CSO. The Central Statistics Office has reported that fatalities due to knife crime increased dramatically by 60% last year. This is a truly shocking statistic. As a result of the figures that are available to Members and as a result of contact with victim support groups, as well as some victims of knife crime and people who have been harmed as a result of it, I have brought forward this Bill today.

1 o'clock

It effectively seeks to put on the Statute Book a mandatory sentence of 12 months for per-

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sons who are caught in possession of a knife in a public place. Unfortunately, we have a subculture in this country of people carrying knives, which obviously leads to the use of knives in the committing of crime and, often, fatal crime. From that point of view, it is opportune that strong and robust legislation to send out the message that it is wrong to carry a knife in a public place be established. It is noteworthy that this week, during which one of the greatest events in Ireland, the National Ploughing Championship, is taking place in Laois over three days, one of the major themes of conversation is the issue of crime and burglary. Previously, I introduced legislation dealing with burglary and assault on elderly persons. Over the past number of days RTE has reported on the horrific assault on an elderly lady in Wicklow. This lady, who is 90 years of age, has been hospitalised for the past two weeks and may never, it has been reported, return to her house.

Leaving aside the debate and arguments around the resourcing of An Garda Síochána and the application of those resources, including the recruitment of additional members, beefing up the Garda reserve and equipping An Garda Síochána, we also need to modernise and update our legislation in the area of criminal justice. The Criminal Justice (Knife Possession) Bill 2015 is yet another policy offering by the Fianna Fáil Party which sends out the message to people who are carrying knives and committing the scourge of burglary and assault on our elderly people around the country that they will be locked up. We have seen such equipment being displayed by An Garda Síochána. Some of the knives that are being carried in public have no place in a modern society. We need to try to cut out that subculture.

I thank the Ceann Comhairle for the opportunity to move this Bill today.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): No.

Question put and agreed to.

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

Deputy Niall Collins: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Memorandum of Understanding on EU Battlegroups: Referral to Select Committee

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

That the proposal that Dáil Éireann approves Ireland's accession to the Memorandum of Understanding concerning the principles for the establishment and operation of a Battlegroup to be made available to the European Union in the second half of the year 2016, be referred to the Select Committee on Justice, Defence and Equality, in accordance with Standing Order 82A(3)(b), which, not later than 6 October 2015, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

Draft Orders to Improve Tax Compliance and Related Matters: Referral to Select Committee

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

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

- (i) Exchange of Information Relating to Tax Matters (Argentine Republic) Order 2015,
- (ii) Double Taxation Relief (Taxes on Income) (Federal Democratic Republic of Ethiopia) Order 2015,
- (iii) Double Taxation Relief (Taxes on Income) (Pakistan) Order 2015,
- (iv) Double Taxation Relief (Taxes on Income and Capital Gains) (Republic of Zambia) Order 2015,
- (v) Exchange of Information Relating to Tax Matters (Commonwealth of the Bahamas) Order 2015,
- (vi) Double Taxation Relief (Taxes on Income and on Capital) (Federal Republic of Germany) Order 2015, and
- (vii) Exchange of Information Relating to Tax Matters (Saint Christopher (Saint Kitts))

copies of which have been laid in draft form before Dáil Éireann on 15th September, 2015, be referred to the Select Sub-Committee on Finance, in accordance with Standing Order

82A(3)(b) and (6)(a), which, not later than 1 October 2015, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

Health and Social Care Professionals Act 2005 (Section 4(7)) (Membership of Council) Regulations 2015: Referral to Joint Committee

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

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

Health and Social Care Professionals Act 2005 (Section 4(7)) (Membership of Council) Regulations 2015,

copies of which were laid in draft form before Dáil Éireann on 6 August 2015, be referred to the Joint Committee on Health and Children, in accordance with Standing Order 82A(4)(j), which, not later than 22 October 2015, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

Sitting suspended at 1.05 p.m. and resumed at 2.05 p.m.

2 o'clock

Topical Issue Debate

Mortgage Lending

Deputy Michael McGrath: This issue relates to mortgage holders who have been wrongly denied the right to return to their tracker interest rate at the end of a period on a fixed rate. I will set out the background to this issue. In 2008 there was widespread expectation among mortgage customers that interest rates were going to rise further. The European Central Bank had increased its base rate in July 2008 to 4.25%, a different world from the current rate of 0.05%. At the time it represented the eighth rate hike in three years and many people, justifiably, took the decision to fix their rate rather than having to endure even higher rates.

It has emerged that in the case of Permanent TSB for sure, and possibly AIB, customers were incorrectly denied the right to return to their tracker rate at the end of the fixed rate arrangement. This occurred despite the right to return to a tracker rate being enshrined in mortgage contracts.

We know that in the case of Permanent TSB almost 1,400 mortgage customers were scandalously treated by that bank and its subsidiary company, Springboard Mortgages, when the bank failed to inform them of the consequences of their decisions to break early from a fixed rate or discounted tracker period as well as the failure to inform other customers of their right to be offered a tracker rate at the end of any fixed rate period. Some customers lost their homes as a result of this cock-up. A compensation process is under way now but many people lost their homes.

In the case of AIB it has emerged that the Irish Mortgage Holders Organisation has been in communication with 4,200 customers of AIB to encourage them to come forward if they believe they were denied the contractual right to a tracker mortgage rate after the fixed-interest period had expired.

It has yet to be established if this was an industry-wide practice but, to be frank, it is unlikely to have been an isolated practice. In 2011 Bank of Ireland was forced to put more than 2,000 of its residential borrowers back on tracker mortgages and compensate them after the Central Bank intervened in the matter. The *Sunday Independent* has reported that an AIB mortgage holder has been put back on a tracker rate after a write-down of in excess of €25,000 on the mortgage. The person was wrongly denied the right to return to a tracker interest rate following the expiry of the period on the fixed rate.

This is a key issue for consumers. I raised the matter directly with the Central Bank but, to be frank, the reply was not satisfactory. The Central Bank noted my view that there should be a system-wide review. The reply stated that the Central Bank was currently examining a number of lender-specific practices, particularly in respect of the transparency of disclosure for borrowers. However, that does not give me confidence that there will be a proper system-wide review of whether bank mortgage customers were wrongly denied the right to return to a tracker rate.

Given the record low ECB interest rate, we all know how valuable a tracker mortgage is. People should really guard it with their lives. To think that banks have, for certain, in some cases, wrongly denied people the right to return to a tracker rate is appalling. In other cases the banks have used dubious tactics to get people off a tracker rate. That is something the Central Bank should deal with strongly and decisively and this is the purpose of my putting down this Topical Issue. It is about protecting consumers and vindicating the rights of consumers who were wrongly denied a tracker rate. I hope these views will be conveyed to the Minister for Finance by the Minister of State present and that the Minister will take up these matters with the Central Bank and ensure a comprehensive industry-wide review of how mortgage customers have been dealt with in respect of tracker rates. Frankly, what we have learned so far is an utter disgrace.

Minister of State at the Department of the Taoiseach (Deputy Jimmy Deenihan): I thank the Deputy for bringing this matter to the attention of the House again. I trust he is referring to the recent investigation undertaken by the Central Bank into Permanent TSB and its subsidiary company Springboard Mortgages limited. The role of the Minister for Finance is to provide the right framework to protect consumers of financial services. The Financial Services Ombudsman can provide information to the Central Bank if it becomes aware of a possible systemic issue on foot of individual complaints to it about the behaviour of a particular institution. Under section 57CQ of the Central Bank Act 1942, as amended, the ombudsman may make recommendations to the Central Bank with respect to measures that it may take to effectively deal with persistent patterns of complaints.

In this case, as the Deputy will be aware, as a result of an enforcement investigation by the Central Bank of Ireland, significant failures were identified in Permanent TSB and Springboard associated with tracker mortgage options and rates. Arising from the Central Bank's enforcement investigation, Permanent TSB has agreed to implement a redress and compensation programme to address the detriment suffered by 1,372 customer accounts. The consequences of these failures are serious and include mortgage overpayments, mortgage arrears, legal proceedings, and, in certain cases, loss of ownership of properties, including some homes, as the Deputy mentioned.

The chairman and chief executive of Permanent TSB Group Holdings plc have fully acknowledged that this is a matter of the utmost seriousness. The mortgage redress programme has a number of objectives: to restore the affected mortgage accounts to the position they would now be in had the failure not occurred; to make a compensation payment to affected account holders; to make a payment to affected account holders for use, if required, in securing independent advice on this matter; and to provide a comprehensive appeals system for affected account holders.

I understand from the Central Bank that enforcement investigations into these issues at Permanent TSB and Springboard are currently ongoing. For that reason, it is not in a position to provide any additional information in respect of these enforcement investigations at this time.

As the Deputy will be aware, the Financial Services Ombudsman dealt with complaints from Permanent TSB customers on this issue. I understand it was in dialogue with the Central Bank on the topic. A number of cases were put on hold when findings in other cases were appealed to the High and Supreme Courts. I understand that the Financial Services Ombudsman's bureau kept in constant communication with these complainants while the cases were stayed pending the outcome of the Supreme Court challenge. These cases will now be processed

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through the PTSB redress scheme, but the complaint cases remains open with the Ombudsman. I understand that Ombudsman continues to actively engage with the Central Bank of Ireland on this subject.

I also understand that, as part of the Central Bank's ongoing supervisory work over the past few years, it has identified and pursued a number of lender-specific issues in regard to transparency for consumers moving off tracker rates or who are not moved to a tracker rate at the end of a fixed-rate period. The Central Bank has made appropriate use of its supervisory and regulatory powers, including the administrative sanctions procedure, in order to ensure that the interests of those consumers affected are protected in each of those cases. The Central Bank is also currently examining a number of lender-specific practices, particularly with regard to transparency of disclosure for borrowers. The determination of the most effective and appropriate further supervisory engagement will be informed by the outcome of this current supervisory work, as well as any other market intelligence, including its engagement with the Financial Services Ombudsman.

The Central Bank is an independent institution and the Minister for Finance does not have a role in directing its enforcement or investigative activities. That said, the Government expects the Central Bank to use the powers available to it and to take whatever steps are necessary to ensure that all customers are protected, whether this involves formal investigations or other means.

Deputy Michael McGrath: I thank the Minister of State for the reply. He should be made aware that as far back as 2009 the Financial Services Ombudsman wrote to the Central Bank and asked that there be an industry-wide review of how customers were being encouraged to move off tracker mortgage rates and how people were being denied the possibility of returning to tracker mortgage rates. In the case of Permanent TSB, it is very clear that, having had findings made against it by the Financial Services Ombudsman and having lost in the High Court, it went as far as the steps of the Supreme Court, while at the same time a Central Bank investigation was under way, before finally arriving at the conclusion that it was wrong. It then took action on the issue.

We should be under no illusions about what we are dealing with. The banks will do whatever they have to do to encourage people to come off tracker mortgages. We now have direct experience of cases in which banks have denied customers the right to return to a tracker interest rate after a fixed period. A number of things need to happen. Any repossession cases being taken against mortgage holders who were wrongly denied the right to return to a tracker rate should be dropped. The Oireachtas Committee on Finance, Public Expenditure and Reform needs to investigate the broader issues involved, and I will attend a meeting of the committee after this debate, where I will make the same suggestion.

The six-year rule pertaining to the Financial Services Ombudsman means that somebody can only take a complaint to it about a matter which arose within the past six years. It will become a serious issue because many people who signed up to fixed rates in 2007 and 2008 came off them in 2010 and 2011. The clock is now ticking for such people under the six-year rule and the window will effectively be shut on them. I want the Government to take up this issue directly with the Central Bank and to use the powers it has to properly supervise this area and carry out a comprehensive investigation into how customers have been treated by the bank in respect of tracker mortgage rates. We know from its track record that it will get away with what it can.

Deputy Jimmy Deenihan: The Deputy has raised a number of very pertinent issues that I will bring to the attention of the Minister for Finance, as well the Deputy. If he is aware of other banks that have behaved in similar ways, leading to failures similar to that of Permanent TSB, he should bring them to the attention of the Central Bank. Although it does not investigate individual consumer complaints, it does welcome information from consumers of financial products. The information thus obtained may be used in carrying out its prudential and supervisory activity. I would also expect that the other banks in Ireland that offered tracker products and could have been exposed to similar failures examine their processes to ensure that everything was done properly. This would be prudent behaviour on their part.

As I said, I expect the Central Bank to use the powers available to it and to take whatever steps are necessary to ensure that all customers are protected. I also expect it to be proactive when a potential systemic issue comes to light. I again thank the Deputy for raising this matter.

National Monuments

Deputy Eric Byrne: It is with great sadness that I have to raise this issue, which I raised on 22 May 2012 with the Minister of State, Deputy Deenihan, yet again. I brought to the attention of his Department the recklessness of scramblers, quad bikers and others engaging in anti-social activities in the Dublin and Wicklow mountains. I am a regular visitor to them - I am on the mountains every weekend.

The Dublin Mountain Way was developed in conjunction with four local authorities. It is a spectacular civic amenity in the Dublin mountains. There is a Neolithic passage grave which is approximately 5,000 years old and is probably the closest such grave to Dublin. One can stand and look over the city of Dublin, see the bay and reflect that one is standing on something that was built and operated as a grave by people in the forests of the area. It allows one to contemplate how people might have lived 5,000 years ago.

The tragedy is that last week we discovered an amazing desecration of the grave, which is recognised by the Office of Public Works as a national monument. People systematically tore the passage grave to bits. It is a sight that would bring tears to one's eye if one was that emotional about the issue. If this site has stood for 5,000 years, why, over the weekend, can gullies systematically wreck this passage tomb?

I received a report before I came in from another hill walking activist who told me she has noticed the Fairy Castle cairn has been interfered with, possibly over recent days. It seems people are trying to penetrate this particular cairn to see what may be beneath it. There are many cairns and passage graves in the Wicklow area. On the previous occasion I spoke on this issue it was with regard to motorbikes literally riding right up on top of Seahan and Seefin, and in and around that most magnificent monument to those who lived in the area 5,000 years ago, Seefingan, which has the most magnificent passage grave. It is worth encouraging people to go see it if they are into walking.

Will the Minister of State investigate the desecration of these passage graves? Will he enact the necessary legislation to prevent motorbikes, scramblers and quads desecrating these very important landmarks in our mountain ranges? The Dublin Mountains Way is spectacularly popular with dog walkers, runners and hill walkers. Will the Minister of State take the necessary steps to have both of these sites investigated with a view to taking the necessary action to

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rehabilitate them in whatever way possible? I have photographs for the Minister of State so he knows what I am speaking about with regard to the desecration of the grave.

Deputy Jimmy Deenihan: I thank the Deputy for raising this matter. The Minister for Arts, Heritage and the Gaeltacht, who unfortunately is unavailable today, is charged with responsibility under the National Monuments Acts 1930 to 2004 for the protection of our rich and important archaeological heritage. I assure the Deputy it is a responsibility which both she and her Department treat with the upmost seriousness.

The hilltop cairn at Tibradden, County Dublin, is a national monument of which the Minister for Arts, Heritage and the Gaeltacht is guardian under the National Monuments Acts. It has an interesting history. In the middle of the 19th century what was believed to be Bronze Age pottery and bone was recovered from the monument. In 1956, an archaeological excavation was carried out by the National Monuments Service. The results of that excavation clarified that the cairn was in fact a Bronze Age burial site dating from 1,800 B.C. to 600 B.C. However, it is important to note that the above ground passage and chamber structure is actually a 19th century feature. Examination of Bronze Age burial sites has great potential to yield important archaeological information about ritual and burial rites in prehistoric times. It can, in turn, also cast wider light on the nature and structure of prehistoric society, as well as bringing us into closer contact with our remote ancestors. While, as I have said, the cairn at Tibradden has been subject to some archaeological excavation, there is no doubt it retains the potential to yield further important information about our past, a fact which further highlights the need to preserve and protect it.

As a national monument of which the Minister for Arts, Heritage and the Gaeltacht is guardian under the National Monuments Acts, the cairn enjoys a high level of legal protection under those Acts. Section 14 of the National Monuments Act 1930 makes it clear that it is a serious criminal offence for any unauthorised person to interfere with or damage such a monument. A conviction carries a fine of up to €10 million and up to five years in jail. A convicted person may also be required by the courts to fund the cost of repairing the monument. These onerous penalties reflect the gravity with which the Oireachtas views such offences, a view to which the Minister for Arts, Heritage and the Gaeltacht fully subscribes.

As the Deputy will no doubt appreciate, the national monument formed by the cairn at Tibradden is situated in an isolated hilltop location. The protection of such monuments from interference, whether through deliberate vandalism or interference by those who simply do not understand the nature and significance of what they are doing, presents challenges. While the Minister and her Department are, of course, fully committed to using the sanctions available under the National Monuments Acts, she must also rely on the goodwill and vigilance of the public as one of the main ways to protect our archaeological heritage. In that context, the Minister would call on anyone who has information about any damage to this or any other monument to contact her Department's National Monuments Service or the Garda.

The Minister very much appreciates the steps taken by concerned citizens in this case to bring this matter to the attention of the National Monuments Service. I assure the House that the Minister is having it fully investigated by her Department and has also brought it to the attention of An Garda Síochána. The Minister deplores, as we all should, breaches of the National Monuments Acts; such breaches represent acts of gross disrespect and disregard for our national heritage.

Fortunately, in this particular case, the reported damage may not be especially serious, as it appears to be confined to the movement of loose stones from the cairn into the central chamber area. The material moved would very likely have been taken from an area rebuilt in the 1950s. It may indeed be possible to rectify it by simply moving the loose stone from the chamber back onto the surrounding cairn. The Minister's Department has already initiated discussions with the Office of Public Works with a view to repairing whatever damage has occurred at the earliest possible opportunity.

It is obviously difficult to know in this particular case, pending the outcome of any further investigations by An Garda Síochána, what may have been the motivation behind what occurred. As noted already, such incidents can represent intentional vandalism or simply a lack of understanding and appreciation of our heritage. On behalf of the Minister, I appeal to everyone to demonstrate appropriate respect towards our national monuments and also to be vigilant about protecting these monuments so we can be sure they will be there for future generations to visit and enjoy.

Deputy Eric Byrne: I thank Minister of State very much. I am very conscious he is familiar with the mountain ranges of Ireland and that he is keen to protect our national heritage. He will see from the photograph that what happened required the movement of quite a substantial amount of the walls of the passage grave. He will see the entranceway to the grave. I am interested to learn it was rebuilt in the 1950s. Perhaps we can reinstate it to some degree of authenticity. The Minister of State mentioned there are loose stones. These cairns all comprise loose stones. The report I received recently that the cairn at Fairy Castle has been interfered with is particularly worrying, as there may be an attempt to interfere with these national monuments throughout the Dublin and Wicklow Mountains. In particular, Seefin, which is a phenomenal passage grave, should not suffer any further damage.

Will the Minister of State address the question of the responsible use of motorbikes and scramblers and the desecration of these very important sites? The Wicklow Way is a phenomenal development and attracts tourists from all over the world. The mountains are becoming more and more open to people who walk them and enjoy the scenery, vistas and knowledge that they are standing close by burial grounds which are perhaps 5,000 or 6,000 years old. This must be treated in the most serious way and these sites must be protected not only for this generation of Irish people, but generations to come. We owe these passage graves and cairns absolute respect as something we have inherited from as far back as 5,000 or 6,000 years ago.

Deputy Jimmy Deenihan: Again, I thank Deputy for raising this matter. Over the past five years we have walked most of the mountain ranges of Ireland with some of our colleagues, and I know he has a real passionate and genuine interest in archaeology and the protection of our uplands. I thank him very much for that. I am confident the Minister for Arts, Heritage and the Gaeltacht is particularly pleased to see a demonstration of such interest in this central part of her brief as Minister for Arts, Heritage and the Gaeltacht, and a matter which all Members of the House will, no doubt, consider to be of great public interest. She wishes these sentiments to be conveyed to the Deputy. I again assure the Deputy that all appropriate steps are being taken in this case. As serious as the matter undoubtedly is, it appears, based on the information so far available, that the matter can be remedied.

As has been outlined, the National Monuments Acts 1930 to 2004 provide robust protection for our most important national monuments, and the Minister for Arts, Heritage and the Gaeltacht is absolutely determined to enforce these provisions, working in close co-operation with

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other authorities, particularly An Garda Síochána. The investigation of the present case is at an early stage but the Minister can say happily that the past experience of her Department has been that An Garda Síochána takes such incidents very seriously and works with determination to resolve them.

The National Monuments Acts provide for the erection of signs at national monuments of which the Minister for Arts, Heritage and the Gaeltacht is owner or guardian. The actual erection and maintenance of such signs is a matter for the Office of Public Works. In regard to this particular case, the Minister will discuss with the Office of Public Works whether there is a need for any additional signage at the monument. That could help, as some people do not realise the value of these particular sites. I will also bring to her attention the issue of motorbike and scrambler usage in those areas.

Mental Health Services

Deputy Mary Mitchell O'Connor: On Monday this week, World Alzheimer's Day, the world united in the fight to raise dementia awareness and make a difference for the 46 million people worldwide who suffer from dementia. Unfortunately, we all know someone who suffers from dementia and the debilitating life impact it can have not only on a person but on loved ones and friends. In 2012, the World Health Organization stated that dementia is the biggest social issue facing the world today and in Ireland, as in the rest of the world, the prevalence of dementia is rising. Currently, there are 48,000 people with dementia in Ireland and this number is expected to treble in a generation. This is not a goal we want to reach, which is why I am urging the Minister to address brain health and dementia prevention. We must tackle this issue head on, and I would like to see the national dementia strategy for 2014 implemented.

If we could delay the onset of dementia for two years, it would result in a massive 20% decrease in prevalence. A report published recently and commissioned by the Alzheimer's Society of Ireland and authored by the Institute of Public Health in Ireland revealed that if key risk factors for dementia, such as low levels of education and unhealthy lifestyles, had been addressed through public policy initiatives, there could be a reduction of more than 1,000 in the number of people living with dementia in Ireland today. The study highlights seven modifiable risk factors, including low education, diabetes, smoking, depression, physical inactivity, mid-life obesity and high blood pressure. These are all risk factors that can be addressed, modified and avoided in many cases.

I work very closely with the Alzheimer's Society of Ireland in Blackrock and I wish to emphasise the simple concept of brain health it has proposed to me. This concept can be used to inform Government policies geared at minimising early school leaving and promoting a healthy lifestyle which it believes could prove significant in reducing dementia risk in the population. We could and should seriously consider the integration of dementia awareness into national public health programmes. We must fight the growing prevalence of this condition. Next year alone, 4,000 people - or 11 people per day - will develop dementia. This is alarming, as the average annual cost per person with dementia in Ireland is estimated at €40,500, with the economic cost of the illness was estimated at €1.7 billion in 2010. The concept of brain health is a new theme but it is effectively cost-neutral, as it is simply about incorporating messages into existing public health policies and promotions. As a member of the Committee on Health and Children, I fully recognise the challenges we face in tackling the risk factors alone, such as obe-

sity and smoking. That is not reason enough not to consider how we can integrate brain health and dementia awareness into our existing public health policies. It can and should be done.

Minister for Health (Deputy Leo Varadkar): I thank Deputy Mitchell O'Connor for raising the issue of dementia and Alzheimer's disease. I am taking the debate this afternoon on behalf of my colleague, the Minister of State, Deputy Kathleen Lynch, who is abroad on Government business.

It is estimated that there are approximately 50,000 people with dementia in Ireland today. These numbers are expected to increase to more than 140,000 by 2041 as the number of older people in Ireland increases. For this reason, in December 2014 the Government launched the Irish national dementia strategy. This delivered on a commitment in the programme for Government and set down a number of principles to underpin the provision of care and supports for people with dementia. These include taking account of dementia in the development and implementation of existing and future health policies, encouraging people with dementia to participate in society and in their communities as fully as possible for as long as they can, and prioritising end-of-life care for those with dementia and providing it in the most appropriate setting. All those caring for or providing services to people with dementia should be appropriately trained and supervised and resources should be directed to provide the best possible outcome for those with dementia and for their families and carers.

The initial emphasis was on doing things better within existing resources. A welcome boost has since been provided by Atlantic Philanthropies which, along with my Department and the HSE, has agreed a joint initiative to implement key elements of the strategy to 2017. This national dementia strategy implementation programme will represent a combined investment of €27.5 million, with Atlantic Philanthropies contributing €12 million and the HSE contributing €15.5 million. This programme will promote a greater focus on the timely diagnosis of dementia and the value of early intervention along with the long-term objective of making people in Ireland generally more aware and understanding of the needs of people with dementia and of the contribution those with dementia continue to make to our society.

The initiative includes the following key elements. One is a programme of intensive home supports and home care packages for people with dementia while another is the provision of additional dementia-specific resources for GPs, who are the initial point of contact with the health service for those with dementia. This resource material will include training materials and guidance on local services and contact points that are relevant. The GP programme is being led by Dr. Tony Foley in Kinsale and training will be delivered in the nine community health organisations. A further element is to raise public awareness and promote a better understanding of dementia and its prevention, address stigma and promote the inclusion and involvement in society of those with dementia. Measures will be implemented by the HSE to support the work of Healthy Ireland by highlighting the modifiable lifestyle and cardiovascular risk factors that can beneficially impact on risk and time of onset of dementia, and by implementing the national physical activity plan, which will encourage the population to be more physically active.

The HSE is developing a dementia-friendly Ireland campaign, which will aim to promote simple preventative measures for everyone in society by improving understanding of dementia and its causes. Clear responsibility has been assigned within the HSE, where a dedicated office has been established to lead the implementation of the strategy. The consolidation of functions that were previously dispersed will have a very significant effect in generating and maintaining momentum and driving change. We are still in the early stages of implementation but the

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national dementia strategy is a clear indication by the Government of the importance it attaches to the condition, its prevention and our commitment to ensuring those with dementia can live well for as long as possible.

Deputy Mary Mitchell O'Connor: I am glad the Minister mentioned intensive home support packages today. I also want to recognise the extremely difficult and hard work that a carer for a person with Alzheimer's disease must do. The majority of people with dementia - 63% - live at home in the community. Most are cared for by a family member, with approximately 50,000 dementia family carers in Ireland. Often, that family carer is an elderly spouse or partner who may be in their 80s. Carers must watch their own husbands, wives and partners change before their eyes. They are helpless in so many ways and struggle every day to make sure their loved ones are comfortable and safe as Alzheimer's takes its terrifying grip on their personality and memory. I must also mention the Living Well with Dementia initiative, which has been running in Stillorgan and Blackrock for the past three years. There are also a number of other organisations throughout the country. This initiative provides amazing supports to people with dementia and their families so that they can continue to live at home. Living at home in a familiar environment plays a vital role in slowing down the progression of dementia. It is for both the person suffering with Alzheimer's and the carer that we must do something. We must address dementia prevention and awareness and make sure carers are supported.

Deputy Leo Varadkar: I concur with all the remarks made by Deputy Mitchell O'Connor and thank her in particular for her interest in this very important issue at the time of World Alzheimer's Day. I assure her of the Government's interest in the issue.

Refugee Numbers

Deputy Mick Wallace: We have touched on this subject many times before. We raised the issue a few times last winter when Operation Mare Nostrum was cancelled and the attitude was that we were only encouraging refugees by pulling them out of the sea. We then discovered that when we do not pull them out of the sea they drown in it. It is to be welcomed that we have decided to take in some people. We did not want to do it at first but seemingly we have been shamed into it. People obviously realise that we struggle to house our own, so housing others is an extra challenge. By the way, I suggest that the Government stop NAMA from selling Project Arrow, 50% of which is residential units and which has a par value of €7.2 billion. They are threatening to sell it to a crowd called Cerberus for about €1 billion, which is nonsense. Aside from putting-----

Acting Chairman (Deputy Olivia Mitchell): That really is not relevant to this discussion.

Deputy Mick Wallace: It is actually very well connected to it.

Another related issue is that the refugees do not come from nowhere. We allow Shannon Airport to be used by the US military, who bomb people's homes and create refugees. The amount of weaponry being used in the world in the last four years has risen by 16% compared to the previous four years, and we facilitate it. Right now, we are allowing arms to go through Shannon Airport on the way to Saudi Arabia, which is bombing the living daylights out of Yemen, and no one seems to give a damn because the US is involved. When are we going to call a spade a spade and say that killing people and destroying their homes is wrong? When are we going to say that and stop allowing Shannon to be used as a US military base?

Deputy Clare Daly: This is a major issue which is convulsing Europe, and I am shocked that there are only two of us in here who have raised this today. It is the third time we have had this question as a Topical Issue. The dire situation that hundreds of thousands, and indeed millions, of people around the globe are being placed in is reprehensible. We know that when Mare Nostrum was cancelled, the Irish Government representatives sat in EU meetings and stayed schtum. They were ordered, if they had to say anything, to talk about the handful of refugees we had already agreed to take.

Europe undoubtedly now has a migrant crisis, but that is precisely because migrants have a European crisis, a crisis caused by intervention and regime change attempts in their regions orchestrated and led by the US military. Ireland, as Deputy Wallace says, is culpable and has a role in that. We discussed this morning with the Minister for Transport, Tourism and Sport the list of permissions given to US aircraft and those destined for Saudi Arabia with munitions on board that could be cluster bombs. Ireland spearheaded a campaign against such activity years ago, but we could be allowing such weaponry to transit through Shannon Airport.

We need to do more. Whether it is 400, 600, 4,000 or 6,000 refugees who are welcomed here, I welcome them. I do not believe it has any connection to our homelessness situation. It will not stop any homeless person from getting a house. The only way homeless people will be housed is if we build more social housing. I would like the Minister, as spokesperson on our behalf, to welcome greater numbers than we have indicated, not least because of our culpability. I have no problem myself with taking people into my home, as thousands of other Irish people have. It is just not good enough. We are culpable and we need to do a lot more.

Minister for Justice and Equality (Deputy Frances Fitzgerald): According to the UN-HCR, more than 50 million people are fleeing war and conflicts worldwide and many more are looking for a better future, as we well know. Obviously we cannot accommodate everyone in Europe without endangering our own societal cohesion, but clearly there is an enormous humanitarian issue in Europe right now that needs a comprehensive response. There are many different elements to this response.

Over the years, Ireland has always lived up to its international humanitarian obligations, and we are fully committed to playing our part in addressing the migration crisis facing Europe. We have all been shocked and upset at what we have seen in southern and central Europe and the distressing scenes during rescues in the Mediterranean, and we must do all we can. We have been working proactively over the months. At the EU Justice and Home Affairs Council meetings, the Taoiseach, the Minister for Foreign Affairs and Trade, Deputy Flanagan, and myself have all been involved in developing the European action programme on migration to deal with these issues over many months, often behind the scenes, but also in the Council meetings, working through how the European Union can proactively be involved in this issue and deal with the crisis on its doorstep. There are many elements to this comprehensive response: working with the African countries where development is needed; providing more humanitarian aid, which the Heads of State will be discussing this evening; working with people who are already in the refugee camps and trying to ensure the standards in those camps are good enough for people to remain there until they are processed; and helping people to get through the various processes in an orderly way. We need more legal routes to Europe - of that there is no doubt - but we do need to have some further controls over the current situation. That was part of the discussion yesterday.

The situation changed rapidly over the summer months, and that is why the Minister for

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Defence, Deputy Coveney, approached the Government proactively to send the *LE Eithne* and subsequently the *LE Niamh* and the *LE Samuel Beckett* to the Mediterranean to carry out vital rescue missions, which they have done very successfully. Not many other countries are doing that. We have also given €41 million in aid to Syria. It is a very complex issue in both Syria and Libya, and we do need the international community, including Ireland, to play its part to resolve the conflict in Syria. More efforts need to be made at every level, including in the UN and internationally, between Russia, the United States, China and so on. Everyone who has a voice should be using that voice. I can only agree with the Deputies on that, because we need to get a resolution as so many of the refugees are coming from war-torn Syria and Eritrea.

Two weeks ago, the Government decided that Ireland will accept up to 4,000 persons overall under EU resettlement and relocation programmes. Some 520 programme refugees are currently being resettled in Ireland directly from refugee camps in Lebanon. We have already had staff out working to identify the people who are in a position to come to Ireland, and they have started arriving. We have also agreed to the extra numbers. We have opted into the EU emergency relocation measure. We had a choice as to whether to do that and we decided to do so. It will, of course, be discussed in the Dáil and the Seanad. There will be a motion here next week to allow a detailed discussion on that. I also informed the EU Justice and Home Affairs Council meeting yesterday that we would not be taking up the option we have to wait three months, as we do when we opt into decisions. We could have delayed the whole process but we did not want to do that, so we agreed to opt in immediately. Denmark was not in a position to opt in because of its own constitutional position and the UK did not do so either, but we said we would come in. The Government has now set up the Irish refugee protection programme. I chaired a meeting with 25 different groups which have a contribution to make in working towards solutions here, providing accommodation and taking up those voluntary offers of approximately 16,000 places. Not all those places would be feasible to take up in the first instance because people need to have the assessment as to their refugee status done first in the orientation centres, and we have agreed that would be done on a priority basis in the next couple of weeks. Once the people arrive from Italy and Greece, they will be assessed immediately as to their refugee status, but it is expected that between 80% and 90% of them will immediately get refugee status.

This is a new type of programme. We have not had a programme like this previously where those who will come here are identified in Italy and Greece in the first instance in these centres that are being set up there this week. The suitable persons will be identified to come to Ireland and they will then be given the opportunity to have that assessment done here and to be accommodated here. There will be short-term issues but also medium and long-term ones.

Deputy Mick Wallace: The Minister is talking about us providing funding for aid which is all very well and good, but many of the refugees who are coming to Europe at present are trying to get to countries that have played a part in bombing their homes and killing their relatives, be it through the use of airports or through the sale of arms. Where is the logic in that?

Why do we continue to allow Shannon to be used to destroy their countries? Some 1.3 million citizens, not military personnel, have been killed in this region in the past 13 years by the US military machine and we still allow them to use Shannon. There are more weapons in the Middle East than there is bread. Why do we not tell the Americans that we will let bread, not arms, through Shannon? It is outrageous that we can turn a blind eye to how Shannon is being used. It is a disgrace.

Deputy Clare Daly: The reality is that those ending up on European shores after making a

horrendous journey to reach here constitute just the tip of the iceberg. Millions of the refugees are confined to the borders of Lebanon and Turkey with more in the Middle East-Europe region. Half the world's refugees come from Syria, Afghanistan and Somalia. Last year we allowed six flights go from the United States to Afghanistan carrying hundreds of tonnes of ammunition and I have no doubt, because of the experience of what happened in Iraq where weapons ended up in the hands of the opposition, that some of that weaponry that transited through our shores ended up in the hands of the Taliban and ISIS, the very ones who are playing a role in driving these refugees out of their homes in the first place.

This is one of the key points we want to register. I would welcome far more than 4,000 refugees here, but we really need a debate in Europe about the reasons these people are being made refugees in the first place. Our culpability in that rests at Shannon Airport and we must seriously look at what is being transited through there in our name, the name of a neutral country.

Deputy Frances Fitzgerald: The flow of refugees is coming from a wide variety of countries. It is coming from, to name but a few of the countries, Syria, Libya, Yemen, Iraq, Afghanistan, Pakistan, and the Horn of Africa. There are various factors impacting on the numbers of refugees coming to Europe at present. As I said, it needs a multifaceted response. Nobody is turning a blind eye to any of the issues the Deputies outline, but we need engagement with the various world powers to deal with the problems of Syria and we need concentrated action.

The Deputies have not mentioned that many of the migrants coming to Europe are economic migrants as well. Considerable numbers are coming for economic reasons, particularly from Africa. Clearly, helping African countries to develop properly and giving them support is what will make a difference there.

We must distinguish. As I have said, Europe cannot accommodate everyone without endangering our own societal cohesion, but we have international obligations which we want to meet. We must distinguish between refugees and economic migrants and have the kind of policies in place that support people to come legally to Europe. The current situation is not helping anyone and is putting terrible trauma on the people who are arriving at the borders of Europe.

Yesterday's Council was an important step in agreeing a coherent European approach to supporting the refugees in their countries of origin or surrounding countries, with all member states working together, having a more co-ordinated approach to assessment, supporting the refugees when they arrive in Europe, and working out the relocation. It is only one step. I certainly agree many steps are needed. It is not a situation for which one single solution can be found. It will involve many countries around the world, it is multifaceted, and it involves foreign policy as well as the policies we were discussing yesterday.

An increase in humanitarian aid was agreed. Hundreds of millions of euro are being given by the EU for increased humanitarian aid in the camps and to the refugees. Norway, for example, is holding an immediate donor conference to help Syrian refugees in particular because of the difficulties they face. There is much work to be done and all the Council meetings are certainly preoccupied with this issue, as they should be.

The numbers in the Mediterranean have stabilised. They are still high, at 115,000, but of course the western Balkan route is the route that is now being used and that is where the focus will be over the coming weeks and months during the winter period.

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Marriage Bill 2015: Second Stage (Resumed)

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

Deputy Paul Murphy: Before the break, I was making the point about the movement that developed, in reality from below, in the course of the referendum campaign, but also before the referendum campaign, for marriage equality, but also for LGBTQ rights generally and an end to homophobia. A reflection of that was the very significant numbers who registered to vote in the run-up to the referendum who were likely to have voted overwhelmingly “Yes”. Some 66,000 citizens registered. Another striking example was the home-to-vote movement, meme, etc. of overwhelming numbers of young people who had emigrated coming home to vote to strike a blow for a different sort of Ireland, an Ireland of equality. This was also manifested by the registration drives that took place in universities and colleges, and by those queuing at local authority offices to be part of a push for equality in this State.

In particular, I want to mention the area of Jobstown in my constituency, an area vilified by some, which had an 87% Yes vote. There were similar high turnouts and very significant Yes votes right across Tallaght. It is a reflection of the movement that happened, in particular in working class communities, to mobilise for this referendum and to turn out to vote in very significant numbers.

I note the Bill contains a welcome change to the gender recognition legislation allowing married trans people to access official recognition of their gender. I welcome that provision which will make a real difference to the lives of trans people who will be able to gain access to and use the correct documents.

Unfortunately, despite the significant differences that marriage rights will make to the lives of many, LGBTQ people will not enjoy full equality after this Bill comes into effect. Regardless of the day-to-day discrimination and oppression that people can still experience, side by side with that still goes the legal difference -in reality, legal discrimination - between LGBTQ people and heterosexual people. We know that section 37 means LGBTQ employees, such as teachers and nurses, can be discriminated against and fired from religious-run institutions. The Bill we brought to end this legal discrimination and which passed Second Stage has not been progressed any further and, unfortunately, even the Labour Party Bill, which may not fully protect those workers, seems to be of a low priority on the legislative schedule. My party thinks a priority should be made of it immediately. It is part of what the movement is about. We also know that gay and bisexual men are banned for life from donating blood while those who have had sex with someone who was HIV positive only have a one-year ban.

3 o’clock

These are some of the immediate legal barriers to real equality that should be removed through action by the Government and Dáil as a step towards full equality.

Other issues are posed and there are questions of referendums that are necessary to create a genuinely equal Ireland, including divorce. Just as people should have the right to marry whomever they want, they should be easily able to access divorce. Unfortunately, we will need a constitutional referendum to enable people to do so, given that the incredibly restrictive situation that exists and the difficulties people have in accessing divorce, which do not exist in many other states, are written into our Constitution. This issue can come onto the agenda.

The major issue that will rightly be present in the political debate will be seen this Saturday when many who fought, mobilised and voted for marriage equality will join the march for choice at 2 p.m. at the Garden of Remembrance, calling for another referendum to repeal the eighth amendment to the Constitution so that 4,000 women are not forced to travel abroad every year to access the abortion services they need. People will have seen the front page headline in yesterday's *Irish Examiner* which showed a clear majority of farmers in favour of repeal of the eighth amendment. It is a sign of how much things have changed. We clearly have a massive majority in favour of repeal of the eighth amendment and no longer are the Government and establishment political parties able to hide behind a supposedly conservative social majority as an excuse for failing to take action on these barbaric, backward laws. We need action on it now. This is what people are demanding and we will be fighting for it. Those people will continue to fight for full LGBTQ equality, both legally and socially. Although attitudes have changed much due to that movement from below, much more needs to be done, and the Anti-Austerity Alliance will be part of it.

Deputy Clare Daly: Earlier, I was asked whether I was opposed to everything, and I made the point that I am opposed to quite a lot of what the Government does. If I were not, I would be part of it. It is our job as Opposition Deputies. I was asked whether there was anything on which I would compliment the Government. It was a real struggle, and the only one I could come up with was the legislation we are discussing. In many ways, it was not necessarily delivered by the Government any more than this side of the House. The result in the marriage equality referendum was a resounding vote by the people outside the Chamber, the real people who make up Ireland in the present decade. It was incredibly enlightening for many people across the generations and I am glad the Government held the referendum and hope it learned from it that the people can be trusted.

Probably the most significant lesson that can be learned from it is that these issues which in some ways could be deemed to be private matters or moral issues between citizens have no place in a country's constitution. While I will make some points about why we need to change the Constitution regarding women's rights and abortion, the debate we should be having is on the type of Constitution we want in the modern age. A secular Constitution for an open, tolerant society and a redrafting of everything would be far preferable to tinkering around the edges and going through every single article that needs to be updated and modernised by a huge degree. We should take much confidence from the fact that on a world stage we were the fourth country to introduce such a measure by a popular vote. When one couples it with the trans legislation which the Government passed, which went beyond what it had originally proposed, which was very good, it should be taken as a signal for how business could be done in the House. While it was not perfect, it moved on a lot and beyond what many other countries which would be deemed to be progressive have.

For a country such as Ireland which came from a religious dominated ethos, it is very enlightening and would have inspired many people. It is not false to say that people around the world are looking at Ireland and thinking that some very interesting things are going on here. We need to package it and bring it into debates on other issues and agendas. I would like to see a completely grassroots discussion on the type of Constitution we want. Issues of private, personal morality have no place in a constitution, no more than private health matters. They are irrelevant. If people want to make a moral judgment, if people believe in a certain religious ethos, I will fight for their rights to practise their religion, however, it should not be in a constitution and, as an atheist, I believe it should not be in our schools and hospitals but should be a

private, personal matter. We have a long way to go to reach this situation.

I agree with the points that the idea of being accepted has been a major plus for gay, bisexual and trans people. The personal stories were very important in the debate and they showed Irish life in all its multifaceted ways. The idea that we have a nuclear family of one mammy, one daddy and 2.whatever kids has long been in the past, and a reflection of real lives and differences in sexuality was very welcome. It is carrying on into the debate on abortion rights with, again, real women, real mothers, grandmothers and daughters telling their stories about the circumstances that led them to choose an abortion. We need to reflect all of it, and if people have a religious ideology we should respect it. Nobody will force them to have an abortion or marry a gay person, and they should not stop other people from doing it.

There must be a catch-up in the legislation after the marriage equality vote. Regarding section 37, while it is true that we have moved on, we have a long way to go. The moves in our education system regarding patronage of schools are not what we should be doing. We are replacing one patron with another and allowing a system of discrimination and segregation to continue. It is not advisable. All children of all religious persuasion and none should be educated together in schools near the areas in which they live and any other religious or moral teaching should be done privately. I agree that regarding full rights for teachers and nurses, section 37 must be examined beyond what the Government and the Labour Party Bill proposes, given that it would still allow discrimination against atheist teachers in our peculiar education system which is 100% State funded but 100% privately run.

We should seize the feel-good factor the marriage equality referendum delivered. There will be an economic kick from it. Ireland is a location for gay tourism, and I hope the gay couples who I hope come here in their thousands do not find the experience different from that. I am very glad they see Ireland as a gay-friendly destination. We can seize the feel-good factor in terms of women's rights. I note the Minister's comments yesterday published in some of the newspapers about the idea of abortion not being part of the Constitution and I welcome them.

For women in this country, the idea that a private, personal health matter relating to our bodies and choices being put in the Constitution is reprehensible. It has no place in a modern Ireland. To compound the problem, our Constitution says women have a legal right to an abortion and a legal and constitutional right to abortion information, but no right to access that medical treatment at home. Some people are very clear and happy and find the decision to have an abortion easy while for others the circumstances are not easy, for example in cases of rape, horrendous cases of fatal foetal abnormalities and so on. As the UN and European bodies have said, our failure to recognise people's right to access this medical treatment here means that the most vulnerable women - migrant women, poor women and sick women - are the only people who cannot access their constitutional right to an abortion anywhere else.

The marriage equality referendum showed us that the idea that there is a conservative majority - a marauding band of people who are silently waiting in the wings to jump on any measure of progress or social change - is just not true. In fact, those people have had a disproportionate influence on social policy. Time and again, studies and surveys have shown that even those who feel that abortion is a moral issue or a personal choice are happy to leave such choices to the people who have to make them. They do not want to preclude such people from making certain choices. I think that is a really healthy development. We can grow on the basis of what was achieved in the marriage equality campaign.

These issues would have been sorted out long ago if they had been left to the Irish people, who are very tolerant and practical. We know that life is not black and white. We are not all the same. We do not all have the same life experiences. We want society to respect everybody. We know it would be brilliant to have a society in which people have children when they are ready, when they have the necessary supports and when they are able to raise them with dignity and respect, etc. Would that not be a great Ireland? It is embarrassing that in the past, people who had crisis pregnancies were hidden behind the walls of Magdalen laundries or confined to mother and baby homes. Years later, we had to apologise for the damage we did to them. Now we tell people in such circumstances that we know they have a problem and advise them to get on a Ryanair plane or to purchase illegally a packet of pills on the Internet. We have been telling them that we do not want to know them. I think that is changing now. The marriage equality referendum showed that people do want to know these people. The women in question want to tell their stories. That has been a real follow-on from the marriage equality referendum.

I acknowledge that the Government gave citizens an opportunity to have a say on what way they want Ireland to be. I am delighted about that. I appreciate it. I am begging and hoping that the Government, or the Government that follows next time, will give the people the right to make the same decision in terms of women's rights. I do not think the people would disappoint us in such circumstances. I think it would be a very good thing for Ireland. To be honest, it cannot come quick enough. These issues of old morality have no part in our Constitution. There are many different shapes and sizes. All are welcome, all are different and all are equal.

Deputy Alan Farrell: I would like to share time with Deputies Kyne and Costello.

Acting Chairman (Deputy Olivia Mitchell): Is that agreed? Agreed.

Deputy Alan Farrell: I thank the Minister, Deputy Fitzgerald, for putting this Bill before the House following the extraordinary decision made by the Irish people back in May. When I was given my speaking slot a little earlier, I thought about what I would say. What a day it was when 61% of the electorate voted and 62% of them supported the proposal to change our Constitution. I remember standing in Dublin Castle with many of my colleagues, including the Minister for Justice and Equality and the Taoiseach. As we watched the results coming in, we saw the reaction of the crowds inside and outside the castle. Dame Street was blockaded, more or less, by a very large crowd of extraordinarily happy and proud citizens of our State, many of whom had put so much into an extraordinary campaign which touched the lives of many people who would not normally involve themselves in the electoral process. I spoke to an 81-year-old great-grandmother who described herself as very conservative, but was out canvassing because her grandson is gay. She said she wanted him to have the same rights under the Constitution as she does and she wanted the fundamental principle of equality to be extended to every child and great-grandchild in Ireland. Her gesture was a shining example.

Dozens of people across all parties and none came out on a very regular basis with the Marriage Equality teams, which I tied in with during the campaign. A terrific local lady in Malahide texted me pretty much every morning to say where her team would be at various times and to make it clear that she expected me to be there. Indeed, I was there most of the time. Ireland is a shining example in regard to the rights and privileges that are extended to citizens. These rights now include the right of all citizens to have their love recognised by the State in a partnership. I am proud to have played a role in the extension of the right to marriage to all citizens. It speaks volumes that we as a people made a statement on 22 May last that we were, to a certain extent, demonstrating our love and acceptance of one another as part of the ongoing movement towards

full equality for all citizens across the whole spectrum of life in their interactions with the State. I suppose it shows a decency among people and perhaps a recognition that there is a move away from the more traditional view of marriage and the more conservative view of life in Ireland. People come in all shapes and sizes. They may or may not have religious beliefs. Some people are gay and some people are straight. Some people are working, others are unemployed and others are college students. We come in all shapes and sizes. It is only appropriate that the State recognises all people in that way.

I was heartened, as I am sure a great many people were, by the number of people who came home to vote. I heard the stories and saw on Facebook and Twitter that people were getting on planes in Australia, Canada and the United States. I know a lady who came all the way from southern Chile to Dublin. I understand she arrived into Dublin Airport at approximately 8 p.m. on the night of the vote and just made it. When my colleague, Deputy Buttmer, spoke on this Bill earlier, he referred to someone who sprinted to the polling station. When I went to check my local polling station just before 10 p.m., I met a man who was despondent for a few seconds until I told him to get to the door quickly. Of course he was allowed to vote by the presiding officer of the polling station, who interpreted the rules appropriately, in my view. The presiding officer decided that even though it was after 10 p.m., the citizen in question was inside the curtilage of the polling station and therefore was allowed to vote. I suppose it was a progressive way of recognising that a person had gone to great lengths to get to the polling station. People were coming in from all over the world. Marriage Equality demonstrations or marches were held by Irish citizens in pretty much every large city across the world. That in itself was an extraordinary message to send home from those who could not make it here to vote. In certain cases, people actually voted on behalf of those who might have voted the other way. That was another phenomenon of the campaign.

I would also like to recognise the enormous work that was done by the Minister for Justice and Equality and her predecessor to ensure this matter got a hearing. The word "journey" was used by many people across this State, including me, to describe how we came to choose not only to vote "Yes" but also to campaign throughout the entire process. I campaigned not just on my own behalf but on behalf of many of my constituents. Indeed, my constituency ranked second in the country in terms of its support for a "Yes" vote. I think we had a "Yes" vote of 70% and Dún Laoghaire had a "Yes" vote of 76% or something like that. There was also an extraordinarily high turnout in my constituency. That is why I am on my feet today. Am I out of time?

Acting Chairman (Deputy Olivia Mitchell): You are indeed.

Deputy Alan Farrell: Okay. I conclude by thanking the Minister. Perhaps I will weigh in at a later stage with regard to some specific aspects of the Bill. I commend not just my colleagues who participated in the campaign across both sides of the House, but all the citizens across this State who got up, went out and knocked on doors because they believed it was the right thing to do.

Deputy Seán Kyne: I am delighted to speak on this very important Bill. On 22 May, Ireland made history as we became the first country in the world to extend in a direct vote the institution of marriage to all couples irrespective of gender. Very often, and particularly in the recent history of our country, political and social change has been driven by court rulings after which the Oireachtas acted. Much more powerful, however, is the social change that is brought about by a vote of the people. In other countries, such as the US, marriage equality has become

a reality because of Supreme Court rulings and the legal aspects are no less significant, but the fact remains that a referendum of the people is a much clearer and more resounding statement.

The “Yes” vote in May is more than just a referendum result. It is a statement of the kind of Ireland we want to live in. The resounding “Yes” is a “Yes” to marriage, equality, inclusion and a warmer, gentler Ireland. I pay tribute to everybody who worked so hard to secure the referendum result and to secure today, the day on which the Oireachtas begins to implement the legislative changes necessary to reflect the decision of the people. An overwhelming and astounding grassroots campaign uncovered support for marriage equality from across Ireland and from Irish people living abroad. Leading the civil society campaign were the stalwarts of a long campaign, GLEN, Marriage Equality and the Irish Council for Civil Liberties. The Yes Equality campaign invigorated and stimulated debate and action in communities across the country. People who had never campaigned on an issue before, who had never knocked on a door over a political issue, took part in what became a movement for change.

I acknowledge the Minister’s own involvement in this campaign. Also, on the political side, I take this opportunity to recognise the work of our campaign director, the Minister, Deputy Simon Coveney, and, in particular, his constituency colleague, the chair of Fine Gael LGBT, Deputy Jerry Buttmer, who worked relentlessly to achieve a “Yes” vote. Public meetings, canvassing, leaflet drops, media work and, above all else, communication with the public as well as with party members formed the exceptional work of this group, led by Deputy Buttmer and by Deputy Marcella Corcoran Kennedy. I also acknowledge the work and support of the previous Minister for Justice and Equality, Deputy Alan Shatter, in this campaign. The Fine Gael slogan “Equality for Everybody” perfectly encapsulated what the campaign was about and highlighted how every person and every vote mattered.

The nationwide approach was essential. On countless occasions the sentiment that “Dublin will carry it” was pervasive but those with experience of elections and referenda knew otherwise. The result demonstrated the importance of all constituencies in securing the momentous result. In my constituency, for example, the final “Yes” result of 62% mirrored the national result. The tallies from the count centres showed, however, that the “Yes” vote came from all across the constituency and was not just concentrated in the city or urban areas. Parts of the city had high “Yes” votes with parts of Knocknacarra coming in at over 80% and parts of Salthill also at over 70%. However, places like Leenane, Cleggan, Letterfrack and north west Connemara recorded “Yes” votes of over 70% on the strength of very high turnout figures, which exceeded 75% in some places. In many other parts of Connemara, such as Moycullen, Oughterard, Na Forbacha and An Spidéal, the “Yes” vote was higher than the 62% overall constituency vote - again, on the strength of a high turnout.

In terms of the Bill, section 4 amends section 2 of the Civil Registration Act 2004 which has been the main legal impediment to marriage equality. After the enactment of this Bill, marriage will be available to all couples irrespective of gender. Section 7 of the Bill is also important because it effectively demolishes and exposes one of the myths that was an unfortunate plague of the referendum campaign. Section 7 definitively states that no religious organisations will have to permit same-sex marriages. This is completely contrary to the scaremongering during the campaign by some. Part 4 of the Bill is also significant and confirms the point made many of us who supported the marriage equality referendum, namely, that civil partnership, while very welcome, has been a separate and unequal category. This Bill will end the inequality by making marriage available to all couples who wish to avail of the institution.

It is not often that we in the Dáil can be certain of support for legislation. On this occasion, however, we know that the Marriage Bill 2015 is supported by the majority of the people of Ireland. While it is a relatively short Bill, its provisions will have profound and positive implications for hundreds of thousands of people across the country and I look forward to its enactment.

I acknowledge the presence in the Gallery of people who have conducted a long and arduous campaign on this very important issue. In 2009, as a local election candidate, I was e-mailed by Marriage Equality and asked my view at that time. I gave my view strongly that where two people of the same sex love each other and want to have that love and commitment recognised by the State, then that should be possible. I am delighted at this stage, following a very positive result, that I played a small part in the campaign. Like many people, I could have done more but I played a part and I am very happy with the result. I was somewhat surprised by the size of the margin in favour. Certainly, a year out from the referendum, I was not expecting such a result but, as the campaign went on, I was delighted to see the positive engagement by people on this very important issue. I am very proud to stand here today as a Member of the Dáil as this legislation is being debated and enacted.

Deputy Frances Fitzgerald: Hear, hear.

Deputy Joe Costello: Tá áthas orm deis a bheith agam labhairt ar an ábhar tábhachtach seo. I congratulate the Minister and her predecessor on the excellent work they have done in steering the referendum to a successful conclusion and in now presenting this legislation before us in such a timely manner. I also pay tribute to my colleague, Deputy John Lyons, who was the standard bearer for the Labour Party and did an excellent job, and to Deputy Jerry Buttmer, from the Minister's party, who was in the front line and who also did an excellent job in leading the charge.

No other referendum and certainly no other election of any description of which I am aware or was involved in brought about so much joy, enthusiasm and pride throughout the length and breadth of Ireland. Indeed, as was noted, it was not just people the length and breadth of Ireland, but so many people came from abroad to cast their vote. They wanted to determine the future of Irish society and play their small part in ensuring that Ireland had a more egalitarian approach and that our society would benefit from a "Yes" vote and from marriage equality. In my own constituency, the organisation by "Yes Equality" was superb. Those involved worked night and day throughout Cabra, Dublin 7 and the inner city to secure a "Yes" vote. It was a pleasure to work hand in glove with them on the referendum campaign.

The Labour Party has been to the forefront in supporting and advancing progressive social policies. In the 1980s, the then Minister for Health, Deputy Barry Desmond, liberalised the availability of contraception. In the 1990s, the Labour Party in government decriminalised homosexuality and initiated a referendum that allowed divorce to be introduced. In 2010, we were the first to push for the introduction of civil partnerships. This Government has advanced the cause further. For many years, previous Governments failed to legislate for the X case - for 20 years, in fact. However, this Government ensured that the Protection of Life During Pregnancy Act was passed in 2013. Moreover, gender recognition legislation has also been passed. Now, here we are, in the context of the marriage equality referendum, coming to the final step with the implementation of the Marriage Bill.

We have consistently been a socially progressive party since the foundation of the State and

have always endeavoured to expand the scope of personal freedom and relationships in the face of quite rigid and regressive traditional religious and cultural values, which were very restrictive on the lives of our people. We do not need to go back over so many of those issues that curtailed and damaged the lives and the health of people because of the manner in which our closed society operated for so long. It is important that as we approach the centenary of 1916 that we remember not just the phrase “cherishing all of the children of the nation equally”, as espoused in the Proclamation, but also that “The Republic guarantees religious and civil liberty, equal rights and equal opportunities to all its citizens, and declares its resolve to pursue the happiness and prosperity of the whole nation and of all its parts”. That is a very important clause in the Proclamation. Much has been done since 1916, when women did not have the right to vote, for example. It is now fitting that in 2015 we will ensure that all our citizens enjoy the same rights and are treated equally under our Constitution.

I attended a civil partnership ceremony last month. It was a very joyful event. I am glad to see that under this legislation the couple will be able to marry one another without having to dissolve their civil partnership. I am also pleased that a marriage contracted abroad between two persons of the same sex will be recognised as a marriage in Ireland from the commencement date of the legislation. I am delighted that section 23 removes the requirement in the Gender Recognition Act that a person seeking a gender recognition certificate must be single, thus removing the single status requirement. These are all progressive developments.

All in all, we have done a good day’s work. A good many months’ work went into preparing the Bill and bringing it to this pass. It is great that all corners of the House are expressing approval for the referendum and the legislation. It was also wonderful to note the number of people who voted in the referendum. It is sometimes said that residents of working class areas tend to be conservative in their social values. In the marriage equality referendum, people in working class areas came out stronger in favour of the proposal than people in middle class areas. This was one of the unique aspects of the referendum.

The outcome of the referendum reflects the fact that citizens are often a step ahead of legislators. Let us move ahead and further broaden the scope of society. The purpose of all legislation is to improve the quality of life of those whom we have been elected to represent.

Deputy Dara Calleary: I, too, welcome the Bill and commend the Minister and her officials on bringing it to the House. Earlier this year, the House discussed the Companies Act, which comes within my brief. This technical legislation was 7,000 pages long, yet it will not have anything like the impact of the small Bill before us, which has received the endorsement of so many Irish people.

As I noted on several occasions during the referendum campaign, referendum campaigns tend to be negative and focused on some type of technical or legal issue related to remote institutions. This referendum, however, was different as it challenged those who supported the proposal to act in a different manner from previous referendums or political campaigns. It challenged many of them to come out to their families and communities and spend time convincing people of the value of the campaign to their lives. It also challenged communities to ask how welcoming and open they were. Most of them answered that question with pride and style last May. The referendum campaign also challenged the political parties to examine the way we do politics. It engaged a cohort of people who had never been engaged in an election or vote because it spoke to rather than at them and did not tell them how to behave. People who had never voted previously registered to vote or queued for hours outside Garda stations to have

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their names added to the supplementary electoral register. This had never happened before. Voters were engaged not only by social media but also by friends, the stories that were told and a sense of fraternity that extended across society. This is the reason there is such a feel-good factor and sense of celebration nationally following the referendum result.

The referendum result is also a tribute to those organisations that started the campaign many years ago in difficult circumstances. It is ironic that the campaign was bookended in terms of this institution coping on to itself by two female Ministers for Justice. The legislation decriminalising homosexuality was introduced by Máire Geoghegan Quinn, while the legislation before us has been introduced by another female Minister, Deputy Fitzgerald. I do not know if this says anything about the approach of the Department but it is a tribute to both women and the work they have done as well as their officials.

The referendum is also a tribute to many other people. It is hard to believe that this achievement was impossible in the early 1990s because homosexuality was still illegal. Individuals such as Senators Norris and Zappone and Deputies Buttmer, Lyons and Hannigan showed great bravery and courage before the day we had last May. The referendum outcome is also a tribute to organisations which sought to persuade people of their case at an early stage. I refer to GLEN, for example, which invested enormous effort in the campaign that brought us to this point.

This is not the end of the campaign for equality. Discrimination continues in employment and the community. We must ensure the funding available to organisations working on these issues is not cut further and they must be able to continue to do their job. Full equality has not been achieved for lesbian, gay, bisexual and transgender, LGBT, people as a result of the vote. A great deal of work remains to be done and it would be foolish to believe otherwise.

Deputy Costello referred to the Proclamation. As we embark on a period of commemoration and events, I cannot imagine anything else that will mark and celebrate the 100th year of the Proclamation better than the outcome of the vote on the marriage equality referendum, which involved hundreds of thousands of citizens endorsing the Proclamation and its guarantee of religious and civil liberty, equal rights and opportunities to all citizens and promise to cherish all of the children of the nation. Last May, almost 100 years after it was printed, citizens voted to make the Proclamation a living document. It lives because of the legislation being discussed today. As I stated, however, we must drive on and continue our efforts.

I remember being in a house during the referendum campaign where a ten year old girl chided her 84 year old grandfather because he planned to vote “No”. Watching a ten year old girl who normally has her grandfather wrapped around her little finger argue with him about his reasons for voting “No” and observing him trying to dodge her questions, as many Deputies dodged questions in this House, was one of the images of the campaign. It is one that gave me a little hope for the Republic. The republican ideals expressed in the Proclamation hung in this building and which we purport to celebrate are too often ignored in our daily lives. They will be safe in the hands of those who are coming after us, however, as they will live them. As a previous speaker stated, citizens took the lead on this issue and we must learn from that.

Deputy Derek Nolan: It is a privilege to speak on this Bill. While preparing my contribution, I thought of Nuala Ward, a person in Galway whom I know quite well. Nuala and two heterosexual friends organised the first Galway Pride parade in 1989. The first parade, which proceeded from Eyre Square to the quays, consisted of two lesbians, two gay men who were on

holidays in Galway and ten straight people. I remember Nuala telling me that she was so terrified that she shook while on the parade and continued to shake with worry when she and her friends returned to work. I find it difficult to imagine the courage her actions took at the time, especially as she had been attacked, physically beaten and shouted at as a result of being publicly open about who she was. To this day, she remains a proud Galwegian, citizen of Ireland and lesbian.

When I think of what she and her friends went through I recall, for example, that no one would rent them a room to set up a Galway helpline or hold a disco or party and not one business was prepared to sponsor Gay Pride. Last August, when we launched the Galway Pride Festival, as it has become known, Monroe's was packed to the brim, the event had secured sponsorship and the public parade along Shop Street was enormous. These changes took place in a very short period because Nuala Ward and people like her were not afraid despite having genuine reason to be afraid and showed courage and a pioneering spirit in creating the space that brought us to where we are today. Speaking of that, I was thinking of my own time when I first went to college in NUI Galway. I started college in 2000 and mine was the first age group where it was kind of okay to be gay. Maybe it was because of the group I hung around with - the crazy lefties or socialists - but it was okay to be gay, albeit still something that was a bit different and a little odd. One was cool by being tolerant, however. I thought then of a friend of mine who, terribly, has passed away in the past year. He was a very active Labour Party member and a very proud gay man who went to college ten years previously. He would have started in 1990 and they had a very difficult time. He came from a very rural part of Ireland in the midlands and Border area and the only way to describe it is to say that he fled from his home. He fled from the rural town he came from and never went back. He hated it in one way. While he loved his family and friends, he hated where he had come from because of the lack of acceptance and the fact that he could not be who he was in that part of the world. He sought sanctuary and found it, I think, in Galway, which always had a little bit more of an open-minded spirit. That was my college experience and his college experience.

During the marriage equality referendum, we had the privilege of hosting a very well-attended meeting in Galway at which the then president of the USI, Laura Harmon, who I see in the Visitors Gallery, was present. She was an openly gay woman who had been elected by the students of Ireland as their president. Those three stories, each about ten years apart, show just how far we have come and the courage, passion, struggle and strife of those who had made that possible. It is something that can inspire. One does not get that feeling often in politics. It is not something one feels where one gets a tingle on one's skin and it would be positive if we could use that energy for the many things that we need to continue on to do.

This is a good day and I commend the Minister on the speed with which she has brought the Bill forward. It is a commitment she made and that we will soon see enacted whereby we can vindicate all those who have struggled. However, let us not look back with rose-tinted glasses or assume the struggle is done. Whether we like to accept it or not, there is still a huge amount of homophobia in this country. There is still a very difficult situation for those who are transgender, something with which people are staring to grapple. While we may be ahead of the curve with our legislation, the public mindset still needs to catch up. If one is bisexual, for instance, it is still a bit more difficult than it is if one is identifying as either gay or lesbian. If one is in a gender fluid or transgender position, we still have a long way to go. Let us not forget some of the horrible rhetoric and accusations we had to put up with about families being broken up and people being incapable of raising children or being substandard parents. This sort of

thing still exists and we cannot just rest on our laurels. We still have a major fight to ensure the generation coming up will never have to worry about any of this again. Being gay will be like having blue eyes or red hair or something else that does not matter. It is who one is. People can be proud to be who they are because that is what being is all about. That is what the rights approach entails. It is viewing people and respecting them for the human dignity and human being they are and giving them opportunities regardless of their background, sexual orientation or gender. It is about all those fights we have fought through the years and progressing one bit further in order that we respect and love people as citizens and persons, regardless of sexual orientation.

There have been pioneering people who have always fought for this spirit of change. One can go back to the suffragettes and those who fought for equal pay, the right to use contraceptives and for divorce, including some of my own colleagues. I think in particular of my predecessor in my constituency, President Michael D. Higgins, who fought against torrential abuse in what was considered then quite a conservative part of the country. People protested outside his house and picked on his family because of his positions on family rights and the ability of people to choose what they wanted to do. There is still a long way for us to go. We amended our Constitution to allow people to marry without distinction as to their sex. However, our Constitution, which has given us some very good things, including the House which it created and which has passed the test of time, still has a number of things in it which are outdated. We still have the position of women defined as being in the home. We still have a position which prevents us having an integrated education system by having the patron system. That needs to be looked at. We still have things on the table, such as blasphemy, which are not required in a modern, free speech society. There are a number of things we can do.

If I were to ask anybody who was involved in the campaign, they would say that what the political process did was set it up and get it going. I point out, and this is a slightly partisan point, that we were derided at the 2011 election when we said we would put same-sex marriage in our manifesto. It was derided as the Labour Party going after the pink vote as opposed to it being a matter of the Labour Party championing, yet again, another issue close to the hearts of those outside the political system. If we are to use it for something, let us try to take that approach to more issues. We still have a huge way to go in terms of equality if we are talking about giving people from disadvantaged backgrounds a chance. We are not there on women's rights and women's equality. We are not there on full representation in the House. We are not there on the proper distribution of wealth so that no child is hungry and people have decent housing and a decent standard of living. We still have a way to go on all those issues and must come from the same heart and spirit in dealing with them. We should come from the same heart and spirit in dealing with equality. Equality is best exposed when it is not there and when someone is denied something because of who they are. They are denied it and prejudiced and excluded. We see that in the economic sphere as much as we see it in the social sphere to this day. That is why we need to ensure we continue to progress and fight on and never rest on our laurels or take solace.

The ultimate goal of the political system must be to challenge itself and to change, to seek constantly to improve the capacity of people to participate on an equal footing in society as citizens who, as members of a republic, have their right to enjoy their individual worth, regardless of where they come from and who they are, and respected at all times. The Bill is another small step along that way. We have further to go and many ways we can do it. The referendum showed that the Irish people have a spirit that is based on inclusiveness and that they can be

trusted with big decisions and to do the right thing when given the information. Above all, it showed that the Irish people believe in fairness and live and let live in the best possible sense of that phrase. Live and let live, love one's neighbour, love those around you and create that space where we can all flourish, thrive and live together in harmony and create a better country.

Deputy John Lyons: I agree with the sentiments of every speaker I heard speak. I am reminded by what some speakers said of an incident two years ago. Various Voices, which is an international gay and lesbian choral festival, takes place every two years and Dublin was, luckily enough, the place to host it at that time. DCU was the campus. We had choirs from all around the world, including from places we would not think have the type of human rights we have, such as China. We had gay and lesbian choirs come from as far away as there to be in DCU to celebrate a festival of music. I was at it for two of the days and was asked to speak at the opening. I had never heard of the festival before that time. Apart from the great music that came out of it, I had an experience on the second night when I was sitting in the atrium of the Helix with my partner chatting to some of those present. I cannot sing, by the way, and was there in another capacity. I wish I could sing but I cannot. The place was just full of gay and lesbian people. Deputy Derek Nolan spoke about how it is when people notice that they are denied something that they feel excluded. It was one of the few times in my life where I had a penny-dropping moment around feeling excluded. It was not that I felt excluded there; it was that I felt so included. For the first time in my life, I felt what it must be like to be straight in this world, if that makes any sense. I turned to Daragh and said it because I was imagining what it would be like if the world was this way. Imagine if everyone had to live in the world I live in as opposed to my feeling of living in a world most others do not live in. What would it be like? It was topsy-turvy for a while in my favour. It felt magical.

It lasted such a short time. After the penny dropped, the excitement and glory of what it must feel like to be fully human and accepted dissipated and turned to anger, frustration, denial and all of those things. I became angry and frustrated because I lived in a world that did not fully accept me. That is what I was trying to say back then.

It was a rare moment, but it gave some sort of energy, and one had a choice as to what to do with that energy. The referendum was on the Government's work path and everything was building. I chose to ensure that I did everything I could, and to encourage as many people as I knew to do what we could, to convince the Irish people, who did not need much convincing in the end. It was one of those poignant moments, and I was reminded of it this morning when the Minister spoke. Although there were few of us in the Chamber and only some people in the public gallery, there was a strong sense of a positive connection after she spoke. It brought me back to 22 May, to the moment that I will never forget, but I cannot relive the feeling and experience of that day. In politics, one moves on to the next issue and does not get the chance to live the experience for a little longer. This morning reopened the can. It was a good can, one of hope and aspiration for the type of life that we can and do have.

I have written down a couple of points. Members know that I tend not to read when I contribute, but there are some points that I did not want to omit. On 22 May, the hearts, hopes and dreams of a minority were placed in the hands of the majority of Irish people. They were entrusted to make a decision that, one way or another, would have a direct impact upon the lives of thousands of citizens. I and countless lesbian and gay people were relying on the generosity of our fellow citizens to afford us the right to be treated equally under our Constitution.

It reminded me of when my older brother Roy got married in 1994. I was 17 years old at

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the time and one of my lasting memories was of thinking that marriage would never be an opportunity for me. I accepted it because I did not believe we lived in a society that would ever reach that point. But we have.

As the ballot boxes were opened the next morning throughout the country, it was clear that the majority of our fellow Irish people had given a resounding “Yes” to a better life for our lesbian and gay citizens. The referendum was about marriage equality, but in many ways it was also about how we as a society viewed our lesbian and gay friends, brothers, sisters, family members and neighbours. Most of all, what shone through during the campaign and on 22 May was the overwhelming sense of a common humanity that existed at the inner core of each and every one of us and joined us together as a people, a humanity that was rich in love, generosity and compassion for everyone and knew no boundaries. A number of Deputies mentioned this today. Something struck a match in the Irish psyche and our inner core as people. It shone through on 22 May in a way that I had never seen. The nearest thing was our hosting of the Special Olympics.

On 22 May, there was something in the air. It felt different. There was an extra injection of joy. People across the country were feeling their best. It was amazing. We should never forget what we achieved on that day. Identifying what joined us rather than what made us different made our society better. As other Deputies mentioned, we should try to harness that approach as much as possible. Our citizens are good people. We are amazing people, and when we work together, we can see what is right and wrong in society and work towards making a change for the better. I wish that I knew the formula for a recurrence. Together, we achieve great things.

As a society, we have travelled a long way on the road to equality, from the dark days - when being gay was a criminal offence, and Gay Switchboard Ireland, which was set up 41 years ago, could not have its name listed in the telephone book because it contained the word “gay” - to 22 May of this year, when the people of Ireland spoke powerfully and profoundly and said “Yes” to equality and love.

To the thousands of volunteers - political, non-political, NGOs such as Yes Equality, which comprised GLEN, Marriage Equality and the ICCL, and those whom I have not mentioned - who did what politicians know is a nerve-racking thing and knocked on doors, perhaps for the first time, and to those who won over the hearts and minds of the Irish people by telling their stories, be it me, Deputy Buttmer, the ordinary Joe Soaps who should not be forgotten today, and the mothers like my own Ma, who is a shy woman but who put herself out of her comfort zone because she believed in doing the right thing, I thank them on behalf of everyone, not just me. It is because of all of these Irish people that some will no longer be forced to live in the shadows of our society as second-class citizens or to be battered, bruised and excluded. Today, we stand tall together, shoulder to shoulder, as a better society, a nation of equals.

Acting Chairman (Deputy Bernard J. Durkan): I understand that Deputy Catherine Byrne is sharing time with Deputies Regina Doherty and Marcella Corcoran Kennedy. There are 20 minutes in total.

Deputy Catherine Byrne: I welcome the opportunity to contribute on the Bill. While it is technical in nature, it is significant and means much to many people. Last May’s marriage equality referendum was a defining moment in the history of our country. It brought people together in a way that we had not seen in many years. Overall, there was a positive atmosphere across every party in this Chamber, testament to how strongly people felt about ensuring equal-

ity for all couples regardless of gender. I was more than delighted to see the referendum pass with resounding support from 62% of those who turned out to vote. In my constituency of Dublin South Central, the “Yes” vote won out at 72.3%.

The referendum amended Article 41 of the Constitution to read: “Marriage may be contracted in accordance with law by two persons without distinction as to their sex.” Not distinguishing between people’s preferences or whom they love is what this Bill is all about.

When canvassing in the inner city in my constituency on Christmas week a number of years ago, I met a somewhat older gentleman who asked me into his home. He told me about his partner, who had just passed away after a massive heart attack. He had been with his partner for 37 years, but when the time came for the machine to be turned off at the hospital bed, he was not allowed to make that decision because he had no rights over the man whom he had loved for 37 years. I remember that moment well because there was a newspaper article a couple of weeks later about the same gentleman. He was a top clothes designer, which I did not know at the time. His relationship with his partner had brought him the most unbelievable love he had ever felt. He had been able to live with someone whom he loved and cherished, but on occasion had not been able to be open about it, even with his family. This struck a chord with me. How could this man who loved someone so much not have the opportunity to make decisions on his partner’s behalf when he was passing away?

For all of these reasons, this Bill is one of the most important measures that I have seen pass through the Chamber in the short time I have been a Member. It recognises the fact that people, regardless of their gender, can love each other, commit to each other and, above all, be open with each other and their families and friends without hiding behind closed doors.

4 o’clock

I could speak technically about the Bill but there is not time. Next year, my husband, Joe, and I will have been married for 40 years. It seems a lifetime away now. When one thinks of 40 years, I was only a young one myself and trying to be persuaded by my parents not to get married at 20 was difficult even then but anyway, we shot ahead and got married. We have had our good times and bad times and our struggles with our children but in 1976, we had a choice. We had the right to make that choice, even though we were only in our early 20s. We made that choice to love each other openly, without hiding away our love from each other, to be committed to each other, our families and our friends and not to be shunned. Sadly, thousands of people across Ireland have waited so long for this moment to happen. Unfortunately, in the past church and State were not opened - in the church, it probably still is not open - to much of what has happened in recent years in Ireland. However, I believe it is the right thing.

I believe the passing of the Civil Partnership Act 2010 has created a major chance and opportunity for those people to begin a new life and to see a new way of life for them as well. I believe this is for the better for everyone who believes in what is known as equality in love. We live in a changing world and on a daily basis, one sees people’s lives being changed forever through illness, war and discrimination. As a parent, I seek a world in which my children and my grandchildren can be respected for who they are, not what they are.

Deputy Regina Doherty: When listening to Deputy Lyons speaking in this Chamber today so passionately, it genuinely was humbling to be able to feel and see what he feels. I have only been in this House for a short time but I have never experienced anything like the unity of pur-

pose of all Members of this House and of all parties. Normally, Members squabble and nitpick against one another in this Chamber but the unity of purpose displayed by everybody in this House to make sure the referendum passed and that this Bill will now pass, simply to be able to treat people equally and the same as everybody else, is phenomenal. Not to be patronising but I must say “bravo” to absolutely everybody who was involved, everybody who canvassed, dropped leaflets or went on buses. I come from a highly political family, as probably does everyone present, and I have been canvassing and campaigning since I was barely out of nappies. I was brought to Ard-Fheiseanna in my communion frock, was on European buses with Richie Ryan and have done it all. However, I have never experienced a campaign like this. It was just incredible and brought raw guttural feelings of everybody, mostly positive, to the surface. As Deputy Lyons noted, it was something I had never seen in Ireland before and it probably will be a long time before we get to it again and therein lies the pity. However, this is not to take away from how it is a huge achievement and accomplishment on the part of the people to finally be able to state we value people for who they are, not what they are. That was a wonderful achievement by the people.

Not to be negative but one thing that genuinely irked me during the campaign was those people, who obviously were pessimistic and opposed to the proposition, who noted that civil partnership was in existence and asked for what was anything different needed, because it already was there and effectively was the same. The stunning changes to the various items of previously-enacted legislation that must now be made simply clarify the fact of those differences. There probably have been hundreds of them between it and civil partnership, which I acknowledge was a great start, but which never was going to be enough and certainly was not the end game. I refer to the amount of legislation that must be changed, from changing words like “wife” to “spouse”, up to the serious changes that must be made to the guardianship Act and the Gender Recognition Act. There is myriad of them. It is a major credit to everybody in this House, to all our families, friends and supporters, as well as to the mass of Irish people that we have taken this step in 2015. I am exceptionally proud to have been part of it.

Deputy Marcella Corcoran Kennedy: When I picked up my post last week, it included an A4 brown envelope which had a black harp on the top of it. I opened it up wondering what legislation would be there for me to peruse and there it was, the Marriage Bill 2015. I was really delighted and could not even explain how I felt when I saw it. I was thrilled that it had come so quickly before Members and I commend the Minister, the Department and everyone involved on not delaying and on bringing it before Members today. It is a tremendous honour and a privilege to be present today to debate the Bill and to talk about one’s experiences and one’s hopes.

This was one of the most emotional campaigns in which I ever have been involved and the secret of the campaign’s success was that so many people so bravely threw away their anonymity. As public representatives, it is one thing one loses and one does not really appreciate it until one has lost it. However, many people, in the interests of trying to achieve understanding, were prepared to leave to one side their anonymity and to come out and share their stories. This was a fundamental key to the success of the campaign. I was honoured and privileged to be involved in this and one of my most memorable days was when I put out the call for canvassers. We had such a mix of ages that it was fantastic. Three of the oldest canvassers were three men over 70 - I will not say what ages they are - but my daughter said to me that if anyone saw us, they would think we were the “No” campaign. However, it was wonderful to see those men out there standing side-by-side with teenagers and with people of my age. We were all at one purpose, which was to share what we all could have with everybody else, that is, access to

full civil marriage. I also was reflecting on those who have gone before us, that is, people who were obliged to leave families, to go away and to leave the people and country they loved to try to forge lives for themselves elsewhere, where they could truly be themselves. It is with great sadness that one thinks back to a time, not that long ago, when people left their loving homes to try to build lives for themselves elsewhere where they felt they could be anonymous, where they could be who they are amid strangers. To me, that was the most tragic thing of all, that they could not be who they are with those who loved them and who they loved. They were obliged to go to strangers where they found a more welcoming embrace. That was tragic but now that is ended and in Ireland, people can be who they are.

However, I sincerely believe we still have a job of work to do in Ireland in terms of accepting people. I look back on people who still are experiencing homophobic attacks. Moreover, if one looks back not too long ago, that is, to the 1980s and 1990s, people were being murdered. I came across the case of a man, Charlie Self, who was a set designer in RTE and who was murdered in 1982 in his own apartment in a homophobic attack. No one has ever been brought to justice for his murder. Again, Declan Flynn was murdered in 1983 simply because he was gay and in 1999, an American writer, Robert Drake, was left with brain damage, having been assaulted in a homophobic attack. To this day, there are many people who are well known on television screens but who, when out and about, have experienced horrendous homophobic attacks. We must talk to our young people and, in particular, I think, our young men because one thing I noticed in the campaign was a lot of the negativity came from men. They need to think about themselves and why it should be that they perceive there to be a threat in people being different. I am only on the outside looking in but I listened carefully to my colleague, Deputy Buttiner, and to the heartwarming speeches that he made over the course of the campaign, as well as to Deputies Nolan and Lyons and all the people who shared their hearts with us all. We can try to be more compassionate as a society and try to get young people to see that we are all different. That is wonderful because it is what makes us all so interesting. We are also all the same in a lot of ways. There is a generation for whom being gay is not a big deal. As far as young people are concerned, particularly those whom I know, being gay is not what distinguishes people. However, a core of negativity remains, in respect of which we must be always on our guard.

I want to acknowledge everybody who was involved in the campaign, including my own colleagues, members of the Fine Gael LGBT group. I acknowledge also the foresightedness of the Yes Equality campaign, including GLEN, Marriage Equality and ICCL, in coming together and figuring out that if they worked together on this they would succeed. In terms of the cross-society support for this campaign it is important to reference the other members of it, including BeLonGTo, Doctors for Yes, EPIC, Face-to-Face, Faith in Marriage Equality, GAZE LGBT Film Festival, GCN, Stand Together Congress, IMPACT, the INMO, Lawyers for Yes, Librarians for Yes, Mayors for Yes, Men's Development Network, National LGBT Federation, the Irish Immigrant Support Network, the Women's Council of Ireland, TCD Students Union, UCD Students Union, Teachers for Marriage Equality, USI, Yes Equality 2015, VoteWithUs and the Outmost. All of those organisations, people across the country and all of the political parties came together to achieve what many of us take for granted. It has been one of the most enriching experiences of my life in politics and I have been in politics a long time.

I sincerely hope that this will be a catalyst for a more understanding and inclusive society because, as others referenced earlier, there are other people in our society that we now must look to support, including, for example, the people involved in Transgender Equality Network

Ireland, TENI and what it is trying to achieve in terms of their taking place in society as equal citizens.

I am delighted that we are debating this Bill. I am so proud to have met many marvellous people who worked together. There was no grandstanding and nobody was being vainglorious about this. It was about achieving something spectacular for our society which, I believe, we achieved on 22 May.

Acting Chairman (Deputy Bernard J. Durkan): The next speaking slot is being shared by the Minister of State, Deputy Aodhán Ó Ríordáin, and Deputy Dominic Hannigan, who between them have 20 minutes.

Minister of State at the Department of Justice and Equality (Deputy Aodhán Ó Ríordáin): I acknowledge the presence in the Gallery of the great campaigners of Yes Equality, the marriage equality group and GLEN. I acknowledge the ICCL also played a huge role in that campaign. It is a proud day today for our Republic to have this Bill before the House. I recall the day the marriage equality referendum was passed and the sense of us actually reclaiming our republic.

I pay tribute to Deputy Eamon Gilmore for putting this matter on the political agenda and ensuring it made its way into the programme for Government, to the Government for proceeding with the Constitutional Convention and to the members of the Constitutional Convention who passed a resolution to ensure the Government proceeded with the referendum on marriage equality. I pay tribute also to the entire body politic which got behind that referendum and then stepped aside and allowed the people of Ireland to make it their referendum. The leadership shown by the Yes Equality people was remarkable. It was a positive campaign. It was something unique. I do not believe that if I spend the remainder of my life involved in politics I will ever again feel anything like I felt in Dublin Castle on the day of the announcement. The colour, excitement and sense that we had reclaimed a little of our Republic was great. A huge number of people, having been failed by this country and fled it for economic reasons, came home on boats and aeroplanes from far afield to cast their votes in this referendum to ensure that this Republic, as we face into the 1916 commemorations, have a different view of what being a Republic truly means. I recall quoting that essential line from the Proclamation time and again at meetings throughout the country, that people open up their hearts to their neighbours and tell them about the lonely lives they have led and their aspirations for their partners and for their futures and families. Equal rights and equal opportunities for all our citizens are not matters to be left only to the Proclamation; these must be underpinned in our laws and Constitution.

We would be foolish to think the battle is now won. There is much yet to be achieved for our LGBT brothers and sisters and community. I reference section 37 of the Employment Equality Act which has been amended by the Seanad and will hopefully be agreed by the Dáil later this year and will ensure that members of the LGBT community and others who feel that they cannot be themselves while working in institutions funded by the State but under religious patronage will have the freedom to be who they want to be. Earlier this year the Gender Recognition Act was passed, which is monumental legislation. There is other legislation we need to work hard to ensure is enacted, in particular hate crime legislation. GLEN has been lobbying over a number of years to ensure that people can socialise as they want to and not feel under threat of attack or intimidation. For this reason, I wish to inform the House that I am beginning preparations on a national LGBT strategy, which will be important. There are many other strategies in place across the equality sphere for other people in society who need to have their voices heard

and to ensure that all agencies of the State are listening to what they have to say and advancing their role in society. There are many battles to be fought for the LGBT community, including on the sports field, in advertising, education, health and so on. We need to have consultation on formulation of an LGBT strategy that looks to five, ten or 15 years hence in terms of what life will be like for our LGBT brothers and sisters.

To assume that marriage equality has ended the discrimination against gay, lesbian, bisexual and transgender people would be a foolish assumption. This is only the start of the conversation as to how we build a Republic of equals. There are many other groups in our society who wish, in terms of their needs, that they had that moment in Dublin Castle. I know the Traveller groups feel strongly about attaining Traveller ethnicity for themselves. There are many migrants and refugees coming here who want to feel they are part of this Republic and to have a better future. Other groups include people living in areas of disadvantage and those who suffer illiteracy. Reference was made at the Right to Read Literary Conference held in Dublin today to 17% of our adult population suffering from functional illiteracy. These are issues on which we have to galvanise ourselves. We must reassure ourselves that when we appeal to the decency and humanity of Irish people there is nothing that we cannot achieve.

I may have been very negative at the beginning of this year, and was accused of being so, when I said that this referendum could be lost. Perhaps the lesson for everybody in this House is that if we appeal to people's fears we may achieve something but if we appeal to people's humanity and their aspirations for something better and the true sense of being republican there is nothing that cannot be achieved. I congratulate those who were involved in this campaign and who made it the people's campaign. I congratulate people across this House who stood together and fought this good fight. I also congratulate the Irish people for coming out in such huge numbers to support it, in particular the young people of Ireland for showing the rest of us exactly what politics should be about and I call on everybody to strengthen their resolve to ensure that we can achieve more and do more to proclaim a proper Republic.

Deputy Dominic Hannigan: I am proud to speak on the Marriage Bill 2015, which we are debating following the Irish people having voted through the marriage referendum in May. I recall speaking on the civil partnership legislation in the Seanad five or six years ago. During that contribution I praised the Irish people for their live and let live attitude. At the time I said that I did not believe the average Irish person had any interest in denying the rights of same-sex couples to enter same-sex partnerships, look after sick loved ones, inherit the family home or commit to each other for better or for worse. What we saw demonstrated clearly by the people on 24 May was that equality exists. They were keen to ensure that every citizen has the ability to live as they see fit and share in the benefits of living in a free and equal society.

I was at the count centre in my constituency in Ashbourne on the day and I saw at first hand the delight and optimism of people when the results started coming through. It was a very positive day. Many volunteers were there. Interestingly, people were ringing in from outside to find out if their village had voted for the proposal. They took great pleasure and pride in knowing that their village or box was voting "Yes".

The campaign was great fun. I have been involved in many campaigns over the years, although not as many as others, but this particular campaign was very pleasant because it involved people across the political divide. We canvassed with members of virtually all political parties, although not all. Virtually all political parties were canvassing for a "Yes" vote. They put in a mighty effort and were joined on the doors by a vast array of ordinary citizens, gay and

straight, who took the view that it was essential for them to be involved in this campaign. They wanted to be part of it and show that Ireland was a changed society from ten or 20 years ago. Without their hard work and commitment, I do not believe this referendum would have passed.

The next question is what this means for Ireland. Now, we have a greater duty to look after our young LGBT people. We have told them they are equal. We have seen record numbers of young people coming out and the number has increased since the referendum. We need to ensure that the required services are in place to look after them. Apart from being a Member of this House, I am a director of the charity BeLonG To, which deals with service provision for young LGBT people. The group is seeing a major increase in the number of telephone calls from young LGBT people looking for support. We should remember that although we voted “Yes” to marriage equality, this does not mean the problems faced by the community have disappeared. There are still problems of isolation, especially in our rural areas. Major problems continue to face our young trans people and those from migrant communities and the Traveller community. They all need support and we need to ensure that the networks are in place to support them. We need to ensure that the resources are in place to allow those networks to survive and thrive. This had to take place in both urban and rural areas. We need to continue to fund prevention of homophobic bullying campaigns in schools. We need to ensure the relevant people get involved in the Stand Up! campaign that BeLonG To will be running this November in our schools. I was pleased to see the INTO launch a new primary school campaign this week, called Different Families, Same Love, which reflects the fact that young people are coming out earlier and earlier. The average age now is probably more like 11 or 12 years of age. We need to ensure this information is available in primary schools.

It has been a great experience to be part of this campaign. I hope that in a few short weeks after the President, Mr. Higgins, signs this Bill into law we will see our first gay marriages. We should not underestimate the impact this has had throughout the world. It has had a major impact on Ireland but we should consider what happened some weeks later in the United States, where the US Supreme Court ruled in favour of gay marriage. I believe that was partly because of the message we sent out to the world. In other countries, such as Germany, for example, we have had a similar impact. I spoke to politicians there who thanked us for the “Yes” result in the marriage referendum because it has meant they can put more pressure on the current Government there to introduce same-sex marriage legislation. The same applies with countries like Australia. We have been a beacon of light to the world on this matter and it is fantastic that the Irish people are leading the way. I was never as proud to be an Irish citizen as on the day we passed that referendum.

Deputy Michael McNamara: Like previous speakers, I wish to express my delight at the result, the day that was in it and the campaign. The indication is that we have moved very much towards an inclusive Ireland and an inclusive republic. For many people, especially those who have been campaigning for a long time for this issue as well as those who have been campaigning more recently, the vote was indicative of a tolerant Ireland and a desire by the citizenry to express tolerance and accommodate other people, as well as ensuring that other people enjoy the same protections in their lives that many heterosexuals have taken for granted.

Equality is one thing. Before I turn to the substance of the Bill, I wish to congratulate the Minister on the speed with which she has brought the Bill forward and I congratulate her Department on the speed with which those involved have drafted it and responded to what was a momentous and historic day.

Now we are all equal and we can all get married equally. Unfortunately, though, we cannot all get married equally, because there is a problem in Ireland in the sense that if a couple want to have a non-religious or State marriage, effectively, they have to do it between 9 a.m. and 5 p.m. Monday to Friday. This is because the registration of births, deaths and marriages is carried out by the HSE. There are provisions in the 2004 Act to enable the HSE to set a fee for marriages outside HSE venues or non-HSE hours. However, the HSE does not do so because it does not have the human resources or staff to marry people outside office hours, that is, between 9 a.m. and 5 p.m. Monday to Friday. The great majority of religious marriages take place outside office hours, except, perhaps, during holiday periods. Since people, by and large, need to take time off work for the event, the great majority of marriages take place at weekends. Therefore, perhaps not in a legislative sense but from the point of view of resources, we need to ensure that people can enter a civil marriage at weekends and at a venue of their choosing, once the venue meets the approval of the HSE and is accessible to all, etc.

The HSE has indicated that it does not have the necessary resources. I have written to the Minister for Social Protection and various other Ministers. I have been told that the HSE does not have the resources because we have an economic crisis and there is a staffing embargo and so on. I accept all of that, but there is a potential solution and it is a solution I am keen for the Minister to consider. Perhaps peace commissioners or commissioners for oaths could be allowed to carry out or solemnise civil marriages. The same safeguards would be in place as those which exist now for all HSE marriages. At present, people have to give notice three months in advance and so on. This means the HSE is in a position to say that it does not approve of a given marriage because it falls within the category of relationships involving people who are not allowed to marry, because a given person has been previously married or because it is a sham marriage. Legislation has been passed through this House for that reason. All of these safeguards would still exist. The only difference is that the marriage could be carried out in a venue and at a time of a couple's choosing. We are allowing homosexual people to marry and the day of the result was a great day and Members have been almost unanimous in saying that it was a good day in our Republic. We should allow them to marry, like straight people, at weekends or at a time of their choosing. I call on the Minister to consider that.

Another point might be somewhat more controversial. I read a quote from Peter Tatchell, a well-known gay rights activist in the United Kingdom, who stated:

Many male-female couples (and same-sex ones) don't like the sexist, homophobic history of marriage. They are turned off by the antiquated language of husband and wife. They'd prefer a civil partnership; finding it more egalitarian and modern. They don't want to be married.

There are many people who do not want to be married but who are in stable relationships. These people want legal recognition and protection for their relationships, and above all for the other person in that relationship should anything happen to either of them. Up to now, gay people have had the option of civil partnership. In fact, they did not really have the option; it was their only option. They could not marry because of the interpretation of the Constitution, as accepted by this House. We are now allowing gay people to marry. That is a great step forward but it does not mean that gay people who do not want to marry - there are many gay people who do not want to marry but want protection for their relationship - should no longer be able to enter into a civil partnership. Similarly, I know of heterosexual couples in a stable relationship who do not like the idea of marriage.

They do not like the terms “husband” and “wife” or the religious connotations. There are, of course, religious connotations to marriage, although the institution of marriage predates Christianity and is fundamentally a Roman institution that was absorbed into Catholic theology and canon law. It was governed by ecclesiastical law until relatively recently. Many people still wish to enter into a civil partnership.

The purpose of this Bill is primarily to allow gay people to marry. I congratulate and support the Minister on that, but I wonder if we need to get rid of the option of civil partnerships. This issue was debated at great length in the United Kingdom, which maintained civil partnerships exclusively for homosexual couples. It was not extended to heterosexual couples, but I wonder why we cannot have civil partnerships for gay and straight couples alike. There might be a question mark about whether such an approach would be seen as an attack on the institution of marriage, which is protected by the Constitution, but I do not accept that as valid because civil partnerships already exist and, therefore, are constitutional and not an attack on the institution of marriage. Therefore, how could it be unconstitutional to maintain civil partnerships?

Cohabitees enjoy certain rights, albeit not as advanced as those in civil partnerships. If that policy is not an attack on the institution of marriage, how could allowing civil partnerships to continue somehow be an attack on the institution of marriage? Marriage is still a much more stable long-term institution, as the Constitution requires. A couple must prove that a marriage has irreconcilably broken down before it can be dissolved, but that does not have to be proved to the same extent for a civil partnership.

The votes cast by the Irish people and the campaigns run by the main parties in this House, including Fianna Fáil, Fine Gael, the Labour Party and Sinn Féin, were very much about inclusion, tolerance and accommodation. It was not a case of “Let’s buttress the institution of marriage,” and “Let’s not accommodate people who don’t want to get married.” It was very much about recognising the fact that there is now a wide variety of families in Ireland which should be accommodated. It was also about accepting that society has moved on and that people live in varied ways, about accepting and accommodating as many people as possible and about providing families with legal protection. Rather than abolishing civil partnerships, the option should be extended to heterosexual couples, something which would better advance the spirit of the vote on the day.

Yesterday a colleague told me the glass was always half-empty with me, but I do not wish to appear like that today because this is not a case of the glass being half-empty. The glass is very much half-full. We now have an opportunity to fill the glass until it brims over. As colleagues on Opposition and Government benches have said, it was a momentous day, and we should encapsulate that in the Bill and move forward. The Minister might consider some minor amendments to the Bill in that regard. I will conclude by congratulating the Minister and her Department on bringing forward the Bill and the speed with which they have done so.

Acting Chairman (Deputy Bernard J. Durkan): I call Deputy Anne Ferris, and somebody called Deputy Bernard Durkan, who I understand will share 20 minutes.

Deputy Anne Ferris: It is rare that this House has the opportunity to pass a piece of joyful legislation, and this is one of those rare times. As a member of the Labour Party, I am proud to have been part of the process that led to the marriage equality referendum that was put to the people of Ireland. I would like to put on the record the fact that I am very proud of my colleague, Deputy Eamonn Gilmore, because we would not be debating this Bill today if he had

not made it one of his priorities. I am proud of people such as Mrs. Josie Lyons, the mother of my Labour Party colleague, Deputy John Lyons, a woman who sacrificed her personal privacy in order to advocate publicly for marriage equality. He spoke about his Ma earlier with tears in his eyes, and I am sure he is very proud of her. I am proud of colleagues such as Deputy Ruairí Quinn, who allocated his assistant, the wonderful Niamh Hayes, to a practically full-time role on the campaign for its duration. I am proud of my fellow Labour Party members in Wicklow - I refer in particular to Ian McGahon and Sam Blanckensee - who campaigned tirelessly, day and night, in a successful effort to clearly explain the purpose of the referendum to those voters who were initially less sure of how to cast their votes. I am very proud of the constituency of Wicklow and of east Carlow for having one of the country's biggest turnouts and one of the highest "Yes" votes nationally.

On the other side of the coin, we are lucky to live in a democracy, and that means that respect and regard is also due to the minority of voters who cast a "No" vote in the referendum. I hope that the carefully worded Bill before us today removes some of the uncertainty that "No" voters may have felt when listening to what were generally respectful but sometimes complex arguments in the lead-up to the referendum. It is clear from the Bill that church weddings, for example, will be unaffected by the change in law. The Bill alters only the law affecting civil, not church, unions. The Catholic Church has, since the referendum, probably cleared up a lot of unnecessary confusion by confirming that church premises will in fact continue to allow the signing of the civil register and that the threatened added complications will not in fact be imposed on wedding parties in church ceremonies. I will not speculate how much higher the "Yes" vote might have been if that particular confusion had not been introduced into the campaign.

It is not such a long time ago that being homosexual was illegal. It was only in 1993, helped by Labour Party pressure at the time, that homosexuality was finally decriminalised in Ireland, just short of 100 years after the notorious conviction of the Irish literary genius Oscar Wilde under similarly archaic laws. Wilde was sentenced to two years' imprisonment with hard labour, a term that left him a broken man and contributed to his early death at the age of just 46. How much richer could our literary heritage in Ireland have been had Wilde been allowed to live a long and happy life?

Unfortunately, even with all of the progress in LGBT rights in more recent times, there are still lessons that have to be learned and relearned by society. This Government has introduced progressive legislation for the transgender community, enthusiastically supported by the Labour Party. Usually, with legislation affecting social progress, the actual level of progress is slow and the media generally tend to be ahead of Governments of the day in terms of attitude to, and acceptance of, the need for change. However, with regard to respecting transgender people within our society, this Government has shown itself to be far ahead of sections of our media. I refer in particular to the reaction from some newspaper journalists to the recent decision by RTE journalist Jonathan Rachel Lynch to no longer conceal what is natural - that is, a deeply personal identification towards gender fluidity. Lynch is a highly intelligent and respected professional, known for thorough analysis and accurate journalistic reporting, and is a person to be respected who has views that can be believed.

New legislation brought in by this Government recognises and legalises the need felt by some individuals to transition from the gender they were identified with at birth. This is not an Oscar Wilde situation. Rather, the law is supporting Jonathan Rachel. Our State broadcaster, RTE, the employer of this journalist, has shown a mature and respectful approach to the deci-

sion of its employee. However, a small number of other journalists have taken a position on gender fluidity that in many respects is not that different from the very tragic reporting of the Oscar Wilde case in the 1890s. There should be no column space in the newspapers of today for disrespectful reporting of people because of their sexuality, gender, race or colour. We really need to learn from the past and move on.

Oscar Wilde and his parents were frequent visitors to my home town of Bray in County Wicklow. It is comforting to think that if he returned today, not only would Oscar Wilde be able to live openly as a homosexual man, but he might even choose to get married in one of our great seaside venues. Having celebrated my own wedding just a year ago on the Bray seafront - Deputy McNamara celebrated his wedding a few weeks ago - I can confirm that there is no better place than Bray, County Wicklow, or east Carlow in which to have a wedding celebration. We are looking forward to a big increase in happy nuptials in our constituency, and if anyone wants to invite me to a wedding I am always delighted to get one of those gilt-edged invitations.

Deputy Bernard J. Durkan: I am glad to have an opportunity to speak on this momentous legislation, coming as it does after the people have spoken. The people spoke in no uncertain fashion in May. They spoke after a campaign which was unusual by Irish standards in that we did not have the same confrontation we have had in similar campaigns on social issues. To a huge extent, it indicated the coming of age of the people. It probably indicated that the political parties, when faced with the situation, were capable of conducting and encouraging a campaign which was not divisive. I compliment the people of Ireland who made the decision and all those who campaigned on both sides because, in the end, the result was something the people expected, could expect and accepted, and this is important. We must congratulate the Minister on bringing the legislation before the House instead of postponing it or fobbing it off. It was important to make the decision and follow on in line with the people's thinking.

The Government is to be congratulated for the comprehensive work it undertook. This was done by the Taoiseach, the Tánaiste, the previous Tánaiste, all of the Ministers in government, the Minister herself and her predecessor. They explained to the people the need to move on in this regard and accept there are other people who feel they have a right to be included in society, be part of society and feel the same as everybody else. There are many cynics in the country, including some in the media, who constantly criticise and carp about the human failings of the human beings who form the Government and the Opposition. In fairness to the people, they stood up to the task they were given, took their responsibility seriously and did their job. All congratulations are due to all of those involved.

The legislation and referendum represent a watershed in Irish thinking, and this is something we should recognise and analyse. I have been involved in politics for a long time and I have been involved in many campaigns and political arguments. I was pleasantly surprised at the degree to which people were prepared to listen and raise sound questions of a fundamental nature, not in an abrasive or challenging way but in a way which recognised they also felt the issue was something that should be taken seriously. This was a great achievement for the people of this country and those involved in the campaign.

We were all canvassing in another election, a by-election in Carlow-Kilkenny, at the same time as the referendum. I do not know why the rural community is always tagged with being extremely conservative and unwilling to move with the times. We raised the question in a very rural area, and at first there was a slow response, but as the conversation developed there was recognition, which we also recognised, coming from the people being canvassed that they were

prepared to listen and to try to understand. When they did so it gave reassurance to those of us involved in the campaign because we had been involved in many other campaigns in which people were not that way involved.

An important element was that it showed great recognition on the part of the people that everybody in society deserves the right to be recognised and included in society and to be treated as equals in society. This was a great leap forward in this country, because it was not always like that and certainly it was not always like that in my time in the House. Great credit is due to the mature way in which the people made their decision and were quite clear and emphatic about it. We had another referendum on the same day, and the same people who voted strongly in favour of this legislation voted equally strongly against the other proposal, which in their wisdom they felt was not necessary or desirable at the time. There was a clear decision on the part of the people to make this distinction. They accepted the case being made and dealt with it accordingly.

My colleague, Deputy Anne Ferris, quoted Oscar Wilde, and it is appropriate he should be mentioned in this context for many reasons. He is the guy who also said duty is what we expect of others but not always and not necessarily of ourselves. On this particular occasion, everybody accepted the challenge and stood up and did their duty.

Deputy Robert Troy: I welcome the opportunity to speak on what is a momentous occasion in the Dáil, when we as legislators are giving effect to the people's decision to amend our Constitution. We must remember that for the main part our Constitution is held very dearly by all our citizens, and to amend it is never a decision which has been taken lightly. If we consider today as a momentous occasion in terms of what we are doing as legislators, it is only in the ha'penny place when we consider what a momentous occasion it was on that day when we as a country were the first in the whole of the world to vote to give people of the same sex a right to marriage. It is not often that we lead the way as a country, and it was a very proud, momentous and emotional day for tens of thousands of people directly affected by this decision and their friends and families.

For me, the decision was all about equality and nothing else. Equality goes to the very core of true republican values. This is why I was more than happy to play an active part in the campaign. It follows a proud tradition of my party, which initiated giving rights to LGBT people. It goes back to the decriminalisation of homosexuality in 1992, the Equal Status Act 2000 and the civil partnership Act of 2010. These were all important steps in the process. They laid the foundation for what we voted on a number of months ago. I congratulate the Minister who took responsibility in this regard, and I congratulate everybody of all political parties and none. In particular I congratulate the Yes Equality team. The campaign was very different from a general, local or presidential election campaign. I have participated in many campaigns but none quite like this. I had never seen the level of enthusiasm, energy and positivity. It was very positive and very good to be involved in it.

I began by being invited to attend a meeting at the Greville Arms Hotel in Mullingar. Going in, I was not quite sure how many people would turn up, what would be the age demographic of those who would turn up or how the campaign would move on from there. I did not know whether it would just be about public meetings, the Yes Equality bus moving from town to town and village to village or, like so many other referendum campaigns, meeting people on the streets and in shopping centres. It was not like that; it was about a very dynamic, passionate and committed group of people from all generations. It was not just about the young. One eve-

ning I went out with three different generations of one family who all wanted to sow a message of love and demonstrate a message of equality. They wanted to share their deepest and most personal experiences with people at the doors as to why there were good reasons to vote “Yes” and it would be appropriate to change the Constitution. It was about giving every citizen of the country, regardless of sexual orientation, the same right.

I want to give very sincere thanks to the Yes Equality group in Longford and Westmeath for allowing me to be part of that campaign. It was a great honour and privilege, and it provided a great learning curve. Certainly, if I can bring the same level of enthusiasm and vigour to my next campaign - my re-election to his House - I would be quite happy. As I stated, it was quite enlightening to see the different generations of people who got involved, from the young to middle-aged to older people. This affected everybody, regardless of their background, professional standing or so-called economic security. That contributed to the successful campaign.

There is one note of caution and I wrote to the Minister at the time about this. We must acknowledge that almost 40% of people, for whatever reason, did not feel that this was appropriate. It is obvious that I do not share their view, as I campaigned and articulated reasons for a “Yes” vote. Nevertheless, we must respect the views of these people. One of the predominant fears within this group arose because people have deeply held religious convictions. This was evident from people in my church - the Catholic Church - as well as from members of the Presbyterian Church and the Church of Ireland. There was a fear that if the constitutional amendment came about, they might be forced into performing marriages within those churches, but that was not true. I thank the Minister for replying to me at the time to outline why that was not true. This was about civil marriage and equality for all our people.

The campaign also demonstrated a new interest in politics, particularly from a section of society that would not normally have been interested in politics. This section would quite often have argued that politics was not for its people and it does not affect them. This process clearly showed that decisions taken in this House and effected by way of referendum have a direct consequence and a real effect on people’s lives. It really hit home to me just how this could have a positive and dramatic effect on people’s lives. At the count at Keenagh, people from the LGBT group who had been campaigning broke down and cried while partners hugged and kissed each other. They realised they were accepted as being the same as everybody else, with the same entitlements. Although I had been involved with the group throughout the campaign, it was only at that moment - when the result was declared locally in Keenagh and on a national level - we could see the positivity, happiness and sense of accomplishment. There was also a feeling that these people belonged, which was very powerful. I was delighted to be involved with the campaign and I compliment everybody across all political parties and none on it. I especially compliment Yes Equality because from the very beginning those people drove the campaign and shared the most intimate personal stories, as I witnessed at the doors. They wanted to show this to people who had reservations about voting “Yes”, and this proved that when people are open and honest with the population, they will be accepted, respected and supported. It is a momentous day and I am delighted to offer my few words in support of today’s legislation.

Minister for Justice and Equality (Deputy Frances Fitzgerald): I thank all Deputies who contributed to the debate today on this Marriage Bill. I am sure all colleagues will agree that there have been very thoughtful and moving contributions from Members of the House on this proposed legislation. There have been very poignant contributions and important statements about the campaign and the type of process that it was. We heard how we need to reflect on it and many Deputies have reflected and learned from it, taking forward many of the lessons and

experiences of people from that campaign in order to inform public debate. We can all reflect in that way. I thank everybody who has contributed, and I am sure many people will want to see the legislation progressing quickly. That will now happen.

I thank the Tánaiste and her officials for working so closely with me to effect the changes needed in the civil registration system that has allowed me to bring the legislation forward so quickly. It would be remiss of me not to thank the officials from the Department of Justice and Equality who have worked so diligently over the summer on the legislation. They include Ms Dara Breathnach, Ms Carol Baxter, Mr. Conan McKenna and others. They have put in a major effort right through the referendum period, including its preparations and our dealing with the various issues that emerged. They have also helped prepare the legislation. I also thank the Attorney General, Ms Máire Whelan, and her staff, who have been so involved with the process right the way through and who have made a major contribution.

Others have mentioned the support evident across the political spectrum, which was very important. We demonstrated leadership as a country and the first sovereign state to agree to marriage equality by way of referendum. It is something of which to be proud. Leadership was demonstrated by many people, as has been mentioned in the House today. The Taoiseach, Deputy Enda Kenny, led the way for the Fine Gael Party. We also heard from the Tánaiste, Deputy Joan Burton, and the former Tánaiste, Deputy Eamon Gilmore, along with the former Minister for Justice and Equality, Deputy Alan Shatter, who has fought for equality all his political life. We also saw leadership from Members of the House involved with the LGBT Fine Gael group, including Deputy Jerry Buttiner, as well as Deputies John Lyons and Dominic Hannigan from the Labour Party and others. They played a real leadership role.

I am struck by the fact that people have spoken about courage today. It is easy to forget at this point that courage had to be shown by people, and it took courage to tell the personal stories. We were talking about very personal and intimate details of people's lives, and the courage of parents and grandparents who went out with individuals was really remarkable and had an impact on the campaign and its result. That courage and dedication tells us something very important, the esteem and honour in which our LGBT family, friends and citizens hold the institution of marriage. They were not alone in that, as I have already said, as family, friends and communities supported them in their wishes from all parts of society. It was really remarkable to see the great support in the country, as reflected in the vote.

I repeat what I stated earlier. There is no threat to marriage from people who passionately want to marry and who want to be able to make that lifelong commitment to another person. Marriage is gaining from being open to a new group of people which takes it so seriously.

5 o'clock

I said that from the very beginning and it is absolutely true. What a compliment to marriage that people want to be part of that institution. Just a few years ago people would not have expected the kind of debate we have had here today. Several Deputies have, quite rightly, pointed out that this Bill is not the endgame for equality. LGBT people are still discriminated against by some or suffer social marginalisation or exclusion. Likewise, many other groups are disadvantaged and still cannot play a full part in society. While today is a good day, perhaps we as a society can reflect on how we can mobilise that energy, enthusiasm and passion to address all those other forms of inequality and discrimination which remain to be addressed.

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A number of points have been raised on section 37. We are committed to reforming this and my colleague, the Minister of State, Deputy Aodhán Ó Ríordáin, has already done work in the Seanad on reforming section 37 of the Employment Equality Acts. The Equality (Miscellaneous Provisions) Bill 2013, which reforms section 37, has already passed through Seanad Éireann and will now come to the Dáil for discussion.

A number of Deputies raised the question of the HSE and registrars and marriage. This is a matter for the Tánaiste and Minister for Social Protection, together with the HSE, but I will have further discussions on that. We want to ensure there will not be undue delays. That issue will be taken up.

On the particular point Deputy McNamara raised on civil partnership, this was constitutionally permissible specifically because same sex couples could not marry. Our constitutional context has now changed and civil partnership is no longer constitutionally defensible in that context. That is the legal advice I have. As I said earlier, all the advice available to me makes it clear that making a marriage-like relationship available would violate the constitutional pledge to “guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack”. That is the advice I have from a constitutional point of view, but no doubt it will continue to be debated, as it has been in other countries. Of course, they are in a different constitutional position to us.

I conclude by saying that marriage equality has become a reality in Ireland through a uniquely democratic process. The Government’s decision to hold a referendum on the issue flowed directly from the recommendations of the Convention on the Constitution, which was itself the product of careful deliberations by citizens drawn from all walks of life. The referendum process provided an opportunity for the people of Ireland to discuss the issue, often passionately, before arriving at their decision. On 22 May, voter engagement was shown at its very best and we were all extremely moved, as everybody has said today, by the enthusiasm shown by so many people. The efforts made by people who had never voted before, people who returned from abroad, young and old, to get to polling stations to vote on the issue were illustrated by many Deputies here today. It showed how much this vote mattered to them.

Our parliamentary process today represents the final steps on an intensely democratic journey to marriage equality in this country. On that journey, mindsets have altered and attitudes have changed. We have now chosen as a people to signal to ourselves, as well as to the world, that our LGBT family members and friends form a fundamental part of who we are. We are managing to change as a society while remaining true to what is best in us. That is our commitment to family and to marriage. As a result of the Bill, LGBT couples will now join the many couples throughout this country who pledge themselves to one another in marriage and we wish the very best for those who will get to marry as a result of this Bill. They have waited a long time for that to happen. We will look back, as a number of Deputies have said, years from now and, as Deputy Durkan said, see this referendum as a watershed. This Bill is a key moment in which we, as a society, set ourselves on a journey towards a brighter, more inclusive future in this country and to a country that is more respectful of an increasingly diverse society.

Question put and agreed to.

Marriage Bill 2015: Referral to Select Committee

Deputy Frances Fitzgerald: I move:

That the Bill be referred to the Select Committee on Justice, Defence and Equality pursuant to Standing Order 82A(3)(a) and 126(1) of the Standing Orders relative to Public Business and paragraph (8) of the Orders of Reference of Select Committees.

Question put and agreed to.

Public Transport Bill 2015: Second Stage (Resumed)

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

Acting Chairman (Deputy Bernard J. Durkan): Deputy Dessie Ellis is in possession. He has 21 minutes.

Deputy Dessie Ellis: I will not take the full 21 minutes, because I have already spoken-----

Acting Chairman (Deputy Bernard J. Durkan): That is okay. He will be followed by Deputies Richard Boyd Barrett, John Halligan and Clare Daly, who have another 30 minute slot between them.

Deputy Dessie Ellis: I made a number of points relating to this Bill previously. Today I wish to make the Minister aware of further issues of concern.

The Bill refers to the Rail Safety Act 2005, which makes reference to fostering greater competition. What kind of competitive vision does the Government foresee in the future of the railways? I struggle to imagine, in practical terms, how various private railway companies, operating on the same rail lines, will improve efficiency. The idea evades the innate practical advantage that is natural monopoly.

Regarding bus rapid transit, BRT, Dublin Bus has entered into a public service contract with the NTA to operate the BRT up to December 2019. We welcome this as it could present an opportunity to develop bus services across Dublin county. However, I raise concerns in relation to privatisation. Sinn Féin strongly opposes any move to put the BRT in private hands, like the Luas, which is a good example of how even in the best circumstances private operators do not necessarily operate any more efficiently than public operators.

Changes to the College Green area do present a possibility for problems but could just as easily be an opportunity to integrate taxi services better into our transport network. Any attempts to ban taxi access to College Green will have a huge negative effect. The traffic implications would force taxis to detour, increasing congestion. A taxi ban would also have a detrimental effect on those with disabilities who rely on taxis regularly.

Regarding issues affecting taxi drivers, I mentioned previously that I welcome new regulations for the passing on of a taxi licence to a bereaved family member. This is a sensible and practical amendment. Sinn Féin had called for greater access to this provision from its inception and this is a positive move which will help many families across the country. I also welcome the new period for paying fixed charges, which will alleviate pressure on taxi drivers.

Regulating and vetting taxi drivers is essential in the development of a strong, safe service

for the public. However, while regulation is an obvious necessity, we must ensure that it does not operate unfairly and impact unjustly on hardworking people trying to make a living. Therefore, I must raise the utterly discriminatory attacks on the livelihood of taxi drivers convicted of offences relating to the conflict in the northern part of our country, which raged from the 1960s to 2005. I remind the Government that under the Good Friday Agreement, republican and loyalist former-prisoners are not to be discriminated against and barred from employment, yet this Bill seeks to do just that. Drivers who have worked for decades, contributed to the State and provided quality service without a problem have recently received letters telling them they will not be allowed to renew their licences. We will be working with such drivers to challenge this disproportionate attack on their right to make a living.

I must express my concern at parts of the wording in this Bill in relation to competition, which strike me as largely ideological. Since the Government assumed office in 2011, the State's subsidy for public transport, which was already far too low compared to that of other European states, has been cut by over 20%. To compound problems further, the Government has sought to erode pay and working conditions for thousands of bus drivers and rail operators, leaving disaffected transport employees no option other than industrial action. Should the Government continue on its relentless race to the bottom, no doubt there will be many more strikes in the future.

The kind of narrative we have around transport focuses on competition as opposed to reliability, affordability and efficiency for those who need the service. Competition ought not to be the absolute priority as a means of achieving high-quality transport services, which it does not. Instead, the focus ought to be on reliability of provision and price stability. The only competition that should be at play is public transport competing with private cars as the best way to commute and to socialise. Competition among bus services, rail services and other transport services will not improve the provision of those services and presents no long-term savings for anyone. It will simply ensure handsome profits for private interests while reducing connectivity for less profitable routes and undermining workers' conditions, all while demanding a subsidy from the State. This is the case in every situation in which public transport has been privatised. It is not cheaper and it is not more efficient, but it is profitable for those who own the companies that take the place of groups such as Dublin Bus, which put public service before profit.

The United Kingdom embarked on measures to systematically privatise its transport network over the past number of decades, and we can see today the result of this policy as prices soar, with a large proportion of the public calling for re-nationalisation of the United Kingdom rail network. Should Irish Rail be fully privatised, be it under an EU directive or purely through the politics of a neoliberal Government, I believe that a future Ireland would find itself in a similar position to the United Kingdom. The ideologically driven notion of competition in the provision of transport is simply detached from the living realities of those who use the service on a daily basis. The re-election of Fine Gael and the Labour Party, I believe, will see a further push to move our services into the private sector, with little regard for the impact on users.

There are a number of technical amendments throughout this Bill and I look forward to debating them.

Deputy Richard Boyd Barrett: Deputy Halligan has now arrived.

Acting Chairman (Deputy Bernard J. Durkan): Deputies Boyd Barrett, Halligan and Clare Daly are to share 30 minutes.

Deputy Richard Boyd Barrett: Obviously, we all welcome anything that will facilitate the further expansion, improvement or development of the public transport infrastructure, or anything that will facilitate greater investment in that infrastructure.

There are a few different aspects to this Bill, the first of which is the bus rapid transit, BRT, system. For anybody who is watching this, we should not use jargon too much. As I understand it, the legislation is designed to facilitate the NTA in making decisions on the development of the BRT system. The system, which involves super bus corridors, is a good development. There are three routes being proposed: Swords to the airport, Blanchardstown to UCD, and Clongriffin to Tallaght, all of which are important routes which are certainly about facilitating consumers - sorry, what is the word - not "consumers"-----

Deputy Paschal Donohoe: Commuters.

Deputy Richard Boyd Barrett: Commuters. Not consumers.

Deputy Paschal Donohoe: It is not all about consumers.

Deputy Richard Boyd Barrett: Indeed, it is not. The Minister is so right.

Deputy Paschal Donohoe: They are citizens too.

Deputy Richard Boyd Barrett: It is about citizens. The Minister is absolutely right.

These corridors seem like a good idea and I would be in favour of them. My fear, which was touched on by Deputy Ellis, is that against a background of consistent reductions in subsidies in the form of the public service payments to Dublin Bus, which have dropped every year, including every year under this Government - from €85 million in 2008 to €60 million now, which amounts to a €25 million loss in Exchequer funding for Dublin Bus - there will end up being a trade-off between these super bus routes, which we need and which are a good development, and the public service obligation to provide commercially unviable routes to citizens. Here, indeed, the distinction between consumers and citizens is quite an important one, because with the reduction in subsidies from the Exchequer to Dublin Bus, the temptation - indeed, I would say, the pressure - tangibly evident within Dublin Bus to see passengers as purely consumers from whom it can get money will result in the cutting of routes that it considers not to be profitable or financially viable. There should not be a trade-off, but it is becoming a trade-off. Sadly, my constituency is one in which it is being felt particularly acutely.

I engaged with the Minister, or one of the Ministers of State from the Department, before the summer recess about what can only be described as the savaging of whole public service routes, or the public service element of routes which, although they might be busy routes, contain parts that are not considered to be particularly profitable. There are plans to either change or cut altogether the Dublin Bus routes 7, 111, 8, 59, 45A and 63. All of those changes, or out-and-out cuts, will hit working-class communities, where there are particularly large numbers of users who are elderly or very young on routes which are not the big commuter routes. In the case of the 7, which is a big commuter route, the part of that route which I suspect Dublin Bus feels is not very financially useful to it - the part that goes through Sallynoggin, and has gone through it for as long as I can remember - will be cut, dealing a significant blow to Sallynoggin. Similarly, Killiney village is losing its bus altogether. The frequency of buses going into Loughlinstown Park, a very disadvantaged working-class area, will be cut in order to facilitate the super commuter route from Cherrywood, which is considered to be a large transport hub. I will not go

through the full list, but this is happening.

Indeed, it is no coincidence that many of those routes I have just mentioned are also routes that are part of the outsourcing or privatisation that the Government is pushing through the plan to privatise 10% of orbital routes. It is not a coincidence that these routes are being slashed; they are also the ones earmarked for privatisation, and they are being replaced with the super commuter routes. The Minister should not get me wrong; I want the super commuter routes, but they should be additional to the routes that serve communities, villages, and areas where there is a high proportion of elderly people and so on. However, that is not happening because the Minister has slashed the subsidy to Dublin Bus, which was already one of the lowest anywhere in Europe. The Minister is engaging in the classic mechanism for privatisation of a service. Although he will deny it and say it is only a bit of privatisation, it is clear what is happening. Bus routes on which communities have depended for decades will be lost in order to facilitate the privatisation agenda and push Dublin Bus away from the public service model into a commercial, for-profit model. For this reason, I am very worried about it. The BRT will accelerate the pressure, although it is a good thing in itself.

In my remaining two minutes, I will discuss taxis. While some of the regulations and changes seem to be reasonably positive, taxi drivers will have concerns about others. Section 2(a), which will bring dispatch operators who are working off apps such as Hailo under the regulation of the NTA, seems like a good thing. Some of these operators could undermine, and are undermining, existing taxi drivers. To bring them under some regulatory framework is a positive move. However, there are other aspects that are more worrying. Section 2(h) specifies that where the licensing authority decides not to grant a licence or to revoke or suspend a licence, there can no appeal. No process in which a decision could be made that could affect the livelihood of a taxi driver should be without an appeals process. There should always be an appeals process. This must be examined.

I have previously raised with the Minister on behalf of taxi drivers a serious problem which arose most recently around the decision to change the fare structure. This required the recalibration of meters, which was a cost for taxi drivers. The representatives of the taxi drivers said the taxi advisory committee did not properly consult with them and that the NTA imposed decisions without a proper consultation process. The Bill should address such matters and provide that there be real consultation rather than high-handed imposition of decisions from above in a way that can potentially be detrimental to the livelihoods of those workers.

I do not have time to make my final point.

Deputy John Halligan: The Deputy can have two minutes of my time. I will be okay with eight minutes.

Acting Chairman (Deputy Bernard J. Durkan): Is that agreed? Agreed.

Deputy Richard Boyd Barrett: While the proposed declaration is not highly objectionable in itself, it seems tokenistic. The taxi drivers are saying that the problem with proper regulation of the industry is enforcement - that not enough NTA staff are going around and doing checks to catch rogue drivers who are not compliant in a whole series of ways. This is of deep concern to bona fide taxi drivers. The declaration looks tokenistic and decorative, given that it is an undertaking to do things that drivers have to do legally anyway. Instead, we should put resources into enforcement. Some taxi drivers made a simple proposal to me that there should be an

emergency number for taxi drivers so that they can call the enforcement people if they suspect somebody is not compliant in some way. Such simple, practical measures, which involve a little more resources, would be better than decorative measures that will make no difference.

Deputy John Halligan: The most recent Eurobarometer survey on satisfaction levels with public transport across Europe very interestingly found that 9% of Irish respondents were satisfied with the price of public transport, while just 8% of Irish people use public transport once a day, less often than almost every other country in the EU. There are many reasons for this, including the convenience and proximity of transport services. However, the quality of services offered on Irish trains, in my experience, is a major factor.

I am sure the Minister is well aware that Irish Rail regularly makes headlines for publicly apologising to passengers who have to stand in carriages. Most recently, a 12-year-old boy shamed the company into an apology for his 76-year-old grandmother, who was forced to stand for a three-hour journey because there were no empty seats left on the train. The child likened the journey to something in a Third World country. These are all facts. I can deal only with Waterford. Occasionally I use the rail service to Waterford, as do many others. I have debated this with the manager of Irish Rail in Waterford. I have observed senior citizens and pregnant women crammed into carriages like cattle for a lengthy portion of the journey. Last year, I learned that passenger journeys on the Waterford service had fallen by approximately 3,000, one of the worst drops in the country. I cannot say I was surprised. In the weeks before and during Christmas last year, when the trains were packed to capacity, there were three carriages on the Dublin to Waterford train, with the result that dozens of people had to stand in the aisles as far as Kilkenny. Many of these people were looking after young children and had bags of shopping with them. I cannot understand it.

If the Minister is Minister for Transport, Tourism and Sport in the next Government, which I hope he is, something will happen in Irish Rail. I have been on trains in which whole carriages of people were standing. If a train has to stop urgently or if there is an accident, the Government will have to do some critical analysis. This has been going on for many years. There was a debate on my local radio station and, as far as I remember, there was no problem with people standing. One cannot stand on a bus or in a car. Trains travel at 80 km/h or 90 km/h. People should not have to stand on a train. This is happening all over Ireland, and the Minister is probably aware of it; I do not know. I have put it on the record of the Dáil that it is a disaster waiting to happen. I hope it does not. If people are standing on a train that is going at 80 km/h or 90 km/h and the driver has to brake urgently, somebody will be injured. There is no question in my mind about it. The company will continue to see a decrease in the use of the Waterford line, and others, unless it addresses the shortcomings in the service. Given that one is not allowed to stand on a bus, why should it be different on a train?

The price is not competitive and customers are not being given the comfort for which they pay. It is an insult to ask somebody to pay €47 to go from Waterford to Dublin. The people who get on the train in Kilkenny and Carlow will certainly stand all the way to Dublin. When I think about the €47 charge, it strikes me that despite all my criticism of Ryanair, it would be cheaper to travel via Ryanair. It is ridiculous and outrageous that people are being charged €47 for a journey of an hour and a half when it is likely that they will have to stand for an hour.

I understand that despite this chronic overcrowding, more than two dozen Irish Rail carriages that were retired at the height of the recession as passenger numbers fell are still lying idle. I was told this by people in the company. I believe that these surplus carriages went on

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sale in 2012 but were not sold. The Minister might find out whether this is accurate. Am I to believe that the carriages which were taken away from Irish Rail services are still lying around in yards somewhere in Ireland, even though hundreds of passengers will have to stand all the way to Dublin on tomorrow morning's 6 o'clock, 7 o'clock and 8 o'clock services from Cork and Waterford? It is just not acceptable. Will the Minister speak to Irish Rail about dealing with the overcrowding and putting these carriages back on track?

I want the Minister to think about a final point I will make in this context. I do not intend to be condescending when I say that as a very intelligent man, he needs to think about what might happen to passengers who have to stand for an hour and a half on a train that is going at 80 km/h or 70 km/h. I suggest that something is going to happen unless this is stopped. It has been going on for years. Irish Rail pays no attention to public representatives. When I get off the train and tell Irish Rail staff what has happened, they say, "We are very sorry about that, John, and we will see what we can do about it". People ring me the next morning to tell me that the same thing has happened again. The last time I went on the train, having decided to take the train rather than the car because I needed to do a great deal of writing, I had to give up my seat after 20 minutes. It would not fare well for a Deputy to be sitting while a woman is standing, so that ended that. This is not the issue, however. The issue is that overcrowding is happening throughout the country. The service is poor, bad and dangerous. I am saying now - I want it recorded that I have said this in the Dáil - that something needs to be done about this dangerous service before something critical happens.

Deputy Clare Daly: I am delighted that there are some gentlemen left.

Deputy John Halligan: I thank the Deputy.

Deputy Clare Daly: The last time I was on a bus, I had to give up my seat for a pregnant woman, so it works many ways. There is a crisis all around. The points made by Deputy Halligan are quite valid.

The Bill before the House is pretty technical. We are not dealing with anything revolutionary here. It is a means of facilitating bus rapid transit, with which I have an enormous problem. I am not really on for that. The other aspects of the Bill relate to relatively small technical matters such as taxis and airport fixed charge notices. Having said that, this debate gives us an important opportunity to stand back and look at the bigger picture. We have been treated to a plethora of announcements from the Minister regarding metro north, metro light, DART underground and DART extensions, etc. We have been told that the Luas is going there and not here. It has really been a case of announcement after announcement with very little clarity or detail about what is being done to develop an integrated transport system for our capital city, where a huge amount of the population lives and a larger amount of the population works. It is probably an illustration of the *ad hoc* mishmash approach that is being taken. There was speculation over the summer that the Minister, Deputy Donohoe, was the only Minister in town. He was popping up in so many places that he seemed to be the only Minister who was working. While I think announcements are good, the lack of cohesion among the plethora of announcements is dangerous and worrying in some ways. Maybe I will elaborate on this point in a minute.

I will not repeat the points that have been made by Deputies Ellis and Boyd Barrett about taxis. When we are talking about regulation, we should note that taxi drivers feel they are super-regulated. There is an almighty level of scrutiny of taxi drivers and their efforts to earn their livelihoods. A similar level of scrutiny and regulation is not applied to those who oper-

ate as the competitors of taxi drivers, such as rickshaw drivers. Neither the National Transport Authority, Dublin City Council nor the Garda Síochána will take responsibility for regulating these operators, who are allowed to pick up passengers and operate more or less without any regulation whatsoever. There has to be a level playing field. The points that have been made about the pressures on taxi drivers who are trying to earn their livelihoods are still valid today. We need to be cognisant of that.

I would like to speak about the bus rapid transit issue, which has been spoken about at length. The idea of building rapid bus lanes on public roads to cater for this new type of bus seems to be the Minister's preferred choice of public transport. When that is added in with the shelving of the DART underground project, it is quite worrying, particularly following the axing of the metro north project - the real metro, the big metro, or whatever one wants to call it - in 2011. That project was not replaced in the recent announcements that were made. I suggest that the Government is still trying to untangle it. I am still not that clear on the matter. I suppose the first point is that buses are not a solution. The idea of developing bus services as a short-term solution is often used to avoid the longer-term infrastructure that is necessary.

Deputy Paschal Donohoe: No.

Deputy Clare Daly: That has been the hallmark of public transport systems to begin with.

Deputy Paschal Donohoe: More people use buses as a form of public transport than any other mode of public transport in our country.

Deputy Clare Daly: That is because rail has been under-utilised. It is a fact that there has been a lack of investment in rail in this city and this country for decades.

Deputy Paschal Donohoe: No.

Deputy Clare Daly: That is continuing against the backdrop of this country's abysmal failure to meet its climate change obligations. I am cognisant that a city cannot be run on cars. The Minister lives on the north side, although he is not as far north as me. People who live on routes on the north side that are not on the DART line are overwhelmingly reliant on private vehicles such as cars because the bus transport network is so poor. It seems that the new rapid bus system will share road infrastructure that is already over-burdened and crippled. That will not make commuters any more rapid. The roads they drive on will not get any bigger. They will not be able to move more quickly. The proposed new system is to be delivered at an absolutely enormous cost.

The Minister is aware that the city came to an utter standstill last week when a fire took place in the port tunnel. People on the north side, in particular, were left virtually abandoned. It is in that context that the Minister said yesterday that the proposed DART underground project will be put on hold. It has been suggested that the project will somehow be redesigned to provide a lower cost technical solution. God knows what that means. People who are more qualified than me have made the point that the DART underground project was the missing link that would provide a very good solution in dealing with the massive strain that the commuter and DART rail networks are under at present. The stories of overcrowding we have heard from Deputy Halligan are replicated in my own area on the trains coming in from Balbriggan, Skerries, Rush and Malahide, etc. The DART underground project would massively increase capacity into and out of Dublin on commuter, DART and intercity trains. In my opinion, it would lead to an excellent return on our investment.

Like all Deputies, the Minister will have received a massive number of e-mails from the public on this issue. One of the points made in one of those e-mails is that even though the cost of a rail tunnel is high, the benefit is borne over decades and centuries and the expense is inflated away over time. Does London feel that its underground lines were expensive? Does it still feel the burden of that cost today? The person who wrote this e-mail suggests that most citizens would prefer to see the nation wait to build something adequate, rather than spending time and money building something inferior that will need to be upgraded in the future. I agree with that. Obviously, I was glad to hear the Minister announce yesterday that the DART will be extended to Balbriggan. Of course I was pleased, although it is long overdue. It must be a reflection of the Government's feeling that it is under a little pressure in the Dublin North constituency. Apart from that announcement, there was no clarity on how the rest of the project is to proceed or on anything else whatsoever.

The Minister said yesterday that he wants to make progress with "elements of the overall DART Expansion Programme which bring value in themselves, subject to appropriate business cases and the availability of funding". What does that mean? To which elements do the "appropriate business cases" apply? There is no clarity in any of this. In the absence of full funding for DART underground, several elements of the project that have been highlighted here previously could be advanced. I refer, for example, to the next phase of the Kildare line, the elimination of the level crossings in Maynooth and the electrification of the line around Grand Canal Dock. All of those projects would achieve benefits. The Minister's suggestion that we need to "continue to seek the best value for taxpayers' money in everything we do" is fine on that level, but I remind him that millions of euro have already been spent on some of these projects, including metro north. Are we going to flush them away? I do not think the Minister has given enough details and I do not like this drip feed stuff. There was supposed to be an announcement on Wednesday and now the Minister is announcing something next week in terms of the capital plan. It is not good enough.

Obviously one of the big features was metro north. The point has been made that Dublin is one of the few cities in Europe that does not have a rail link to our national airport. Passenger numbers have increased by 15% in the first half of this year, with an additional 1.5 million passengers, which is absolutely massive. On one level I am not really bothered about the airport, much as I would like to see tourists transited in and out quicker than is currently the case. That would be a big plus but I am more concerned about the urban population that lives beyond the airport. An area like Swords, which has a population bigger than that of Waterford city, has nothing - absolutely nothing. Those who criticise metro - the real metro, that is - as being too costly are generally living on the south side of Dublin. I am not saying that as a cheap pop. Why are there large public meetings in Deputy Boyd Barrett's area when bus routes are axed? It is because they provide a very good service that gets people into town quickly and people treasure them. If a bus service were axed in north county Dublin it would not make a blind bit of difference because the routes are so unwieldy anyway. Buses have to go all around the world and back even to get into town. One would be quicker getting a flight from Frankfurt to Dublin city centre than getting in from Swords. The idea of replacing metro north with metro light or metro-not-really-the-real-one or metro-Luas-but-we-will-call-it-something-else is not really going to address that deficit. It is short sighted and not good enough, although I admit that we are being drip-fed information so the picture is not clear at all. If the idea is a Luas mark two which will stop a kilometre from the airport, then that is a bit pointless. Points were very well articulated in *The Irish Times* today about Luas being too slow and not having the capacity to take the volume of passengers that is necessary.

The Minister is aware that there have been large numbers of petitions gathered by the public in support of proceeding with some of the projects as they were originally envisaged, and that is absolutely critical. Behind the scenes here is the fact that delivering quality public transport costs money but it is a vital cog in the battle against climate change and a vital cog in the running of this city. Is it not a little sad that there was an announcement today that the Web Summit, which was founded in Dublin, is going to Lisbon because the latter city has much better infrastructure, systems and facilities than Dublin? I have no doubt that the lack of adequate public transport was a key part in that decision which will allegedly cost the Irish economy €100 million. We have had no problem pumping billions into motorways to facilitate private vehicles and to line the pockets of toll companies, over and over again, while a disproportionate and significant lack of investment in public rail transport has taken place. Sadly that, along with the reduced subsidy to Dublin Bus, Bus Éireann and Iarnród Éireann will be the legacy of this Government. Hard cash and serious plans rather than announcement after announcement would go down a lot better.

Deputy Alan Farrell: I thank the Minister for bringing forward this, admittedly, largely technical Bill. It is important for the Members of the House to be given an opportunity to debate this Public Transport Bill, an extraordinarily important part of the role of the Department of Transport, Tourism and Sport and the Minister in terms of laying out plans for capital infrastructure over the next number of years. Like Deputy Daly - although not as cynical - I view a lot of the proposals that are in the public domain and over which the Minister has been deliberating over recent months as being of key importance in terms of improving the infrastructure in Dublin and the surrounding areas. In particular, I refer to my constituency and thank the Minister for his announcement yesterday relating to DART and the electrification of part of the northern commuter line, which is a welcome initiative. When metro north was paused in 2011, I spent some time with the then Minister, Deputy Varadkar, discussing alternatives in the short term to alleviate the pressures arising from the growth in the north county. I included electrification of the north county line and temporary alternatives to the likes of metro or Luas. That manifested itself with the proposal for the bus rapid transit, BRT. In the north county, as the Minister is aware, the Opposition has been very quick to pooh-pooh such a suggestion on the basis of an assumption that it was the alternative to the likes of a rail-based solution for Swords and Dublin Airport. Of course, it is not an alternative but an additional facility. If it were to go ahead, I am absolutely sure that once the planning was done right in the first place, it would be an additional bonus for the people in the north county to be able to get in and out of the city centre in a more efficient manner. There is one serious private operator in Swords - Swords Express - which offers a pretty good service, it must be said, through the port tunnel and, of course, Dublin Bus which provides ancillary services to and from the city via the airport and direct buses to Swords, which are beneficial.

Opposition Deputies have made various points on the question of whether we go ahead with the likes of metro north or a Luas alternative. I have said both publicly and privately to the Minister that the journey times and the capacity of either service are critical as far as I am concerned. Like Deputy Daly, I am quite indifferent as to whether the service is one or other. My position would be that people should be able get to the city centre in a reasonable period of time from northern Swords. I also want to be assured that the growth of Swords is met in terms of the projections that the population will double over the next 20 years or so, from 50,000 to 100,000 by 2035. Clearly we need to be planning 30 years in advance for whatever service we provide to the north county. If it is metro or if it is a cheaper version of metro and has capacity and journey times planned as part of its roll out, then clearly it will meet the demands of not

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just my constituency but also the millions of passengers who are coming in and out of Dublin Airport annually. The airport is a critical economic driver, not just for this country but also for my constituency. I understand it accounts for 3% of GDP and, of course, almost 100,000 jobs, which is a very significant number. As has been mentioned by some of my colleagues, Dublin is the only capital city in Europe that does not have a rail option for travellers to and from Dublin Airport.

To return briefly to the BRT, better levels of public transport and connectivity are critical to the growth of the north county in particular. While the city is growing in all areas, Fingal is growing eight times faster than Dublin city centre. There is a huge number of greenfield sites in the north county, particularly north of Swords, which will be expanded into over the coming decades. The development plan process is commencing in Fingal and the plan is expected to be in place in early 2017. Of course, in terms of the local authority's ability to plan for such growth and which particular areas should be focused on, it is incredibly important we are able to deliver upon the public transport proposals that will make a huge difference to the north side. There is no point in us, as the Minister has said on numerous occasions, building 40 more multi-storey car park facilities in Dublin city centre because we do not want people in their cars; we want them on public transport.

We want Dublin Bus to be a viable, profitable company that not only breaks even, but also makes a profit and invests in its fleet as opposed to requiring subvention from the State. The same applies to Irish Rail. While the company provides an excellent service to north County Dublin, economic growth is creating capacity problems. Most passengers who board a train in the morning in Balbriggan find a seat, whereas most of those who board at Rush and Lusk station must stand for the entire journey into the city centre. The benefit of having a DART service to Malahide is that my constituents find a seat on the DART trains. Extending the service to Balbriggan will alleviate pressure on the heavy rail service operating on the Belfast line and give people choice. This connectivity will be critical in rebuilding the economy and sustaining economic growth.

The sources of funding for the proposed projects are another important issue. When the announcement is made on the north Dublin corridor I would like some of the moneys accruing from the sale of Aer Lingus - the connectivity fund - to be provided for transport in north County Dublin. The services that are provided as a result must be integrated in existing transport networks, both Luas and rail, to ensure the greatest possible degree of connectivity in the capital.

DART underground does not affect my constituency but it is a very good idea. I understand the proposal to connect Dublin's rail lines dates back 100 years.

Deputy John Paul Phelan: To the Victorians.

Deputy Alan Farrell: Yes, it is to address poor planning by the Victorians who failed to connect the two rail lines. When the lines were built more than 150 years ago, the city had a much smaller population. It is essential, however, in the 21st century that we get whatever we propose right and ensure it is affordable. It would be difficult for the Government to afford both projects at the same time. While I am pleased from my constituents' perspective that capital investment to the tune of several billion euro will be made in a public transport project in the next six, eight or ten years, it will be necessary in the longer term to address connectivity across Dublin.

The funding sources for the proposed projects will be of critical importance. I would hate the Department to write a large cheque to the National Transport Authority or whichever body is responsible for delivering the proposal for the north Dublin corridor to pay the costs of planning and subsequently fail to follow through and provide every cent that is required to deliver the service that is selected.

As I indicated, this is a largely technical Bill. It also provides for some changes to the regulation of taxis and I am pleased to note that provisions on the small public service vehicle regulations will be underpinned in secondary legislation.

To return to my point on the journey times of commuters, it takes a person boarding a DART in Malahide 28 minutes to reach the River Liffey at Tara Street. If a commuter in Swords requires more than 35 minutes to reach the same destination following the completion of the proposed metro project, it will be viewed as something of a let-down for the north county. The sums involved - billions of euro - mean this is likely be the largest ever capital investment by the State.

Deputy Clare Daly made a point about investment in the motorway network. It is very easy for Deputies from Dublin to make the types of comments the Deputy made. She fails to accept the critical importance of connecting all four corners of the country and not only to Dublin. It is as important as investing in rail infrastructure to ensure we are capable of meeting the demands of the growing population.

Deputy Jim Daly: Fáiltím roimh an deis labhairt ar an ábhar tábhachtach seo. I am reminded of the great urban-rural divide when I speak on a Bill such as this, although I acknowledge that this legislation is technical in nature. For obvious reasons, much of the debate has been focused on Dublin city centre and many of the changes involve new modes of transport. However, there is life outside of Dublin and we are sore enough after the weekend without Dublin monopolising the debate on this Bill. I ask the Acting Chairman to indulge me by allowing me to broaden the debate somewhat by introducing a rural element.

The Bill refers to the National Transport Authority, among other bodies. My lengthy correspondence with the Minister and Ms Anne Graham, the chief executive of the National Transport Authority, must have caused the destruction of a small forest. I am being sent around the houses and getting nowhere on an issue that remains as relevant today as it was on the first occasion I raised it with the Minister and Ms Graham. I refer to the sharp decline in the number of registered hackney drivers, which was highlighted in a reply to a recent parliamentary question I tabled. West Cork has a particular issue with the area test, although I am sure the problem also arises elsewhere. Cork is a very large county and hackney operators in my locality inform me that they cannot employ new hackney drivers because candidates are unable to pass the new area-based test. I appreciate that the Minister will have a good sense of the geography of west Cork. An applicant for a hackney licence from Clonakilty, Rosscarbery, Bandon or Dunmanway may be asked about side streets in Carrigaline, which is a world away from where they operate. Despite my entreaties to the Minister and Ms Graham, I continue to receive the answer that current practice will continue. This issue is a source of great frustration.

While I appreciate that this is technical legislation, I raise it because people in west Cork do not have the luxury of a public transport system. Unlike Deputy Farrell, I cannot speak about my constituents wanting an improved DART service. The other Deputy Daly in the House, my cousin, spoke about bus services on the north side of Dublin not being as good as services on

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the south side of the city. Many of the areas I represent do not have a public bus service, which is a luxury we cannot afford. I raise this matter, therefore, in this debate and plead with the Minister to have it re-examined. In the absence of public transport, the people I represent rely on hackney drivers and they feel hard done by as a result of the area knowledge test on which the National Transport Authority refuses to make progress with me.

As I stated, I have received a small forest of paper on this issue. I asked some hackney drivers in west Cork to write to the National Transport Authority outlining their personal experiences of this problem but Ms Graham repeatedly responds to our correspondence by stating nothing can be done.

I thank the Acting Chairman for allowing me such latitude in this discussion. As far as I am concerned, the Bill relates to public transport and we, in west Cork, view hackneys as public transport.

Deputy John Paul Phelan: I apologise for arriving a little late and nearly missing my speaking slot.

I welcome the Minister and the Bill before us. Deputy Jim Daly has even lobbied me on the hackney licence tests. In fairness, his argument makes sense, especially in the case of County Cork which is such a large county. I urge the Minister, for my peace of mind, to address the issue.

The Bill is straightforward in the sense that it is largely technical in nature and, on my reading, makes common sense amendments to three or four existing Acts. Like Deputy Jim Daly, I propose to address two or three issues that affect my constituency. Public transport in the area between Kilkenny city and Waterford city is largely provided by taxis and hackneys. Significant investment has been made in the road infrastructure of the area.

6 o'clock

The M9, which is now one of the best routes in the country, replaced the N9, which was one of the worst national primary routes. Certainly, I commend that. However, there is an urgent need to connect other urban centres outside Dublin by means of public transport. The Minister has made a conscious effort in particular for rural towns in the Kilkenny, Carlow, Kildare areas where the bus service was due to be cut completely and where a new reformed service has been put in place. That is to be welcomed. However, in particular in my part of the world, there are huge connections across the route from Waterford to Limerick which national primary route remains perhaps one of the worst in the country. In fact, if one travels the length of it, most of the towns and villages, with the exceptions of Piltown in Kilkenny and Clonmel, are still on the original national primary network. It is probably the longest stretch of unimproved national primary road in the country. Significant bus services operate daily between Waterford and Limerick and investment in that road network is long overdue.

I want to use this opportunity to flag another issue. Perhaps, the Minister will be able to find an answer for me on the point. After much unforeseen delay, the New Ross bypass, with which Deputy Wallace will be familiar, is thankfully about to get under way in the early part of next year. The Waterford bypass was completed a number of years ago but as things stand, the four or five mile stretch between the New Ross bypass when it is completed and the Waterford bypass, all of which is in County Kilkenny, will remain a single carriageway road while the two bypasses will be dual-carriageways. It is a classic example. Deputy Alan Farrell mentioned

earlier bad planning by the Victorians who did not connect the rail lines in Dublin. It will be a classic case of bad planning in this day and age if that small but highly trafficked stretch of road - the N25 national route between Rosslare and Cork is a European route - is not the subject of some provision to ensure the completed New Ross bypass is connected directly to the existing Waterford city bypass.

I note that the legislation amends the Taxi Regulation Act 2013 to create a new procedure for the handing over of taxi licences from licensees who have passed away, which I welcome. I heard the Minister on the radio yesterday talking about the DART. The DART underground project is hugely significant and obviously something we would all like to see developed. However, the Minister's logic as to why what is currently proposed needs to be revisited is sound in the sense that it is the potentially the biggest single infrastructure project in the country. The scale of funds involved is dramatic and if a better engineered solution, which was the phrase the Minister used, can be found that is more cost-effective, it is grounds for full support for the Minister's position.

Deputy Mick Wallace: Whenever the Minister gets around to building metro north, he should ensure it passes by the Asti Restaurant on Russell Street, outside Croke Park.

Deputy Paschal Donohoe: We will have to check the status of the development levy.

Deputy Mick Wallace: Plenty of development levies were applied when I was building it and, believe it or not, we paid them. I realise that what is before us is technical legislation, but I welcome the occasion to address the issue it raises of public transport. There has been a serious lack of discussion of the Government's transport strategy. In response to one of my written questions last April, the Minister stated that the framework, Investing In Our Transport Future; A Strategic Framework for Investment in Land Transport, would address the need for a new rail policy and that a public consultation process would take place in the coming weeks on the current and future role of rail in Ireland. That was April. Now, the final version of the framework has been published and the only mention of the much-needed rail policy is simply repeated references throughout the 36 page document to the fact that we need a new rail policy, that we have historically low levels of spending on public transport infrastructure, that just to maintain the existing infrastructure we will need to spend a lot more and that if we are to meet our 2020 obligations on carbon emissions and renewable energy targets in the transport sector, we must spend more again. However, because we are living under the dictates of a neoliberal Government that is still shoving austerity down our necks, this much-needed funding is unlikely to materialise. Instead, the Department of Transport, Tourism and Sport is letting our transport infrastructure go to rot while making plans for the privatisation of our public transport system.

This is just another case of the Fine Gael-Labour Government putting the interests of business above all else, including the principle of democracy itself. To quote UCD's Julian Mercile:

[P]rivatisation decreases democratic input into economic decisions and planning as ownership of key economic sectors and provision of significant services is taken away from the public. In short, privatisation is a neoliberal policy par excellence as it contributes to the increasing business power over the economy.

That this much-needed rail policy is unlikely to materialise during the life of this Government is a strong illustration of the Government's poor performance on the issue of climate change mitigation. Such a policy should have as its guiding light the following principle -

high-speed rail powered only by renewables and affordable public transit which can unite every community in the country. Instead of anything as progressive and forward-thinking as this, the Government has overseen a whole series of cuts to Irish Rail staff and services and only responds to rising demand in the public rail system in a piecemeal fashion when crisis levels of overcrowding are reached.

The only remarkable expansion has been on the Luas network which happens to be privately owned by the French company Veolia. While the Government plans to privatise the public transport sector, municipalities in Europe are bringing public transport back into the public sector. The French town of Saumur remunicipalised its public transport which had been outsourced to Veolia and a number of departments are planning to do the same. As a result of eliminating Veolia's profit margin, Saumur, which has a population of only 30,000, is expected to achieve significant annual savings of between €400,000 and €800,000. In this country, the cost of public transport has risen by over 60% in the past five years at the same time as services have been drastically cut. Clearly, the Government has no plans to make public transport affordable, especially in light of the move towards the idea of bringing in the for-profit private sector.

Transport is not to the forefront of the renewable energy discussion to anything like the extent it should be. As Gavin Daly pointed out recently on the "Ireland After NAMA" blog, transport accounts for one third of Ireland's energy demands and is growing rapidly, yet it barely ever registers in the energy debate. In fact, instead of transport demand growth being seen as an area of concern, the Government encourages it and trumpets it as evidence of a recovering economy. It happened again this morning when the Minister boasted that the increase in the number of cars on the road was a tribute to the Government's achievements in the economic sector and not, in fact, a testament to its failure to provide adequate public transport, protect the environment or tackle climate change. It is shocking that since the Government came to power, not once has a Minister of his or her own volition linked rail to climate change mitigation. The Minister for Transport, Tourism and Sport was forced to acknowledge the connection three times in response to written questions from Deputy Broughan and me. The Minister can check the record. Transport energy demand, which was responsible for a third of total energy use in Ireland, grew by 2.9% in 2013. Renewable energy in transport reached 2.8% in the same year. This is an abysmal situation. Advancements in renewable energy in the transport sector are being outrun by the increase in overall transport energy consumption. We are not even running to stand still - we are going backwards.

The Minister's transport blueprint repeatedly laments the lack of funding that his Department gets. This morning, he asked Deputy Catherine Murphy where we would get the funds from to create a joined-up rail transport system. I have an idea for raising some money for investing in renewable public rail while helping to slash global carbon emissions by 20%. According to recent IMF figures, Ireland will subsidise fossil fuel companies to the tune of \$1.22 billion this year, \$262 per head, increased from \$1.09 billion in 2013. The Government has managed to increase corporate welfare to the fossil fuel industry by \$130 million in just two years.

The vast fossil fuel subsidies estimated by the IMF for this year include payments, tax breaks and cut-price fuel. The largest part of such subsidies is the cost left unpaid by polluters and picked up by governments, including the heavy impact of the local air pollution, floods, droughts and storms being driven by climate change. We can stop this corporate welfare by endorsing the polluter pays principle and invest the saved money by removing carbon from the

public transport sector.

We are on course for serious fines for failing to meet our climate change mitigation targets. According to the Department of Public Expenditure and Reform, the cost to the Exchequer of purchasing compliance will be billions of euro by 2030 in a “business as usual” scenario, that is, if we continue with a neoliberal government committed to enforcing austerity no matter what the cost to people or the environment.

In reply to a written parliamentary question in March, the Minister was clear that public transport had a crucial role to play in alleviating the consequences of climate change. Rail is among the most efficient and climate-friendly forms of transport. In the draft “Investing in our Transport Future” document, however, rail was talked about as being dead weight. The discussion was framed around the question of what extent of the rail network it was appropriate to retain. The document went on to make the mad suggestion that, unlike car ownership and use, public transport usage was generally adversely impacted by increasing incomes. The report contains no footnotes or references about from where this claim comes. Irrespective of whether it is true, the Minister should fight for the betterment of Ireland’s public transport sector and not act as a lobbyist for the National Roads Authority, NRA.

In his address to the UN Secretary General’s climate change summit last year, the Taoiseach stated: “Leaders must show conviction, clarity, courage and consistency in their actions.” I am sure that he said that with a straight face, maybe with a fake expression of concern, but it beggared belief that he could say such, given the policies that the Government has been prepared to implement. The climate change Bill is disappointing. It will be before the House again next week, but it leaves much to be desired. That our Governments are reluctant to tackle climate change because it is never an election issue is a major problem. We work from election to election in five-year cycles, but climate change requires a long-term strategy. We are not taking that point on board. Someone will have to do it some time. The longer it is left, the more work someone will have to do.

Acting Chairman (Deputy Joanna Tuffy): I am sorry, Deputy, but the climate change Bill is under the remit of the Department of the Environment, Community and Local Government. It is not strictly related to this Bill.

Deputy Mick Wallace: Okay. The Minister has the gist of my points. I would love to be able to get on a train to or from Wexford at weekends instead of driving in traffic that can be soul destroying. Rail is a beautiful way to travel. We must upgrade the system. It requires a great deal of investment. I have often stated how wrong it is that the EU does not have an arrangement under which governments can borrow money on the books at less than 2% to invest in infrastructure instead of being driven into public-private partnerships, PPPs, under which money can cost up to 15%. It does not stack up. It is another form of corporate welfare. The Government should be fighting tooth and nail for such an EU arrangement. This country needs major infrastructural investment not just in public transport, but also in social housing, as everyone knows. Money does not grow on trees, but the EU should play a more positive role in allowing the Government to borrow money at proper rates for investing in infrastructure, that is, 1.7% instead of 15%.

Deputy Tom Fleming: I welcome the Bill, which proposes to address the many anomalies in all aspects of the transport network. A major deficiency in the Road Traffic Act 1961 is being addressed, whereby an amendment to section 106 will correct the implicit contradiction in

its provision relating to duties on occurrence of an accident. The new hit-and-run indictable offences introduced in 2014 through amendments to section 106 are provided for under a provision referring to summary offences. A further amendment in section 6 of this Bill will rectify an omission in the hit-and-run provisions that were introduced in 2014. At that time, there would have been an associated amendment to provide for a consequential disqualification for those who were convicted under those measures. This matter is being addressed by section 6(b) of the Bill, and any initiative that ensures a proportionate response and subsequent penalties is only right and fitting in the administration of justice, as the punishment should fit the crime. Given the fact that many hit-and-run incidents result in a loss of life or serious disabilities, the consequences are severe for the victims and their families. In many cases, local communities are devastated. As such, I welcome what the Minister is endeavouring to do in this regard.

The most depressing aspect of the large number of road deaths in Ireland, North and South, is that many are needless tragedies. Some could easily have been avoided. For example, if drivers on dangerous roads had exercised greater care, far fewer would have died or suffered serious injuries. A study of road crashes in Northern Ireland was published this week and entailed an analysis of police statistics in respect of 1,321 collisions in the 2013-14 period. Three trends stand out: three quarters of fatal collisions occurred on rural roads; more than three times more men than women - 106 compared with 30 - were killed; and one quarter of those who died were young men aged between 17 and 24 years. The figures are stark when compared with the low level of motorway crashes. The principal causes of road fatalities were drink driving; excessive speed; and a lack of due care and attention. All of these factors deserve further investigation in order to help secure a more effective solution to pronounced road safety problems.

In the first half of this year, the number of road fatalities in the Republic was down on last year's, but there is little cause for complacency. Yesterday, the Road Safety Authority, RSA, highlighted worrying emerging trends. For example, one third of drivers killed on our roads were not wearing seat belts and there is a 50:50 chance of dying in a collision if not wearing a seat belt, no matter how minor the collision. Many collisions were minor in nature but because occupants were not wearing seat belts, the outcomes were much more serious. A worrying trend in road accident statistics in Ireland is the recent dramatic increase in motorcycle fatalities whereby in 2013, 2014 and to date in 2015, there were 65 deaths on the roads. A sustained national road safety campaign specifically targeting motorcyclists is absolutely necessary to alert those involved regarding the dangers of speed and the nature of the unlit secondary roads where there is a lack of public lighting, as well as on the rural secondary roads. The numbers involved in serious road accidents will continue to rise until action is taken to reverse these shocking statistics. It is imperative that motorcyclists would have the highest-quality safety protective gear and I refer particularly to helmets. Perhaps something can be done to help in the short term in the forthcoming budget with a substantial reduction in the 23% VAT rate for road safety gear. That would enable bikers to afford to pay for better equipment and better gear. This must be considered seriously and I urge the Minister himself, in conjunction with the Road Safety Authority, to take some necessary action in providing a sense of awareness. In addition, something can be done, by reducing the aforementioned VAT rate, that is very practical and which would be an incentive to get top-quality gear for these people for protective measures.

In one crash study, 73% of accidents involved riders who used no eye protection and it is likely that wind on unprotected eyes impairs vision. The use of heavy boots, a jacket and gloves is effective in reducing abrasions and lacerations, which are frequent injuries. As regards head injury, a helmet is the single critical factor in its prevention. It has been reported that helmets

do not reduce traffic sounds, limit pre-crash visual field or cause fatigue or loss of attention. In an important finding, 9% of helmets came off during crashes in Europe because they were not fastened or properly fitted or because they had been damaged in a fall. In 2007, helmets saved the lives of 1,784 motorcyclists in the United States of America and, had all bikers worn helmets, 800 more lives could have been saved. In addition, the helmets are estimated to be 37% effective in preventing fatal injuries, in that for every 100 bikers killed in crashes who were not wearing helmets, 37 could have been saved.

On the question of taxi licences and the regulation amendments, I seek the addition of an addendum to these sections with regard to the existing regulations to obtain hackney licences. This specific matter came up at the meeting of the Oireachtas Joint Committee on Transport and Communications this morning, at which a number of members highlighted the obstacles to people in rural Ireland obtaining hackney licences whereby several hoops and all types of impediments are put before people who apply for such licences. There are ridiculous criteria to meet at present, which is causing obstruction in the acquisition of such licences. I refer to people who are highly capable and well-qualified and who would be highly efficient in carrying out the job as a hackney operator to serve the local communities, in which in many cases there is a lack of transport. The Minister could intervene in such cases and I ask him to become involved in this matter to ensure these licences are provided in a way that is within reason. Jobs are being lost because of these impediments and many of these people certainly are providing a vital service in their local communities. In addition, they would have a livelihood. As jobs are involved, I ask the Minister to free up the existing anomalies in this sector.

Acting Chairman (Deputy Joanna Tuffy): I understand Deputy Kyne is sharing time with Deputy Seán Kenny and so the Deputy will have five minutes.

Deputy Seán Kyne: I thank the Acting Chairman and the Minister and I am delighted to be able to speak to the Public Transport Bill 2015. Obviously, transport issues, including public transport, are never far off the agenda in the constituency of Galway West, which incorporates Galway city. Unfortunately, the city and county of Galway have a number of persistent transport issues that must be addressed, some of which are raised in this Bill. The Public Transport Bill contains provisions to empower the National Transport Authority, NTA, to provide public transport infrastructure such as bus rapid transit. The NTA's own definition of bus rapid transit describes this as "high quality" and as "high capacity" and as emulating the performance and service of light rail but at one third of the cost. In the context of this Bill, bus rapid transit is only mentioned for three routes in Dublin, which I should point out are routes already served by public transport, namely, the city centre to Swords and the airport, Blanchardstown to UCD and Clongriffin to Tallaght. The estimated cost of each of these options lies between €150 million and €200 million or in total, at least half a billion euro. It is clear the focus is very much on Dublin and the transport needs of the capital. Other cities, such as Galway, have clear transport needs which also must be met.

A comprehensive report on public transport options for Galway was commissioned by the city council in 2010 and examined a range of different options, including a light rail transit, LRT, system as well as bus rapid transit, BRT. That report estimated the cost of a light rail system in Galway at €698 million and, given the size and layout of Galway city, it would most likely involve the demolition of or interference with homes, businesses or property. The same report showed that for the entire city of Galway, a bus rapid transit system would cost €114 million for the route construction as well as the rolling stock required. This would be joined by enhancements to the existing bus network totalling €89 million. Those figures were provided

in the Galway public transport feasibility study, which includes the total cost of a BRT system of €114 million and an LRT system of €698 million with further bus costs of €89 million. Consequently, it is clear that for the cost of one of the routes proposed for Dublin, an entire bus rapid transit system could be introduced for Galway city. I wish to make that point on this issue because it is important that the needs of the entire city of Galway also be considered. In my view, it goes back time and again to balanced regional development. The higher the population of Dublin, the greater the scale of the challenges, such as transport, and the higher the public funding required. Ultimately, this reduces the amount of funding available for other projects, including transport, for other regions and promotes a cycle that sees further migration from the west to the east, which I do not believe to be in anyone's interest. A targeted investment in transport and infrastructure outside of Dublin would encourage sustainable growth and development and make the challenges facing Dublin more manageable.

Examining bus rapid transit, as this Bill does, is to be welcomed but questions must be asked of other policies in public transport. Why, for example, is there no regular city bus service between Galway city and nearby population centres such as Moycullen, Barna or Claregalway? Why were bus shelters built adjacent to Galway city cathedral more than five years ago, only for them to lie unused today? Why are there no scheduled bus services using the Quincentenary Bridge in Galway over the Corrib? That bridge was built 30 years ago and would be an ideal route to connect residential areas on the west of Galway city with the employment centres on the east but yet there are no scheduled services from east to west in Galway that do not go through Eyre Square.

Before anyone misinterprets my supportive comments on public transport in Galway as a lessening of my commitment to the Galway city bypass, I do not see the progress of one project occurring at the expense of the other. There should be a strong statement in the forthcoming capital plan with regard to a transport solution, a roadway, a bypass or whatever one wishes to call it, for Galway. As the Minister is aware, this proposal is at the planning stage, that is, the detailed design stage at present, and it is of huge importance. I acknowledge the Minister has engaged in consultation on this matter and that there has been some opposition in Galway. However, my commitment to this project is firm. In respect of road infrastructure, it is the number one project in Ireland in terms of cost-benefit analysis and I believe the majority of people in Galway are supportive of it, as it is greatly needed to improve the traffic congestion in Galway in conjunction with the public transport issues I also have mentioned.

This Bill also amends the Taxi Regulation Act 2013 and will provide greater powers to the NTA. One such change concerns the appeal procedures for vehicle inspection tests for taxis. These seem sensible and are rooted in public safety. From now on, it will not be possible to use a vehicle as a taxi until such time as it has been brought up to standard.

One area in respect of which the Bill does not propose change, and on which Deputy Tom Fleming commented, is the system of area familiarisation tests for persons applying for a local area hackney licence. I have been contacted by a person from the wilds of Connemara who has undertaken this test seven times, at a cost each time of €90. On each of last three times he took the test he failed on the basis of his not having sufficient knowledge of housing estates in Tuam and Gort. The distance from Dublin to Mullingar is 80 kilometres; from Dublin to Dundalk is 85 kilometres and from Dublin to Wexford is 120 kilometres, whereas the distance from Clifden to Ballinasloe is 135 kilometres. For a person coming from Connemara to be required to know intimately all estates in Ballinasloe, Tuam and Gort to pass an area familiarisation test to obtain a hackney licence is ridiculous. I ask that this be examined. The test needs to be more regional

and balanced. There is no need for somebody living in the middle of Connemara or Clifden to be knowledgeable about housing estates in Tuam, Ballinasloe or Gort. I ask that the Minister look into that matter.

Deputy Seán Kenny: This Bill provides for amendments to the Dublin Transport Authority Act 2008, the Taxi Regulation Act 2013, the Road Traffic Act 1961, the Railway Safety Act 2005 and the State Airports Act 2004. It also deals with the functions of the National Transport Authority in respect of public transport infrastructure. The proposed changes will ensure the NTA is able to develop and deliver public transport infrastructure, such as bus rapid transit, BRT, in the event that it is decided to proceed with this project and other similar projects such as cycling schemes. These technical changes to legislation are required to address certain issues identified by legal advisers to the NTA as potentially precluding it from providing such projects.

One proposed amendment ensures the NTA would have the necessary powers to deliver required public transport infrastructure but does not involve a commitment to the development of BRT. Under the capital plan to 2020, funding to support and improve bus services will be a key priority. As well as ensuring a modern efficient fleet, it is essential bus routes and supporting infrastructure facilitate the provision of better and improved services. I understand that a further amendment to the legislation to support this is being considered and will be introduced later.

Changes to how the NTA functions and what it does are worth discussing now in the House, particularly in light of a development that came to light yesterday, namely, that the DART underground project will not proceed as was originally envisaged. While I understand the economic position the country has been in over recent years, I am disappointed that yet again that this project, which would profoundly reshape rail transport not only in Dublin but across Leinster and the wider country, has been put on the long-finger. I would encourage more critical analysis of that decision. There is no alternative to the Dart underground on offer. What was proposed was a railway line running from Inchicore to Spencer Dock via Christchurch, St. Stephen's Green and Pearse Station, which would provide the “missing link” in joining up and integrating all of Dublin's regional and suburban rail services. It has been described by a commentator as Dublin's equivalent of London's Cross Rail. It would enable suburban commuters on the line to Dundalk and Drogheda to travel to Kildare or Maynooth and *vice versa*. I believe that the postponing of the Dart underground needs to be reconsidered. It is the equivalent of the infamous decision of the former Fianna Fáil Minister responsible for transport, Mary O'Rourke, to have two Luas lines constructed but not joined up. Dublin's public transport needs are increasing. If we do not plan properly for the future development of our public transport system, Dublin and Leinster will lose out. I would like the Minister to respond to the points I have made about DART underground.

Sections 2 and 3 of the legislation provide for amendments to the Taxi Regulation Act 2013. The programme for Government contained a commitment to review and update the regulation of taxis to ensure taxi drivers are recognised as a key component of the public transport system and to provide for a forum for discussion between the regulatory authorities and taxi providers. The taxi regulation review report of 2011 identified 46 actions to address the key issues in the sector in seven areas, including driver licensing, vehicle licensing and standards, accessible services for people with disabilities, compliance and enforcement, consumer and industry assurance, fleet management and rent controls and a rural hackney service to deal with limited access in rural areas. The Minister for the Environment, Community and Local Government, Deputy Kelly, when Minister of State with responsibility for public transport, did an excellent job in this area. I pay tribute to his work in that regard. I believe we should have a Minister

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dealing particularly and exclusively with public transport. Managing public transport issues across the country is a challenging job and a dedicated Minister of State is best suited to dealing with these issues.

Section 4 provides for an amendment to the Railway Safety Act 2005 to change the name of the Railway Safety Commission to the Commission for Railway Regulation. The Railway Safety Commission was established under the Railway Safety Act 2005 to foster and encourage railway safety and enforce legislation relating to railway safety. The body will have a monitoring function and a role in hearing appeals made by railway undertakings and other interested persons. This is the reason for the change of name.

Section 6 is essentially a technical amendment, correcting section 106 of the Road Traffic Act 1961 which deals with duties on the occurrence of an accident. It was amended in 2014 to introduce new offences for hit-and-run incidents causing death or serious injury. The Attorney General's office has since advised the Department that the amended version of the section contains an implicit contradiction. The new hit-and-run provisions are indictable offences but they come under a section heading referring to summary offences. The Attorney General's advice is that the intention of the law is clear in spite of the error and the Director of Public Prosecutions is continuing to take prosecutions under this legislation. However, it is also the view of the Attorney General's office that the error should be corrected at the earliest available opportunity and this is now being done in this legislation.

On the subject of road traffic legislation, I am proud to have been a member of the Oireachtas Joint Committee on Transport and Communications and to have been involved in making our road traffic rules safer and tougher when it comes to enforcement where dangerous drivers are concerned. Alcohol limits for drivers have been tightened and it is now illegal to drive under the influence of drugs. With this in mind, I commend the Minister, Deputy Donohoe, on his swift response yesterday in signing into law a statutory instrument that addressed the ridiculous situation of a drink driving prosecution being withdrawn because the result of the breathalyser test was read out in English only and not also in Irish. In future, only one of the two primary languages of this State will be required in such matters, which is right given the seriousness of a drink driving case.

I commend the Bill to the House.

Deputy Denis Naughten: I welcome the opportunity to contribute to the debate on this legislation. Before turning to the Bill, I would like to deal with an issue of public transport which I know is also close to the heart of the Leas-Cheann Comhairle. As the Minister will be aware, rural Ireland is experiencing huge problems with transport. Earlier today I read an article in the *Irish Independent* in which the Taoiseach spoke about the need for the Garda Síochána to invest in specialist vehicles. I represent a community in which a garda has no car and is required to police his catchment on foot. This is not an issue that has been highlighted in the public domain because it is important not to advertise to thugs that particular communities are being left in such situations. There are many gardaí marooned in Garda stations because they do not have access to transport. It was disappointing that of the 94 new gardaí that passed out from Templemore, not one was deployed to our part of the country. I ask that the Minister bring that matter to the attention of Cabinet. I agree that we need specialist vehicles but we also need basic vehicles. We cannot have a situation whereby gardaí in rural communities are left without access to transport.

First, I congratulate the Minister. I listened to his recent announcement on the Phoenix Park tunnel. It is something we have discussed at length in the past.

Deputy Paschal Donohoe: That was a decade ago.

Deputy Denis Naughten: I remember briefing the Minister about the Phoenix Park tunnel a long time ago. I must give credit where credit is due. The Minister took it on board when he had the opportunity to do so. As I imagine the Minister has found out, Irish Rail nearly denies the fact that it has the tunnel. I believe it will be of benefit to commuters, particularly commuters travelling from the west and south of the country as well as from the mid-west. They will now be able to get into Dublin city centre. That is a welcome development and the Minister is to be commended on the initiative.

I had to smile when I read the Bill and I saw a reference to the change in the title of the Railway Safety Commission. As you are aware, a Leas-Cheann Comhairle, when Charlie McCreevy stood up where the Minister is sitting now and announced decentralisation throughout the country, he said the Railway Safety Commission was to go to the town of Ballinasloe. We are still waiting for it to happen. It was about the only announcement that we have had in the past decade for the town of Ballinasloe other than those relating to job losses or the closure of facilities. I recall questioning the Minister on numerous occasions about when the Railway Safety Commission would be established and when it was going to be decentralised to the town of Ballinasloe. Of course we now know that this never happened.

While I am on the issue of Ballinasloe, I wish to raise a matter with the Minister which I wrote to him about earlier this week, that is, the inter-urban greenway and cycleway that is being developed from Dublin to Galway. I have asked the Minister to look at this issue again because I believe a major mistake is being made in how this route is being mapped out. I have said in the House previously that what we need to do is start from a different baseline. That baseline should be the public lands available between Athlone and Galway, whether Bord na Móna lands, Coillte lands, National Parks and Wildlife Service lands or those of the former Land Commission, which still holds a significant land bank in the west. There are also many public rights of way that are no longer in use. I believe that if the Minister mapped out those in the first instance, he would be surprised by the amount of land available. The Minister could use this land to map out the route. We should also consider the attractions around them. I have no difficulty in that area. What is really frustrating is that this has not been done to date. Despite this, Roscommon County Council, on its own initiative, has used that particular model. The council now believes it is possible to secure an acceptable route between Athlone and Ballinasloe for the cycleway. It would be completely off road with no need to use the compulsory purchase order route. If it can be done between Athlone and Ballinasloe then I firmly believe it can be done between Ballinasloe and Galway. However, we need to go back and look at how we map it out. Rather than looking at scrapping that particular route - I know that is being given consideration at the moment in some corridors - I call on the Minister to look again at how the initial corridors were designed. I believe we can get a solution.

I wish to raise one more parochial issue. This issue has been brought to the attention of the Department of Transport, Tourism and Sport and it relates to the Beara Breifne Way, which runs from west Cork right up to Cavan, where it could link in with the Ulster Way to create Ireland's answer to the Camino. It runs from the north to the south and right through the middle of the country. We have not benefitted from the Wild Atlantic Way or Ireland's Ancient East but we have major potential in this area. One small section needs to be completed to allow this way to

be marketed and promoted. I have brought the matter to the attention of the Minister's officials. At issue in the capital programme would be a relatively small sum of money. Approximately €800,000 would complete this route and create Ireland's Camino. It would be of benefit to our part of the country, which has not seen the type of development in tourism that we have seen in the past.

I know that a number of people in the House have raised issues regarding the delivery of services by the various transport agencies and semi-State companies. There has been extensive frustration as people have seen services curtailed in recent years and, because of this, there has been reduced accessibility for some people. One issue that comes up regularly in rural Ireland is the question of the rail stations. In the case of smaller stations, Irish Rail is reducing the manpower available. This is forcing people to use the automated machines in stations rather than buying a ticket at the desk.

Let us consider the station in Roscommon town. If the station is not manned, people do not have access to public toilets or to any shelter if it is raining while they are waiting for the train to arrive. I find these automated machines difficult to operate. Let us suppose I am using the machine and there is a queue behind me. I find myself looking over my shoulder, trying to decide whether I have picked the right route and station. That is all well and good for me, but for older people it is a major challenge. On top of that, many older people use cash, but at least 50% of the time the machine will actually reject the money people put in. In the west and my part of the country in particular, where we have a large older population who use public transport services, we should provide staffing at these stations. It would not represent a major additional cost on Irish Rail. I imagine some mechanism could be found whereby staff could be available when the trains arrive and depart. Not providing this service amounts to removing the rail service for some customers.

Another frustrating issue is far broader and relates to transport to hospital appointments. I have taken this up at the committee with the National Transport Authority. The authority seems to be of the view that this is a local issue and needs to be dealt with locally. It is not. It is a regional issue. Our hospital networks are now set up on a regional basis. The NTA must engage with the hospital groups to address this issue. I will set out the matter in practical terms to highlight the problems we have. I know a young man who has muscular dystrophy. He has physical problems in accessing hospital appointments. He cannot afford to pay for a taxi because it costs him between €100 and €150 to go to a hospital appointment in Galway. He cannot avail of public transport because there is no bus, train or combination of bus and train that will get him to a hospital appointment in the morning and get him back on the same day to Roscommon town. He is in a situation whereby he has to cancel the hospital appointments that he really needs because he cannot physically get there and he cannot afford to pay for the taxi. The Department of Social Protection will not entertain payment for taxis. The HSE will not entertain payment for any transport service. The Saolta hospital group has completely dismissed the idea of giving any contribution towards the cost of transport. The only outlet that will consider providing transport is the ambulance service, if there is an ambulance available and if someone requires an ambulance. However, this only covers a limited number of people. People are losing out on access to hospital appointments. This is all because of a lack of connectivity between the transport providers. It would be far better if we had a bus service that could link up with the rail service so that we could get people into Galway city in order that they can get to their hospital appointments. Moreover, it would be far better if the hospitals would reschedule those appointments in order that people coming from Roscommon, Sligo or Mayo

into Galway would not be given an appointment at 9 a.m. They should be given an appointment for 11 a.m. or noon in order that they can travel on a train or bus. People living in the vicinity of Galway city should be given appointments at 9 a.m. If there was a small bit of joined-up thinking on this, we would deal with a major problem in rural Ireland. People cannot get to hospital appointments and appointments are being cancelled, resulting in people going back on waiting lists which compounds the delays in outpatient appointments.

Bus Éireann has stated that it cannot justify the continuation of inter-urban bus services between towns in the west because not enough people are using them. The Westport to Athlone service is under threat. If, instead of terminating in Athlone, it terminated in Ballinasloe, outside Portiuncula Hospital, which is 15 miles further on, many people with hospital appointments could use the service to attend them. GPs in Ballyhaunis, Ballinlough and Castlerea traditionally referred patients to Castlebar, but patients may not be able to attend those appointments because of the bus schedule. They may take the bus to Ballinasloe and have an appointment with a consultant there instead.

The driver behind the lack of connectivity must be the National Transport Authority. It is supposed to provide co-ordination between the various transport agencies, which are to be commended and are making progress. Announcements were made recently regarding my constituency in terms of transport services in County Leitrim, which are welcome. However, the strategy needs to be far broader than linking up various bus and rail services. People need to use bus and rail services because they need to get from A to B.

Sadly, because of the closure of the hospital in Roscommon and the establishment of regional hospital groups, far more appointments are taking place in Galway city. It should be remembered that the Saolta group covers a quarter of the country. I suggest the Minister asks the NTA to make contact with Saolta and establish a pilot project, based in Galway city and University Hospital Galway. From discussions with the former operations manager, Tony Canavan, I know he and his replacement would be very willing to facilitate the NTA in coming up with a viable solution that would ensure fewer people miss hospital appointments.

I have referred to people being marooned while trying to attend hospital appointments. As the Minister is aware, 30 months ago the Government had to suspend the motorised transport grant and the mobility allowance because of a legal issue. Since then, we have been promised that legislation will be provided to reinstate the payments. The grants are for people with disabilities who cannot avail of existing public transport services. If people with a physical disability, in particular those in wheelchairs, want to use many Bus Éireann routes, they need to book a place 24 hours in advance. We are marooning people with disabilities in rural Ireland because they cannot access supports. The mobility allowance continues to be paid to people who were in receipt of it before the suspension took place. The motorised transport grant has been completely suspended. I understand there is now a delay in the payment of the mobility allowance in the HSE and people are now being paid annually.

On a related issue, there also seems to be an anomaly in the prompt payment system that allows contractors to hospitals to maximise compensation payments, in some cases multiples of the actual moneys due to them. The systems in place are falling down and we need to try to ensure these systems are addressed and responsive to the needs of the public.

I keep raising the issue of transport in the context of health because it is a major factor in people failing to attend appointments and being denied medical services. Some people cannot

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physically get to appointments. The medical card system is supposed to take account of that fact. If someone in Arigna in County Roscommon has a hospital appointment in Galway, he or she cannot use public transport. It would cost him or her about €200 to pay for a taxi. If that is a once-off, it is not too bad, but sadly if one is diagnosed with cancer and travels to Galway regularly, it will involve a significant amount of money.

Despite this, when the HSE calculates allowances for medical expenses, it does not take such things into account even though in theory it states it does. A person living in Galway city is being treated in St. Vincent's University Hospital in Dublin and receives an allowance of €11.54 per week to cover his medical expenses, including transport from Galway to Dublin. His next door neighbour is being treated in Galway University Hospital and receives the same allowance, even though she lives five minutes away from the hospital. There is something wrong with that. While it is not within the remit of the Minister, his role as Minister for Transport, Tourism and Sport is far more significant for people who are ill than he probably realises.

In the Minister's constituency, public transport serves local hospitals, but in rural Ireland transport is a significant limiting factor in accessing prompt treatment. It is this lack of connectivity between the various agencies that is causing the problem. I urge the Minister to ask the NTA to take the lead on this issue, improve the utilisation of existing public transport services and ensure that, despite their best efforts, hospitals can become more efficient.

Deputy Robert Dowds: I thank the Leas-Cheann Comhairle for allowing me to speak at short notice. As a Dublin Deputy, the Minister knows the importance of improving our public transport system for the working of the city and surrounding towns, as well as for the general good of the country. Improving our public transport system does not solely involve making life easier for people in Dublin; it also involves making life easier for the whole country.

I have no problem with the proposals on metro north and trying to get links to the airport and Swords, places that clearly need greatly improved public transport. I want to draw the attention of the Minister to the total inadequacy of the situation on the west side of the city, through my constituency and into County Kildare. The main line from Dublin to Cork, Kerry, Galway and so on runs from my constituency and into Kildare. Considerable investment has gone into that and in parts it has been turned from a two-line to a four-line railway, but very few people in my constituency use the service. Deputy Lawlor might refer to his constituency.

7 o'clock

I suspect it is probably used a bit more because it is probably more worthwhile to use it if one is coming a longer distance than a shorter distance. My constituency has three stations which are hardly used at all. These are Adamstown, Kishogue, which is built but closed, and the Clondalkin Fonthill station. Why are these stations not used? It is not because there are not people who want to get access to the city centre. They are not used because using them would be too slow because of how the railway has been built and because subsequent development has largely left the population centres a distance away from the railway, whether it be Naas, if one goes out that far, Lucan or Clondalkin. There are proposals to develop the land along the railway which would be good. There is a real need for the Government and whoever succeeds it - I hope we will have the re-election of the current Government - to prioritise development there because it is the only way to keep the city functioning as an economic entity and for the well-being of its people.

Public transport works where people can travel fastest from A to B by public transport rather than by private transport. This should always be our aim. If we do not prioritise this work and improve the links from Heuston Station to the city to connect to the Dundrum Luas and the DART we will very rapidly get to a situation where the M50 becomes a car park. It is rapidly heading that way because of the development of the economy, which is a good problem for us to face, but there is a real need to do this. In his response I ask the Minister to address this issue. Perhaps he will remind us in his response of the possible developments on the Phoenix Park tunnel. From what I know of it, it would be limited enough. It would be of value to people who want to link to the north side but not of so much value to those who want to go straight to the city centre. For the well-being of the people of the city and the greater Dublin area, particularly Kildare, and for the well-being of our future economic development this must become a priority, whether through the original proposal of an underground interconnector from Heuston Station to meet the Dundrum Luas and the DART or by some other method. It is absolutely vital that work is done there. I know other areas of the city also require this. We are so far behind other major European cities it would almost make one cry at times, but we must start where we are. I would like to know where this stands in terms of priorities in the Department of Transport, Tourism and Sport.

Deputy Anthony Lawlor: Before I speak on the Bill I wish the Leas-Cheann Comhairle all the best on his retirement. I know it is a bit premature, but I will not give him as much grief as I have in the past.

I thank the Minister for being in the House. The Bill is technical but the debate gives some of us an opportunity to broaden its scope a little. In recent years, NTA funding, particularly in constituencies around Dublin, has been most welcome. It has probably been the only source of funding to allow new projects to happen. In my constituency, and that of Deputy Dowds, these small projects were very much welcomed. I have found an issue whereby Kildare County Council never seemed to be ready to take on the funding when it was given to it. It would apply for funding and hope it would get it and would take it from there if it did. It never seemed to put in place A, B and C so that when it got the funding it could start work. What ended up happening in Kildare seemed to be that if it got funding in 2014 it might have been able to start a project in 2015. I know it is a fault with the local authority in Kildare, but I would appreciate a bit more flexibility in the NTA to allow funding whereby a shovel-ready project that would fit into its remit might be taken on board. I know of a project in Leixlip which is shovel ready. We are applying for NTA funding for next year, but if funding were transferred from one of the other projects this year it would be much more beneficial. It may also help to provide funding whereby the NTA might allow local authorities use outside sources for planning.

I welcome the announcement made several weeks ago on the development of the tunnel under the Phoenix Park. From a Kildare perspective it will be hugely beneficial. We need to see whether a better link can be provided for the route from Heuston Station. I hope it will be in the capital funding. It would be cheap as we would spend only small money on it, but it would be a very good way to link Naas, Celbridge and Hazelhatch with the centre of Dublin. People could hop on a train. It could be used instead of the underground proposed by the railway authority.

I get confused about fares. We have one zone after another but there may be only one stop between zones. In most places if one travels three stops one pays for three stops. We should look at this. If one goes from Kilcock to Maynooth one goes from one fare zone to another and it is cheaper to go by bus. We would love people to use the railway because from a transport perspective it is a much more economical way of using existing transport. I ask the Minister to

examine zones and fares.

As Kildare is on the periphery of Dublin it gets great services on the spokes to Dublin but very little NTA funding for routes going crossways, such as Kilcock to Naas or Maynooth to Kilcullen. If possible, could licences for private bus operators to work on such routes be put out to tender? It would be extremely beneficial. Many people would like to use public transport if it were available but it is not available on the links between the spokes. We have excellent public transport going into Dublin but nothing linking the orbitals.

I look forward to the Minister's capital programme with all earnestness. I hope he takes on board some of the issues I have raised. I will have no problem with the Bill.

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I thank all Deputies for their contributions on the Bill. As they have all acknowledged, this is a technical Bill which focuses on a number of important areas regarding the regulation of public transport and the planning of future public transport projects. All Deputies offered their support for the Bill and offered comments on how it could be improved. As is their right, they also used the introduction of the Bill to raise broader issues on the availability and planning of public transport throughout our city and country.

As my colleagues, Deputies Dowds and Lawlor, are in the Chamber and I listened to their contributions I wish to respond to some of the points each of them made.

Deputy Lawlor focused on the capital plan. We engaged on that earlier during Question Time. The Deputies are clear about my priorities in the capital plan and the discussions taking place within the Cabinet on the same issue.

Deputy Lawlor made two points that I wish to pick up before I move to the text that is now being circulated on the Bill. The point was made about the fare structure in place for public transport and this can be very complicated. There is also the issue of expense, which a number of people mentioned. We must consider the balancing act of having a fare structure that is simple but which at the same time can recognise that different people will be on different journeys for different lengths of time. Balancing that can be difficult. The National Transport Authority, NTA, and my Department have made much progress on this, particularly with the introduction of Leap cards, which remove much of the complexity. I accept the Deputy's point that we should look to make the process simpler, and I hope that over time we will find ways to make our fare structure even simpler than now. Dublin Bus, in particular, has made progress in trying to make our fare structure simpler for people to understand in order to encourage more people to use public transport.

The Deputy also offered support for the work done by the NTA in sustainable town and city strategies, which cover many of the funding needs outside Dublin. This has been affected in recent years by all of the terrible change that our economy went through. Over time, I would like to see the strategy rebuilt, although I fear it will not be rebuilt in the way the Deputy wants because there are other funding needs that we must address at the same time. It is a very important project for many communities and towns represented by the Deputy; I also know it works as I have seen evidence of that.

Deputy Dowds also touched on a number of points but I will speak to an area of common interest between both Deputies, which is the proposed opening of the Phoenix Park tunnel. I acknowledge Deputy Naughten's input, as he contributed earlier in the debate and, in fairness,

he identified this many years ago as a priority that should be addressed. It is a remarkable issue as the tunnel has been in existence in our country since the late 1870s. It saw substantial passenger use but for many reasons that was significantly reduced and the tunnel is now only really used for freight. Due to investment from the Government - I acknowledge the role of the Minister, Deputy Howlin - the tunnel will now be open for passenger use. I am hopeful that will happen by next summer. This will help carry an additional million passengers on the line spoken of by the two Deputies, although I acknowledge that the greatest benefit will probably be felt in Deputy Lawlor's communities rather than those of Deputy Dowds. That is because of many of the issues recognised by Deputy Dowds.

This project is long overdue but it is happening and the tunnel will be open next year. The investment put in by this Government, particularly in improving city centre signalling, has opened the possibility of using the tunnel. I, for one, am really looking forward to seeing that happen. With regard to frequency, outside of peak periods, there will be one service per day, but in the peak periods, there will be four additional services per day. If I go to the point made by Deputy Dowds-----

Deputy Robert Dowds: I wonder does the Minister mean per hour rather than per day. He said it is per day.

Deputy Paschal Donohoe: Excuse me. I did say "per day" and I thank the Deputy for enabling me to correct the record. It is per hour. My worry now is that every time I refer to the project, I will proudly refer to the introduction of a new service per day. There will be four additional services at peak hours in the morning and evening, with one additional service at non-peak hours. This will be a really big increase in capacity and I hope this will lead to us addressing a point made by Deputy Lawlor on the connectivity between the platform used by those services and the rest of Heuston Station. I acknowledge that because of where the tunnel is located, passengers may be brought to a platform that is a fair distance from other platforms in the station. If the service is as successful as I believe it will be, we will have to consider some measures to see how we can quickly get people to a location where they can use other services in Heuston or, more likely, the Luas platform. It is a distance that must be travelled.

Deputy Dowds made the point about how better to integrate what we have within the city centre. I point out the Luas cross-city project and the extension of Luas to Cabra and Phibsborough, as well as the joining of the Luas lines in the city centre. It is a long overdue contribution that this Government made to that process. When the original Luas lines were built, we were flush with money. I acknowledge the work of Deputy Varadkar, my predecessor as Minister for transport, and the entire Government, as at a time when we had so little money and we were at the depths of participating in a bailout programme, €370 million was secured for the project. I have continued with that commitment to ensure the work continues. The line will be open in 2017, with station construction commencing next year. Its opening is long overdue but it will be a very positive moment.

A number of Deputies made points when I was present and I will cover some of them, as I want to acknowledge the different issues that have been raised. Deputy Kyne spoke about the importance of the Galway bypass project and I know it has been very controversial. I have met families who fear for the very existence of their homes as a result of the project going ahead. I also acknowledge the point he made about the importance of a project like that for Galway city. I spent a recent morning at a transport forum in Galway and I am very much aware of the progress being made in Galway, which was acknowledged by many participants in the forum,

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but also of the needs that are still there to be met.

Deputy Seán Kenny expressed his disappointment about my decision with regard to DART underground. I have addressed the matter a number of times during the day but I will make two points briefly about it. I have stated very clearly that the tunnel needs redesign but a tunnel in some form will play an important role in joining our existing stations.

Deputy Robert Dowds: Would the Minister like to speak about the route?

Deputy Paschal Donohoe: I will do so. A key point that should be noted by everybody who commented on the issue today is that yesterday afternoon, the NTA published the business case that informed my decision. The cold reality is that a €3 billion project - the cost of the tunnel alone - would be the largest that our country has ever done, and the business case that underpinned it reflected assumptions of the country from a decade ago. Things are very different and will be very different in future, and I am certain a project of a different scale and cost can be put in place to address the needs of connectivity.

Deputy Dowds asked a very fair question. The National Transport Authority yesterday published a number of different options for a tunnel and I also announced yesterday that the Minister for Public Expenditure and Reform, Deputy Howlin, and I have already agreed that the capital funding will be in place to examine the redesign of a tunnel like that, as well as other elements of DART expansion and electrification. I accept that these are important matters.

Deputy Naughten made a number of points and I have acknowledged his role in calling for the use of the Phoenix Park tunnel. He called on me to consider how we can better integrate the needs of local hospitals with public transport and I understand exactly what he is saying. It is a challenge to find ways in which we can continue to fund the expansion of new services. Wherever it is possible, Bus Éireann looks to do it.

I want to make one point on a matter to which Deputy John Paul Phelan referred. Earlier in the year, there was, understandably, much public concern regarding changes that were due to take place in respect of the Nos. 5 and 7 bus routes. Deputies Lawlor, Heydon and Wall raised these issues with me. I attended many meetings with different delegations on the issue and there was substantial public commentary on it. We fixed the issues that people raised. We brought in new routes, I found new funding and we delivered in respect of the needs of people and communities, just in a different way. We actually improved the service for some communities in Carlow-Kilkenny. I wish the same level of focus as went into highlighting the problem had gone into the acknowledgement of the fact that the Government, with the support of Deputies, came up with a way of fixing that issue and responding to most of, though not all, the issues that people raised.

Deputy Tom Fleming made a number of points about hackneys - to which I will come in a moment - while broadly supporting the Bill, as did Deputy John Paul Phelan. Deputy Jim Daly also raised the issue of hackneys.

Deputy Farrell raised particular issues in respect of capacity for public transport in the future, which I addressed earlier in the day.

Deputy Clare Daly said she could not disentangle the various comments I have made in relation to public transport during the past day. I am of the view they have been clear in terms of what I have done and the decision I have made. I will be addressing other matters to which

she referred in the context of the capital plan that will be brought forward in the coming week.

I acknowledge some of the challenges posed by the current area knowledge test for hackneys in rural Ireland, which was raised by a number of colleagues. The point was put to me by Deputies Kyne and Jim Daly that for larger counties it can be challenging to ask people who want to participate in hackney schemes to know the detail of every town in the county. I acknowledge that the subdivision of the county scheme could offer some benefits. However, it also poses equal challenges in respect of signage and clarity regarding smaller areas within the county and the costs that would be created. For every Deputy who calls up looking for smaller areas to be created within counties, others in the future will say it is not acceptable that we have hackney drivers who are licensed within counties and who do not know the location of different roads or different parts of various villages. That is something the National Transport Authority has communicated to Deputies and I support it in that. I will, however, revisit the matter in light of the number of Deputies who raised it with me.

Earlier in the debate on the Bill, Deputies Dooley and Ellis raised the issues of long-term funding for public transport and the need for further funding in that area. In the recent part of this Government's term and during my tenure in office, I have secured two Supplementary Estimates for my Department, the vast majority of the money from which went into public transport and, in particular, Irish Rail. The level of PSO funding for CIE was unchanged this year. Deputies were correct to point out that PSO funding declined but this happened across a period in which the number of journeys on public transport also declined substantially. If I look at where we were at the peak of public transport usage between 2007 and 2009 versus the position last year, there was a change of 40 million journeys per year in our public transport network across the period. While I accept that we need to increase investment in future in that area, the efficiencies the PSO changes had to deliver in recent years are the same as those every other form of taxpayer expenditure had to deliver across that period.

Perhaps the most substantial amendment relating to taxi regulation in this Bill is to clarify the procedure for on-the-spot fines and loosen some of the rigidity taxi businesses and owners encounter following the death of a licensee. This measure has been broadly welcomed by the taxi industry. I acknowledge the support of Deputies Dooley and Ellis for some of these measures.

Deputy Dooley commented on complaints about taxi drivers, saying that no further action was taken in three out of every five cases. Some of this inaction is because the complainant decided no further action was merited or because investigation found there was no case that merited further action. To reflect all that, the NTA has begun the process of changing the classifications under which it tracks the status of different complaints. Deputy Dooley raised a fair point regarding the understanding that could arise from the current descriptions.

In relation to issues with the resourcing of taxi regulation, I recently met the officials in the NTA who are involved in this work. I accept that there is a need, as there is in many areas of service delivery, to look at the number of officials who are involved in this work. However, I believe very important work is being done in this area and there has been a substantial improvement in the quality and quantity of taxi regulation in the sector. I want to acknowledge the role played by the taxi industry itself and the co-operation of taxi drivers in making all this happen.

The removal of taxi ranks, particularly in the context of the implementation of Luas Cross City at present, was raised by many Deputies. A great deal of work is currently being done by

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Dublin City Council in generating replacement spaces. A set of proposals was put to representatives of the taxi industry in that area earlier this month. I will look at this matter and the National Transport Authority is looking at it but when Luas cross-city is up and running, there will be more taxi rank spaces available in the city centre than there were before its construction. I hope that, along with other forms of transport in our city centre, we will see that kind of improvement in respect of the provision of taxi spaces at that point but work is under way now to deal with the issues the taxi industry has raised in respect of this.

An Leas-Cheann Comhairle: Less than two minutes remain and I must put the question and refer the Bill to the committee.

Deputy Paschal Donohoe: I accept that. I am doing my best to respond to the variety of issues people have raised because I did listen to them. However, I will conclude.

A number of Deputies raised issues in respect of rail. We have made great progress in increasing our investment in that area in recent times. As indicated in the opening speech given by the Minister of State, Deputy Ring, on this Bill, I am considering the inclusion of two further amendments to the Bill, which I intend to introduce on Committee Stage. One is to clarify that the NTA is required to engage in one statutory approval process for development in accordance with whatever legislation applies to that particular development and will not be subject to two different and parallel processes. The second is to ratify the COTIF convention on carriage by rail. I am also considering introducing a further amendment on Committee Stage to provide for a by-law for the NTA to have powers similar to the powers Irish Rail and Transport Infrastructure Ireland have under the legislation governing their operation.

I thank all Deputies for the points they made. I have endeavoured to respond to as many of them as I can. I thank the House for its support on this Bill.

Question put and agreed to.

Road Transport Bill 2015: Referral to Select Committee

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I move:

That the Bill be referred to the Select Sub-Committee on Transport, Tourism pursuant to Standing Orders 82A(3)(a) and 6(a) and 126(1).

Question put and agreed to.

Hospital Waiting Lists: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Billy Kelleher on Tuesday, 22 September 2015:

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;

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- 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 trolleys 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 trolleys 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.

Debate resumed on 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 daycare treatment and 92 per cent for Outpatients' Department (OPD);

— 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 daycare 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.

-(Minister for Health)

Deputy Catherine Murphy: I am sharing time with Deputies Boyd Barrett, Pringle, Seamus Healy and Tom Fleming.

At this point in the lifetime of the Government there is no expectation that the health service will improve. It is one of the areas where people had an expectation of an improvement. There was a lot said before the election.

It is something of an indictment that it is like clockwork each year that we see the same problems occurring. One can predict the reasons for them. For example, the problem of the

long backlog in the registration of nurses is one of administration. We have known for months there is a real backlog in registering nurses and midwives, and even last week we heard the same criticisms from some of those looking to be registered. What will happen is nurses who are working in the nursing homes will be hired by the hospitals and then there will be a difficulty in the nursing homes because they will not have sufficient numbers to operate properly, and it will have the knock-on effect of increasing pressure in acute hospitals and patients not being able to be released to step-down facilities because they will not be adequately covered for safety purposes in terms of the number of nurses. That was entirely possible to overcome. It is not only about funding. That administrative side is a failure that will cause a problem soon, and we are already starting to see it.

Essentially, the other aspects, of patients waiting longer for procedures and getting sicker with more extensive treatment required, do not make sense from the point of view of the patient who is queuing who requires the procedure or even from the point of view of economics. I support the motion.

Deputy Richard Boyd Barrett: Over the four and a half years of its term, the Government has stumbled from crisis to crisis in terms of the fairly disastrous situation in the health service. It is a little like the story of Peter and the dyke, where one crisis appears and the Government moves under pressure to stick its finger in one hole and then, quickly, a crisis develops elsewhere. There have been multiple crises over the four years in accident and emergency departments, chronic rises in the waiting lists, the mess in child mental health services and cuts to all sorts of other services causing problems, whether it is home help or cuts to personal assistants for those with a disability.

Whatever it is, the fundamental problem is that the Government has not reversed the disastrous series of austerity cuts which have taken place since 2008 which have seen €4 billion taken out of the budget, 14,000 staff taken from the health system and 1,600 beds taken out of the system. The slogan of the Government was that it would get more for less. What we see now is one does not get more for less. When one slashes budgets, staffing and beds to that extent, one gets disaster.

Of course, the flip side of that coin is the Minister going on and, essentially, trying to scare people into taking out private health insurance in order to go over to the private system because of the disaster in the public system which, ultimately, is the real agenda of the Government. The Government's real agenda is to run down the public health system and cause a crisis in it through under-funding, under-staffing and under-resourcing in order to terrify people to move into private health. That is what has happened and it is really quite astonishing to have a Minister in charge of the public health system only a few months ago touting, essentially, for the private health insurance sector.

Deputy Thomas Pringle: I support the motion.

The one sentence that I ultimately agree with in the motion is that the Dáil calls on the Government to "fund the health services adequately and honestly" because something I believe we have not seen in the State in the past 30 years is adequate and honest funding for the health services.

The reality is that the health services have never recovered from the Mac the Knife cuts in the 1980s when over 3,000 beds were taken out of the health services and by the time we came

around to the current crisis in 2010, they still had not recovered from that. Over this crisis, we have seen another 1,600 beds taken out of the health services. This will continue. I do not think, by the time we hit our next crisis, probably in five or six years' time, that the health services will have recovered at any level either.

The Minister for Finance yesterday was being quoted in the newspapers as saying that it was crazy for the HSE to be looking for an extra €1.9 billion to fund the health services into the future, but the reality is that the Government uses the waiting lists in the health services in order to ration the service and to keep costs down. If one wants an efficient health service it has to treat more patients and in order to treat more patients it must cost more, and that's the problem the Government has and that it is not willing to accept. If we want to provide for the patients on the waiting lists, we must invest more money in the health services. No doubt that is what will happen. I believe that more than €2 billion is needed to make the health services work and that will never be seen under this Government or any future right-wing Government in this State that I can envisage.

What we always have then is citizens waiting for years to get an appointment to see a consultant so that they can get onto the waiting list to wait to get a procedure, and citizens then getting letters offering them an appointment with a consultant in 18 months or two years. That is the reality of the situation. Unless the Government gets its act together and invests in the health services, that will never change.

Deputy Seamus Healy: They health service has been devastated over the past number of years. We have seen €4 billion taken out of the budgets and 11,000 staff gone. In this current period, started by Fianna Fáil and the Greens and continued on by the Fine Gael-Labour Government, we lost in the order of 1,600 to 2,000 beds, and we had previously lost approximately 3,000 beds. Those cuts have devastated the service and they are reflected in every aspect of the service at local level, whether it be in hospitals or community care or, indeed, in the mental health services. For instance, South Tipperary General Hospital has lost €15 million or 25% of its budget and well over 100 staff. That hospital is working above and beyond the call of duty and the staff are excellent. It is now working at 120% capacity every day of the year. I commend the staff and the hospital for the work they are doing.

It is essential to reinvest in the services, particularly at South Tipperary General Hospital. We need at least ten step-down beds - that has been asked for on a number of occasions. We need community intervention teams to ensure that the overcrowding in accident and emergency is stopped. We need additional medical and support staff. We absolutely need the opening of additional medical beds for the hospital and that needs to be done sooner rather than later.

Deputy Tom Fleming: We are stuck within a health service where lengthy waiting lists appear to be a permanent feature. Approximately 400,000, which is one in 12, are currently on the outpatient waiting lists while well over 50,000 are waiting for procedures. It is recognised that the care provided by staff once a patient gets into hospital is generally of a very high standard. Why the mismatch in access to hospitals? The Minister and HSE will have to come to grips with the chronic situation and the continuous gridlock by which sick and urgent medical cases are on an endless journey to secure proper treatment for the majority of the population who are deprived of treatment. In many cases, private consultants refer outpatients back to the public service for procedures so they move from one list to another. They may need to be seen by a consultant in the public service and end up being double handled, which is a ridiculous situation.

It is completely unacceptable and morally wrong to have seriously ill patients accommodated on trolleys in hospital emergency departments. On any given night approximately 300 to 400 patients will be on trolleys in wards and corridors. The recent trend in the numbers on trolleys is increasing, if anything, as the demand for hospital services increases and the system struggles to discharge elderly patients. We must reinvest in capacity to meet demand. During recent years, we have lost hundreds if not thousands of beds from the service. We must also keep patients out of hospitals. Preventative measures and programmes must be put in place at GP level. Operating theatres should have better outputs and returns and should be used for longer hours and with appropriate staff in place. It is wrong to have people waiting for something that can be corrected in a reasonable manner with no extra moneys involved.

Deputy Michelle Mulherin: I welcome the opportunity to speak on this. I am looking at the Minister while people are asking for more resources. The Minister would happily take more resources and would absolutely love to be able to deliver on the request being made here for more beds and staff. Who would not? The idea that he does not want that and wants something inhumane to happen to somebody on a trolley is not the truth. It is not the truth of anybody in the House. However, there are realities about budgets. The health budget has been severely cut from €4 billion and many efficiencies have been sought.

My local acute hospital, Mayo General Hospital, has fantastic management and staff and, for the first few years of austerity, was better than the national average in reducing trolley figures. This was brought about by better bed management practices such as weekend discharges and same-day procedures. Step-down facilities were used to try to alleviate the problem of delayed discharges. There have been many think tanks around how the problem of trolleys and people on waiting lists for scheduled care and operations, outpatient and inpatient, can be addressed. However, during recent months, the trolley figures in Mayo General Hospital have increased. There has been a surge during the summer that has never been seen before. It is normally associated with winter. Flus and colds have increased. The August figure for people on trolleys was ten in 2014 and 130 in 2015. Clearly, there is a problem.

There is increased demand and we have an underlying problem in our health system which we must face and plan for. The issue will not be just hospitals, trolleys and the existing physical structure. We must face and plan for our ageing population. Many of the additional people attending the emergency department are elderly people with chronic illness and, ideally, they should be managed at primary care level to avoid the deterioration of their conditions and their presenting to the emergency department. This can best be done through GPs, specialist community intervention teams and home care packages. Further funding needs to be directed towards this to avoid the bottlenecks happening in emergency departments.

There is also a capacity problem in our hospitals, including in Mayo General Hospital. The emergency department in Mayo General Hospital was initially designed to deal with 20,000 patients per year but is now dealing with 35,000 patients per year. In the longer-term planning we need investment to ensure chronic illness is managed more in the community. These realities are dawning on us, given that we are growing older and living longer. A business case was made to the west-north west hospital group for an extension to the emergency department and additional medical beds. I wish for these plans to progress in order that we can not just always be firefighting the trolley situation but have a longer-term solution. Community and primary care also need to receive funding.

Deputy Jerry Buttmer: In discussing acute health care, we spend much of our time trying

to find ways to solve immediate problems. Very often, front-line staff, management, administrators, Ministers and HSE officials are firefighting to make our system and facilities work in the interests of patients. We all agree that firefighting alone is not enough. We must plan for the future and put in place a framework that will deliver the best health care service for generations to come. Sometimes it involves bold decisions, radical thinking and a commitment to drive a project or change. The Government has been doing this. We have been driving change and changing how we deliver in our health care system.

Acute hospital services in Cork are at capacity in terms of services and the development phase at Cork University Hospital, Mercy University Hospital and South Infirmary-Victoria University Hospital. The last two hospitals operate in buildings dating back to the 1850s and 1760s. I hope Deputy Kelleher agrees that Cork needs a new acute hospital that will be developed in modular fashion over a 20-year period. This will future proof health services and ensure we have the capacity to meet the needs of a growing population in Ireland's second city outside of Dublin and our most populous county.

The report of the non-executive advisory board which the Minister recently received sets out a realistic and achievable vision. It presents an opportunity to develop health services in a more cost-efficient way and ensure it will not happen in just five years but over a 50-year period and for time to come. It is a rare opportunity for our health services in Cork. I have already spoken with the chairman of the group and have met Professor John Higgins. I have spoken to the Minister and I hope we will meet again, and I will raise it at the health committee, of which I am Chairman. It is an important project which needs to be promoted and championed and it can and will deliver improved health services for the people of Cork.

On the motion before us, the Government has provided €18 million extra funding, reduced delayed discharges from December to now and guaranteed a further €51 million. There is a need to prioritise how we spend our money in health. The motion does not give us a platform within which to bring change or a blueprint on how to bring about change that will deliver a better service. I commend the men and women who work on the front line of our health services. They are doing more with less, they are productive and they have brought quantum change to our health service. They deserve our praise.

Deputy Martin Heydon: If Fianna Fáil proved anything during the boom, it definitely proved that throwing money at problems does not necessarily fix and sort them. The Minister and his predecessor have been working within very constrained budgets, as every Department has, and working in that environment has been difficult. Money alone will not fix the problems. I commend the Minister on his progress on the ED task force, reporting implementation, looking at the colonoscopy waiting times, the winter capacity funding of €18 million, the reduction in delayed discharges and a number of measures and plans that are in place and working. Our health care staff in facilities throughout the country are working in challenging circumstances.

Naas General Hospital provides a vital service for all of County Kildare, particularly south Kildare, the area I represent. I commend Alice Kinsella and her team of staff there, and Catherine Hughes, for the fantastic work they do. An endoscopy unit is planned. We cannot get work to begin on it quickly enough. We need extra capacity. I welcome the 11 extra beds that are coming on line for Naas as well. I invite the Minister to come to see St. Vincent's Hospital in Athy, which is an excellent care facility, at first hand. It is in an antiquated building, but it has an excellent dementia care element and one of the best Alzheimer's units in the country. Even though the hospital building is out of date and has been for a long time, against all the odds this

facility achieved its HIQA standard during the summer. That success can be attributed to the staff, from the manager, Helen, all the way down to the porters. It is really a model to be used as an example for the rest of the country in terms of management and staff and everybody working together. Having said that, I admit that a new building is needed. I would like funding to be put in place to allow that to happen as soon as possible. The hospital should not be allowed to slip back down the list.

Deputy Anthony Lawlor: I thank Deputy Heydon for allowing me to share some of his time. I would like to join him in looking at things in our own locality. In 2007, the Fianna Fáil Party pulled the endoscopic unit at Naas General Hospital from the capital programme. In 2016, this Fine Gael-Labour Party Government will deliver the endoscopic unit to Naas General Hospital. This will enhance the services that are provided at the hospital. The manager of the hospital, Alice, and her staff, including the lead nurse manager, Catherine Hughes, will deliver on a capital programme over the next number of years to develop the hospital. I thank the Minister for the 11 additional beds that the hospital is putting in place to reduce the number of people on trolleys there. I am delighted to welcome the additional staff who are being recruited at Naas General Hospital. I have spoken to him previously about my belief that the national recruitment service is sometimes not fit for purpose. I suggest that local hospitals be allowed to recruit locally. The sooner the legislation for the groups is put in place, the better. The quicker we get that on board, the sooner the groups will be able to work on these matters. I am delighted that three senior decision makers are being recruited for Naas General Hospital. I refer to the consultants who are being taken on there. This will allow patients who previously were being kept in overnight to go home, which will free up more beds. When I looked at the bed management programme in the hospital the other day, I saw how much pressure the hospital is under at all times and I gained a new appreciation of the manner in which it continues to deliver its services. I compliment the staff of all our hospitals, particularly Naas General Hospital, who give exceptional service to the community.

Deputy Regina Doherty: I am happy to speak on this motion, which is obviously far from perfect. Since we came into government in 2011, we have been working very hard to make effective and long-term changes in the health system. As Deputy Heydon has mentioned, the system was absolutely far from perfect, to be quite honest, when Fianna Fáil left office after 14 years in which it had buckets of money to throw at the health service. I do not know how to describe the Private Members' motion that is before the House. All we see from Fianna Fáil again is a call for more beds and more staff. It is as if the country had buckets of money to throw at the health service, and as if that would fix the problems we currently have. This shows that Fianna Fáil has learned absolutely nothing from the last seven years. It has gone right back into the cycle of what it was doing for the previous 14 years. There is no evidence that Fianna Fáil demonstrated any intent to reform the health service during its time in government. The difference is that the delivery of top-quality health care in Ireland is central to everything we do and to the decisions we make.

Nobody - not the Minister and not any member of the Government parties - thinks it is acceptable that 338 patients were waiting on trolleys in our emergency departments this morning. We have to look at what the future will be like as a result of the reforms made by this Government. We will continue to make such reforms. Emergency departments will see a reduction of one third in the number of patients on trolleys. There will be a reduction in delayed discharges. We will see easier access to urgent care, improvements in chronic disease management and timely assessments, treatments, admissions and discharges. In particular, there will be a reduc-

tion in the length of hospital stats. The list goes on. Among the real broad, standing, durable, long-term reforms that can be accredited to this Government is that we have brought 46 primary care centres to towns and cities right across the country. We are committed to opening at least one each month from this point forward. We are expanding the range of services that are available in those centres. We have created hospital groups with a view to reorganising and managing the very limited resources we have. This will ensure we get efficiency for the money we are spending. The approach we have taken in the form of a wellness model, which involves a holistic approach to health care and preventative care, will result in a smaller number of people needing to use our acute and emergency services in the first place.

I would like to conclude by speaking about acute services, which are the subject of a great deal of media and political attention. Although the focus on trolley watch and on waiting lists is warranted, I emphasise that supporting community services will help to alleviate some of the problems in acute services that we are seeing today. I particularly feel that we need to provide clerical and administrative staff to public health nurses, who provide a vital service in our communities. Our nurses should be able to concentrate on assessing and supporting clients in their homes until that process has been completed. They should be helping to prevent admissions to the acute services, where their clients often end up languishing in beds because there is nowhere for them to move on to. This causes the cycle I have outlined to continue. Public health nurses can sometimes be swamped with clerical work. They maintain that up to 50% of their time is spent doing paperwork. I think that is something that needs to be addressed and I would like to see it addressed in the future. Tonight's motion, as proposed by Fianna Fáil, demonstrates the short-term populist solutions that we have always seen from the big spenders in that party.

Deputy Olivia Mitchell: I agree it is a real problem that there are long waiting lists and large numbers of patients on trolleys. While this is not acceptable to any of us, it is nothing new. For most of the time I have spent in this House, unimaginable funds were available and were indeed spent on health by the Government of the day. Despite this, waiting lists continued to grow and overcrowded emergency departments were a recurring feature. Governments across Europe are trying to play catch-up with the increasing demands on their health services as better and more expensive medicines, more sophisticated procedures and more expensive devices become available. Of course we have aging populations. It was nigh on impossible to deal with this trend during the depths of the recession, but we now have a range of targeted initiatives, some of which are financial. I hope the incentives for consultants and nurses, for example, will begin to have an impact shortly.

We are taking measures to ensure our acute hospitals are used as acute hospitals that deal with major trauma and complex cases. This is the purpose for which they were intended. Despite the considerable publicity around this issue, I believe there continues to be a great deal of inappropriate use of emergency departments. I know that people in my constituency use their general practitioners during surgery hours. At weekends, they will go to private clinics if they have money; otherwise, they will go to St. Vincent's hospital, even though that is not appropriate in many cases. At the other end of the stay in hospital, there has been considerable investment in reducing delayed discharges. This is being done by funding the Fair Deal scheme, increasing the funding of home care packages and investing in step-down facilities such as the 65-bed hospital that opened in my constituency recently. I was horrified to read recently that some patients who were about to be discharged from Beaumont Hospital - they were ready for discharge - refused to cross the Liffey, as if Churchtown was some sort of offshore island or something. I really think that kind of choice should not be made available to families. They

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should be allowed to choose between step-down facilities, but they should not have a choice between an acute hospital and a step-down facility.

I think the overall message for health service improvements and for better patient outcomes, in the context of the ever-increasing and expanding demand for health services, is partly about funding, but it is also about using our resources so we get a better bang for our buck and implementing the kind of change about which Deputy Buttner and the Minister, Deputy Varadkar, have spoken.

Deputy Peter Fitzpatrick: I welcome the opportunity to take part in this debate. There is no doubt that the health system is far from perfect. Everyone agrees that improvements are needed in certain areas. I acknowledge that waiting lists need to be reduced and the number of patients on trolleys has to be reduced. There needs to be a concerted effort to fill the many vacancies that currently exist for front-line staff in the HSE. The Minister, Deputy Varadkar, and the Department of Health are actively working on these areas to find better solutions. I firmly believe that their efforts are already showing signs of improving the system. Simply attacking the HSE while offering no alternative is a ploy that is constantly used by the Opposition, particularly Sinn Féin. This approach offers no real solution to any of the problems.

8 o'clock

It is just political point scoring. In my constituency, the Lourdes Hospital in Drogheda is regularly highlighted as one of the hospitals with a higher than normal number of patients on trolleys in the accident and emergency department. I am not going to try to defend the figures but I am proactively working with the Minister and his Department to help reduce those figures. In this regard it is important to note that in the last 12 months the number of staff in the Lourdes Hospital has increased by 170; 24 new beds in Moorehall have been sourced to support the hospital; eight new clinical decision units will be opening this month; and 12 new beds, including a surgical assessor unit, are due to be opened shortly.

To finish I would like to highlight the fact that in Dundalk the Louth County Hospital offers many valuable services to the general public, from the minor injuries unit to the diabetes clinic, to name but two. I am pleased to note that 12 new transitional care beds are also on the way at Louth County Hospital. I strongly believe that one of the big issues in Dundalk and the surrounding areas is that the general public is simply not aware of the many fantastic services available at Louth County Hospital. I am constantly amazed by the number of people who bypass Louth County Hospital and go to Lourdes Hospital to be treated only to be referred back to Louth County Hospital. This is an area upon which we can improve. I am actively working with the Minister, his Department and the HSE to implement a system whereby the services provided by Louth County Hospital are more visibly promoted, thereby informing the people of Dundalk and the surrounding areas of the many valuable services currently available at the hospital.

Deputy Liam Twomey: The health service has been and always will be made up of urgent issues waiting for the next emergency. Deputy Kelleher and his party, who collapsed the economy of this country, did nothing to help to improve that situation. If there is one thing that the Minister for Health, Deputy Varadkar, should be given credit for it is that he is starting to change the mindset within the health services and is making changes which were only given lip service prior to this. For instance, we have started the concept of universality in health. Nobody expects our children to pay for their primary education. Why should we expect our

children to pay for their health care? We have started the process of giving free GP care to every child under six and I hope that as the years go by we will improve that universality for not just our children but for everybody who lives in our country. That is a change in the way we view our health service. We see it now as a right and not as something that will be provided at the behest of whatever government is in power.

There has also been another significant mindset change introduced under the current Minister, namely the concept of disease prevention and chronic disease management. Under the contracts that are now being delivered to GPs we have, for the first time ever, a diabetic care management programme for patients in community care and a proper asthma management programme for young children in our communities. This has been discussed by Members on all sides of this House for the past 20 years but for the first time ever it is actually happening.

I would ask that when Fianna Fáil goes to the trouble of tabling motions about accident and emergency departments that it might actually be brave and offer solutions to the really difficult problems that exist in our health service. I would point Deputy Kelleher to the large number of people who are admitted to hospital beds from our accident and emergency departments across this country because they are abusing alcohol or other drugs. If we managed to half that number of admissions we would have no patients on trolleys. This is an issue that has been with us for years and we need to have a really serious conversation about it in this House, rather than just the point scoring that we are seeing here again tonight.

Deputy Kelleher must admit that his motion offers nothing other than more money and back to the future with the national treatment purchase fund, NTPF, something that has been around for years.

Deputy Billy Kelleher: That is not true.

Deputy Liam Twomey: It does not work quite as well as the Deputy thinks. I know that it was a former Minister for Health, Mary Harney, who introduced the NTPF and while it works up to a point, it does not quite work in the way that is needed.

The Minister has introduced a number of changes into the community health care sector, most notably the community health care organisations. Under this system, each network will be headed by an “identifiable, accountable person” responsible for care delivery by professionals such as nurses, therapists etc. This is something that has been sorely lacking in our health service for too long. We have been unable to determine who is accountable for the decision making process. All too often we cannot find out who is responsible for making decisions, who can stand over those decisions and who will explain to patients and health care providers why services are being denied or are not being delivered in the manner they expect. This is another concept that should have been developed years ago, that is, making people accountable for the decisions they make.

There was a massive increase in the number of people who were paid to be senior managers within the HSE----

Deputy Billy Kelleher: The Government took on more of them last week.

Deputy Liam Twomey: No, actually, it happened under Fianna Fáil’s watch.

Deputy Billy Kelleher: The Government took on more last week.

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Deputy Liam Twomey: Fianna Fáil, when it set up the HSE and its structures, institutionalised a form of management within the HSE under which people are afraid to explain why they make the decisions they make. This is now changing.

Acting Chairman (Deputy Catherine Byrne): There is one minute remaining.

Deputy Liam Twomey: Thank you. I could not quite hear with all of the interruptions.

Deputy Billy Kelleher: I was just trying to correct the Deputy. Apologies.

Deputy Liam Twomey: Deputy Kelleher and his party must take responsibility for the mistakes they made and acknowledge what the current Minister for Health is doing. He is changing the mindset within the health service. We are doing the right things for the future. We must have disease prevention, chronic care management programmes and so forth. We are treating 25,000 patients in the community who would otherwise have been admitted to hospital. It is a change of approach to how health services are delivered that will deliver better services; it is not just about throwing money at the problem.

The health services including ambulance services, primary care, hospital beds, new MRI machines, single bed units in new hospitals and so forth will all consume massive amounts in the next decade. Hopefully the economy will keep on track, having been rescued by this Government following the work done on it by Fianna Fáil. The standard reaction from Fianna Fáil that we must spend more money without a clear plan about how to spend it will add nothing to what needs to be done in the years to come.

Deputy John Paul Phelan: I am pleased to be able to say a few words on this motion. As Deputy Fitzpatrick outlined, everything is not perfect in the health service but the motion before us takes no cognisance of the fact that we have had several years - up until last year - of a reduction in funding for health services because of the economic catastrophe that those opposite us led the country into over a seven or eight year period. It takes no cognisance of the fact that those opposite were the architects in many respects of the Health Service Executive as it currently exists and the overpopulation of administration----

Deputy Billy Kelleher: The Government took on more last week.

Deputy John Paul Phelan: ----versus front-line services that exists within our health services.

I wish to place on the record that in my part of the world there has been a fantastic investment, despite Fianna Fáil's wrecking of the economy, in the health services in the south east in the last five years. There are three general hospitals in the south east - St. Luke's in Kilkenny, the University Hospital in Waterford and Wexford General Hospital - and all three are getting new accident and emergency departments----

Deputy Billy Kelleher: Former Minister Hogan has delivered I see.

Deputy John Paul Phelan: All three are getting new emergency departments. In Kilkenny, over €20 million has been spent on the new emergency department and medical assessment unit, construction of which has been completed. The fitting out is now taking place and an opening should take place in the next number of weeks. While St. Luke's Hospital in Kilkenny is a fantastic facility, the emergency department was built in the 1950s as the laundry of the original hospital. It served a population area encompassing pretty much all of County Carlow, most of

County Kilkenny and the surrounding hinterland. That €20 million is to be greatly welcomed.

I also place on record my strong support for the recent announcement of funding for State-run residential facilities and an increase in capital funding for these services. The population has increased by 11% in the past seven or eight years, with the number of people aged 80 years and over increasing by between 35% and 40% during that period. As a result, demand for services has increased in a period in which funding for the health service in general decreased substantially owing to the economic circumstances in which the country found itself. I welcome the decision in the previous budget to increase funding for health for the first time in six or seven years and hope the trend will continue this year.

I concur with Deputy Twomey on the significant step forward taken towards universality in primary care and join him in asking that these steps be continued. One of the most outstanding initiatives taken by this Government and this Minister has been to start the ball rolling on universality.

I also welcome the initiatives on chronic care management raised by the previous speaker. I have personal experience in my family of the operation of these initiatives.

It is proving difficult to attract general practitioners to join rural GP practices. If we are to promote primary care, we must ensure these positions are filled which will mean making the role of the rural general practitioner more desirable.

Deputy Charlie McConologue: I support the motion tabled last night by my party colleague, Deputy Billy Kelleher. My experience is probably not unlike that of other Deputies in respect of the number of constituents presenting at my clinic desperately seeking help to access the treatments for which they have been waiting for an ever lengthening period of time. Unfortunately, the hallmark of the Government since it first promised to introduce universal health insurance has been to pretend that everything is fine when the opposite is the case.

Government policy has been to continue to deny the blindingly obvious. During its first three years in office, the former Minister for Health, Deputy James Reilly, repeatedly pressed home the message that he had the health service under control and was making progress. Repeated assurances were given in the House and elsewhere that discretionary medical cards were not being withdrawn, despite it being blindingly obvious to everyone that they were being removed from people left, right and centre. The Government was forced into a climbdown when it finally admitted these medical cards were being withdrawn.

Shortly after his appointment, at a time of backlogs and large numbers of patients waiting on trolleys, the Minister for Health, Deputy Varadkar, gave an assurance that there were no issues with approval for the fair deal scheme. After a short period, the Government admitted there was an issue and measures were taken to try to address it. Similar issues have arisen across the health system. To give one example, in Letterkenny General Hospital alone, two years ago 3,000 patients were outsourced for private health appointments to have their treatment completed in the private hospitals to which they were referred. After an initial private visit to a consultant, approximately half of the patients were discharged, while the remainder was transferred to the Letterkenny General Hospital for public treatment. Before this group of patients could be treated, they had to be seen again by a consultant in the hospital for an assessment. Just a few months ago, a number of these patients were again outsourced to the private system for treatment. This unfortunate example of the way in which the health service operates

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demonstrates the lack of co-ordination at the centre and the absence of any form of management to anticipate developments.

When it became clear that the position of the former Minister for Health, Deputy James Reilly, was no longer tenable, the Government replaced him with the current Minister. One of his first acts was to inform people that the health service could not be fixed in a hurry, change would take time and the previous Minister's policy of introducing universal health insurance might not be realistic. In many ways, members of the public heaved a sigh of relief in the belief that a Minister calling things as they were might be an indication that things could get better. They thought this was a sign of competence where none had been shown in the health service previously.

Unfortunately, waiting lists have worsened in the past year to 18 months. The Minister extended the maximum waiting time for seeing a consultant for an outpatient appointment from 12 months to 18 months and the eight-month target time for inpatient treatments to one year. The new targets have not been met. For example, in Letterkenny General Hospital the number of patients waiting to see a consultant for an outpatient appointment for more than 12 months has increased by 70% and currently stands at more than 4,000. The current position is not sustainable. As a first step, the Minister must admit that is the case. Realistic budgets and an honest appraisal of the current position are required. We need a Government that will finally take some control and start to deliver the health services members of the public are desperately seeking.

Deputy John Browne: I support the motion introduced by Deputy Billy Kelleher.

Many Ministers for Health have come and gone in my time in the House and responsibility for health now rests with the current Minister, Deputy Varadkar. I believed this Minister would take an enlightened approach and solve the problems in the health system with a stroke of the pen. That is clearly not the case.

The main problem I have identified in the health service is the lack of capacity. Those who are able to access services are well looked after, are treated properly and usually have follow-up treatment when they are discharged. The lack of capacity seems to be the major problem. The Minister recently announced that a further 300 beds will come on stream in the health service. Will this be sufficient to address the number of patients who need help? These beds must be a permanent addition to current hospital capacity. We also need to find out where they will be located. Will they be confined to Dublin or spread across the country? Will Wexford General Hospital, for example, be allocated additional beds?

More than 11,000 people have been waiting for 18 months or more for an outpatient appointment and approximately 5,000 children have been waiting for an appointment for more than 12 months. These figures are outrageous and the position is not helped by the fact that the Minister appears to perceive his role as being a lead commentator as opposed to a Cabinet Minister with direct responsibility for the health service.

Despite all the promises made by the Minister, the Irish Nurses and Midwives Organisation recorded a staggering 40% increase in the number of patients waiting on trolleys in emergency departments in August. Since 2006, the number of people aged 65 years and over increased by approximately 118,000 or 25%. The problem is obviously going to get worse. There will be significant number of older people who will require hospital services but the capacity is not

there to deal with them.

Returning to the issue of my constituency, I listened to Deputy Twomey earlier. The situation regarding knee and hip operations is a total disaster. We depend on Kilcreene, Cappagh and Waterford hospitals but people are waiting years to be admitted to have operations they require. Many of them are in severe pain and unable to walk, yet the services are not there to meet their needs. The other area of major concern in respect of Waterford hospital relates to prostate services. Recently, I made representations on behalf of two people who had GP recommendations for prostate services at Waterford hospital. I received a reply which said that due to significant demand for urology services and patients waiting much longer than the HSE would like for a first review and for urology operations, the two recently appointed consultant urologists are currently only able to see urgent, critical cancerous patients in a timely fashion. If one is not diagnosed with cancer, one will not get any treatment. That is a matter of concern. Many people are expressing such concern. They would like to go to hospital when they are referred by GPs such as Deputy Twomey and they would like to do so in Waterford. They would like to be assessed and they would like to have their minds put at ease. This is a matter of serious concern in the south east.

I could go on. The ambulance any many other services in Wexford are not up to the standard required. As I said at the outset, the responsibility rests with the Minister. It is important that he stops being a commentator and starts being Minister for Health in order to deal with the issues that exist.

Deputy Dara Calleary: I thank Deputy Kelleher for providing us with the opportunity to discuss this matter this evening. Earlier, the House was discussing the Marriage Equality Bill which was an example of where politics works and of how the House has managed to influence and change society. However, I have lost count of the number of Private Members' motions we have tabled on health during the current Dáil. The one thing I am sure of is that the management of the HSE does not give a damn what this House thinks of it. It will just plough on regardless. One can be damn sure that not one senior manager in the HSE is on a waiting list for any basic service. Senior managers do not have to worry about whether an ambulance will get them to hospital. If they have a cancer fear, they do not have to worry about having to wait for a public service appointment. If they did, they would not stand over the system which obtains or allow the situation which exists throughout the country, and which continues to worsen, to continue.

I received a reply to a parliamentary question on orthodontic waiting lists this evening. Orthodontic treatment is not even a hospital service in most cases. The orthodontic waiting list in the HSE west area for young children in particular stands at over 5,000. Nearly 1,300 have been on the list for between 25 and 48 months. The list is from initial assessment to commencement of treatment. There is a qualification in the PQ reply I received to the effect that in some cases treatment is delayed in order to see how the condition progresses. I cannot imagine the all of the 5,133 people on the list fulfil that criterion. In rheumatology, we discussed the issues around the cancellation of appointments in Merlin Park. Before that, there were 2,500 people in Galway and Mayo waiting for a rheumatology appointment at one of the two clinics in Merlin Park. The outpatients waiting list at Mayo General Hospital has increased by 400 this year. We have moved to a situation where in many rural communities we depend on the goodwill of the HSE to provide a rural practice allowance to recruit GPs. It is not an automatic provision anymore. Communities in Bangor and Glenamoy in my county have had to wait to see if the HSE would provide a rural practice allowance before the ad could be placed. As such, we have been left for months with temporary arrangements in GP services.

There was a discussion today on the ambulance service. I have no confidence in the management of the National Ambulance Service and I am concerned for people in light of the current position in respect of that service. Staff on the ground, including ambulance drivers and paramedics, are doing a wonderful job in incredibly difficult circumstances, as are the staff in all of our hospitals, but they face layers of anonymous people who do not seem to understand the pressure they are under. If those people do understand it, they are not really convinced about dealing with it. That sums up where we are at regarding our health service. We have had a bad summer weather wise. It was a warm summer, which does not augur well for the ability to get rid of basic colds and flus. If we have a busy cold and flu season ahead of us, what will it do to our emergency rooms, which are already packed beyond belief? What will it do to our waiting lists for respiratory conditions which have already spread beyond belief?

The national cancer strategy, into which so much work and political capital was put, is straining because people are finding it difficult to access basic appointments. They are finding that their treatment is being carried out in circumstances and conditions which are unacceptable. The national and regional cancer centre at University College Hospital, Galway, is absolutely straining. The Taoiseach, who is the leader of the Minister's party, opposed that cancer strategy. For four and a half years he has stood by while conditions have got worse. Again, it is not fault of the staff because they are doing their absolute best. The problem is the numbers trying to access the service, many of whom are not getting in as quickly as they should. We must ask ourselves why this is the case, particularly when we are spending so much. Obviously, the Minister for Finance, Deputy Noonan, shares my scepticism about the management of the HSE given the manner in which he slapped down their funding request today. When we are spending so much money, why are we not getting better outcomes? Why is the position getting worse? As long as we have a condition and culture in our public service that people cannot be sacked for bad performance, it will continue to get worse. Those we pay handsomely to manage the HSE will fiddle along while Rome is burning. Rome is burning.

There must be a complete change of culture at management level to start with in the HSE before we even begin to address the problems we are discussing this evening. If we continue as we are - and it seems we will - waiting lists will continue to grow. It is not like national debt or other figures we discuss. Waiting lists involve actual people who have particular conditions and who are awaiting treatment. If one is a rheumatology patient with rheumatoid arthritis or any other condition, one is in pain waiting to see a consultant. One may have seen the consultant but one may be obliged to wait for treatment. One has been brought down the garden path, led to Eden, and then the gates are shut for two or three years. If one is a cancer patient, one does not have that time. That is what the cancer strategy was set up to address. It was to bring emergency expert care to cancer centres. That is not happening.

If one is involved in a road traffic accident, one should not be obliged to wait an hour for an ambulance to arrive from the part of the county furthest from the location in which one's accident occurred, particularly if the scene of the accident is closer to the regional hospital in a neighbouring county than it is to the town from which the ambulance has come. One should not be put through an interview when one calls for an ambulance to find out where one is from and the condition of the patient and then be obliged to wait an hour for the ambulance to arrive. Meanwhile, the patient is on the ground awaiting attention. I was in that position during the summer and we flagged down an ambulance that was on a hospital transfer to give the patient, who thankfully was fine, some privacy and treatment. That took an hour. The two nearest ambulance bases were not utilised and the ambulance in question travelled from one of the bases

furthest away. This is the service the manager of the ambulance service tells us is world class.

We need something to be done. We need to start again with primary care. The Minister must invest in primary care and give the power and capacity to primary care services to do the things that do not need to be done in accident and emergency departments or hospitals. Primary care must involve not just GPs but also pharmacists and it must take the pressure off the hospitals. We need an emergency system in which one is seen, triaged and dealt with quickly. The Minister must do something around waiting lists. He cannot stand over a system where in University College Hospital Galway there are 7,300 people waiting, which is an increase of nearly 80% year-on-year in terms of the patient list. The increase at Mayo General Hospital has been 39%, with more than 1,100 people waiting. Sligo Regional Hospital has seen an increase of 65.7%. These people need treatment and attention. They are sick and, in many cases, are old and have given a lifetime of service, paid their insurance and done everything required of them, but when they look for a little bit of care, our system is incapable of providing it. The worst aspect is that no one in the system's management seems to care. The lists get longer and the people in question keep submitting unreasonable funding requests. They claim that they are throwing money at the problem, but they are actually building their own empires and feathering their nests while tens of thousands wait for basic treatment. That is not a republic.

Deputy Robert Troy: I welcome the opportunity to contribute on this debate. Like Deputy Calleary, I have lost count of the number of times that we have raised the issue of the challenges facing the HSE. I am disappointed that the Fine Gael commentator for the HSE is leaving the Chamber.

Yesterday, there was a vote of confidence in the Government and Ministers and Government Deputies fell over themselves coming forward to discuss a recovery. It is good that we acknowledge the economic recovery of recent years, but it was primarily built on four years of regressive policies that, in true Fine Gael style, favoured the minority while the majority suffered. It is not just me saying this. The ESRI confirmed that we have had four years of regressive budgets. Even last year's budget, in which the Government gave some money back to people, saw someone on €70,000 per year benefiting four times more than someone on the minimum wage. The Taoiseach stated that he had received telephone calls at the time from constituents who were happy with his stewardship and the budget. His claims about those calls are as believable as his claim that it was not his intention to sack the former Garda Commissioner.

Tonight, we are focusing on the HSE. It is a sad state of affairs that, despite the recovery, our health services remain in crisis. Consider the latest figures. The Minister's objective is to play down people's expectations and, consequently, for the situation to appear progressive if that level is somehow exceeded. He abandoned his predecessor's targets and moved the goal posts. Despite that, the Government has been unable to meet its targets.

Deputies have stated that people must take responsibility for their actions. The Government has been in office for four and a half years. It is about time that it started taking responsibility for its actions and policy decisions. Between August 2014 and August 2015, there was a 59.5% increase in the number of outpatients waiting 12 months, a 162.3% increase in the number of inpatient day cases waiting nine months and a 430% increase in the number of inpatient day cases waiting 12 months. On top of these figures, the level of overcrowding in accident and emergency departments increased by 40%. As my colleague stated a few moments ago, behind all of these statistics are real human beings. They are our families, our friends and our constituents. They are suffering as a direct consequence of the policy and budgetary decisions taken

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by the Government. Given the fact that the accident and emergency service patient figures increased in a summer month, it is frightening to think what it might be like during the winter months. Summer is not the season for flus, colds and additional requirements placed on accident and emergency services.

Many challenges face my constituents. They do not benefit from the health service when they need it. No orthodontist has been recruited to the Longford-Westmeath area since a vacancy arose in 2013. Instead, the area has been amalgamated with Laois-Offaly. A parent approached me to tell of how an 18 year old daughter had been awaiting an appointment since she was 11 years of age. What does this say about the level of care in the HSE? Westmeath has only five respite care beds. Two of them are in the southern part of the county. Such beds are predominantly used to give the families of people with high levels of medical need a break. What break was given to Westmeath in the past two weeks? The two respite care beds in the southern part of the county in St. Vincent's hospital were closed. There was a waiting list when there were five beds. What will it be like with just three? Do Government Deputies believe that is progress or fair? I do not. The reform agenda is closing beds.

Deputy Liam Twomey: The Deputy has no credibility on this issue.

Deputy Robert Troy: I do not know where Deputy Twomey or the Minister's credibility is.

Deputy Liam Twomey: The Deputy's party broke-----

Acting Chairman (Deputy Catherine Byrne): Deputy Troy has the floor.

Deputy Robert Troy: What I am saying through the Chair is hard fact. If the Deputy opposite, who happens to be a Government Member and has voted through every budgetary decision of the past four and a half years and to hell with the consequences for people across various constituencies-----

Deputy Liam Twomey: And who has been in the Dáil since 2002 and has seen what Fianna Fáil did to the country.

Deputy Robert Troy: I am sorry if the truth hurts. The ambulance service was mentioned. No one realises the situation until he or she must make the call. There is insufficient emergency cover in Longford. A number of weeks ago, two ambulance crews assigned to serve County Longford were called to Roscommon where there was a lack of resources. We all know where Fine Gael's credibility lies in County Roscommon. As a result of the reduction in Roscommon's services, there was a reduction in services for County Longford. That is not right or fair.

Given the figures that have been mentioned, do we tell an 82 year old woman who can barely walk and has been waiting in excess of 22 months for a knee operation that we are sorry, this is how the waiting list is and nothing can be done? We should remember that one of the Government's first decisions was to abolish the patient treatment fund, which was intended to provide such operations for people who had been waiting in excess of six months. That was a policy decision, whether the Deputies opposite care to admit it. There are many more people involved than just that lady. I am not unique in terms of the numbers approaching me with grievances about this matter.

I know for a fact that a part of the reason for there being such a problem with accident and emergency services is bed closures in the relevant hospitals. In the Midland Regional Hospital

Mullingar in my constituency, there are 16 fewer beds than there were in 2010. Consequently, it is no wonder that now, or earlier this year, we experienced the highest trolley count on record. If the Government does not consider putting in adequate resources and ensuring there are sufficient beds in hospitals, the problems in accident and emergency units will continue.

I could go on at length and give examples of how the HSE is failing the people. I do not expect the Minister to micromanage the HSE and I do not expect him to know the difficulties faced in every hospital or in every service. However, I do expect the Minister to give up sitting on the sidelines and to give up telling the people what they already know about what is wrong with the health service. I expect him to start implementing the reform agenda he promised - that is, to start ensuring the money follows the patient, that the hospitals that are most efficient are rewarded, that there is more community care and primary care within communities and that the appropriate number of consultants are recruited. I expect him to live up to the commitments that were made in advance of the last general election in order that, at a minimum, Members can stand over a health service of which they can be proud and that Ireland can have a health service that will deliver for all citizens regardless of their means - that is, a health service that will deliver for the people based on their medical need, not based on their income.

Minister of State at the Department of the Taoiseach (Deputy Jimmy Deenihan): Last night my colleague, the Minister, Deputy Varadkar, updated the House on the range of measures being undertaken to address long waiting times and access issues in acute hospitals. He spoke of the almost 40,000 additional outpatient clinic appointments that have been provided to patients in 2015, of the 290 additional consultants who have been appointed since the Government took office, of how there now is the highest ever number of non-consultant hospital doctors, with 5,500 employed at present, as well as of the 122% increase in applications for nursing and midwifery registration this year. It was heartening last night to hear from both sides of the House the acknowledgement of the incredible hard work and dedication of those nurses, doctors, managers and allied health professionals. They are at the front line, interacting with patients and working to deliver a high-quality and safe service, often under major pressure. They combine the clinical expertise and the human interaction that are at the core of any health service. The Government must ensure that people are seen and treated in a timely fashion, whether in an emergency department or for scheduled care, that is, in a clinic or for elective surgery.

The priority being placed on this goal by the Government is shown clearly in the more than €140 million in additional funding that has been provided this year, of which €51 million has been provided to the HSE to focus on reducing long waiting times by optimising internal capacity and using targeted initiatives where necessary. This ensured that by June, waiting times had fallen below the maximum permissible waiting time of 18 months set by the Minister for 99.6% of inpatient and day case treatments, as well as 92% of outpatient appointments. It will also ensure that progress is maintained and that the HSE can continue to reduce waiting times to a maximum of 15 months by the end of the year. The additional funding of €74 million to alleviate the problem of delayed discharges has led to a steady reduction in the number of patients who are in hospital because there is a delay in putting in place arrangements for their personal care needs. From a high of 830 last December, the latest report indicates a current number of 584. The waiting time for the nursing home support scheme funding has been reduced from 11 weeks at the beginning of the year to between two and four weeks at present. These are major improvements, as I am sure Deputy Kelleher will acknowledge. The winter period will increase pressure on hospitals and they will need to gear up for it. That is why the Government is providing €17 million this year to open 300 additional beds and undertake other specific

plans to improve patient flow. It also was evident from last night's debate that there is general agreement on the need to build up primary care and community services. Developments such as community intervention teams and the provision of care in patients' homes in order that they can avoid hospital admission or be discharged at the earliest opportunity are key, as is the provision of minor surgery by general practitioners, for which €500,000 has been provided by the Government in 2015.

Beyond the immediate issues, for long-term sustainability, full year-round demand and capacity planning must be established. It is crucial that this be supported by integrated working between hospitals and social and primary care services. In tandem, the national clinical programmes directorate of the HSE, which has successfully developed models of care for a wide range of medical conditions in collaboration with health professionals and patient representatives, is now turning its focus to integrated care programmes. These will provide the health service, for the first time, with the capability of designing clinically led, multidisciplinary, cross-sectoral, integrated models of care for older people, children, maternal health and chronic disease, as well as improving the flow of patients through the hospitals.

Emergency department overcrowding is not a new problem; nor are long waiting times. They certainly are not unique to Ireland. Moreover, they did not start when the present Government came to office. I recall speaking several times about waiting lists while on the opposite side of the House, so they always have been there. Now that the economy is recovering, we can afford to deal with some of these problems, and this year the Government has prioritised funding for them. I wish to conclude by assuring Members that the Government is making every effort to ensure sustainable improvements.

Deputy Seamus Kirk: I am grateful for the opportunity to make a short contribution to this important debate in support of my party's motion. This also is an opportunity to compliment Fianna Fáil's health spokesperson, Deputy Kelleher, who has done an excellent job in that role. The role of health spokesperson is challenging and demanding, and since his appointment he really has been excellent at identifying the issues that affect hospitals, individuals, patients and the hospital staff.

Our Lady of Lourdes Hospital, Drogheda, has been in the news headlines continuously, and unfortunately, this has been for all the wrong reasons. Headlines such as "Drogheda trolley crisis escalates," "Trolley crisis continues at our Lady of Lourdes Hospital, Drogheda," and "Drogheda hospital: 'It is wall-to-wall trolleys,' " have been catching the attention of newspaper readers and others who have an interest in this issue. In 2011, one key element in the Fine Gael Party's manifesto presented to the people was the reduction of waiting lists. In 2012, a press release sent out by the same party stated that hospitals across Ireland had achieved considerable success in reaching the so-called nine-month priority treatment list, PTL, target, which includes inpatient and day cases. Three years later, however, we have gone backwards, as the waiting list timeframe has increased by 60% from last year. The Minister of State should note that this is neither progress nor positive action but is a step backwards. Instead, the Minister moved the goalposts and set an 18-month waiting target, to be achieved by the middle of this year. Hospital waiting lists were subject to the same strategy of diminishing expectations that unfortunately has been employed in other areas of the health service. Incredibly, even this vastly reduced target has not been met within the Minister's timeframe.

I will give Members a snapshot of the current statistics in respect of Our Lady of Lourdes Hospital, Drogheda. First, I applaud the staff in the hospital, who do tremendous work under

a heavy stress load. They save lives daily in that hospital. However, the situation is getting worse and, unfortunately, there is no end in sight and no formula to tackle the serious problems that exist there. Our Lady of Lourdes Hospital endured the greatest level of overcrowding in the month of August, when there were 680 people on trolleys. In over a year the number of people waiting on an outpatient appointment has increased by 579%. There are now an additional 1,349 people waiting longer than 12 months for an appointment, which is scandalous. The trolley crisis in Our Lady of Lourdes Hospital in Drogheda has been escalating throughout the year. In June, a total of 728 people were on trolleys for an extended period of time, which represented a surge of 243% since 2013. My office has been inundated with calls from people who are alarmed by this escalating crisis. They are worried that members of their family and close neighbours will not be able to access adequate care if needed in an emergency. The conditions in the hospital, brought about owing to a lack of resourcing by Government, is appalling.

When in power, Fianna Fáil introduced the National Treatment Purchase Fund, the main aim of which was to purchase spare capacity from the private sector to reduce the number of public patients waiting for treatment in public hospitals. We propose to reactivate this fund. Fianna Fáil in government will convene a special task force to produce a plan to ensure all scheduled day case and inpatient care is delivered within the internationally recognised target of six months. What we need is an immediate enforcement of a six-hour target for the one million patients attending emergency departments every year, with a ban on any patient staying over six hours in an emergency department. In the UK, there is a target of 90% to be accommodated within four hours.

I am very worried about this crisis. It is impacting every family in the north east, including Louth, Cavan, Meath and Monaghan. I urge the Minister to tackle this problem and to do so urgently.

Deputy Billy Kelleher: I thank all Deputies who contributed to this debate. Having listened with interest to the contributions from all sides of the House, it is clear there are challenges in our health services, which in itself is an understatement.

I am amazed and perplexed by some of the contributions of Deputies on the Government side, in which I was accused of playing politics with the health services. I have been Fianna Fáil spokesperson on health since the previous general election. I can safely say that my criticisms are justifiable and are based on observations. We try to come up with solutions to the challenges in our health services.

The Government sought a mandate to abolish waiting lists and lengthy waiting periods on hospital trolleys, to introduce universal health insurance, increase capacity in our hospitals and introduce reforms that would enhance the ability of the health service to deliver care. The great universal health insurance plan, abolition of the HSE and recruitment of additional consultants were key commitments made to the people in 2011. The Government sought a mandate on those proposals but has since consistently denied that to be the reality.

I am not the one who stood up on the lorries in Roscommon, Cavan, Drogheda, Galway, Cork and Monaghan or who sent letters to constituents promising that all hospital services in their areas would be retained. I have not played politics with the health issue because it is much too important. The difficulty for the Government is that it sought a mandate to improve the health services and made solemn promises which have not been delivered on. We have a crisis in our health system. This must be acknowledged and addressed. Choices will have to be

made. At the commencement of this debate last night I said that the Government will have to make choices in the next number of weeks on what is to be prioritised. Will it prioritise the 80 year old woman who is waiting 18 months for an outpatient appointment? Will it prioritise the child who cannot access speech and language therapy? Will it prioritise the elderly man who receives only half an hour a week of home help or will it prioritise those who do not need those services and can live within the resources they have? They are the choices the Government will have to make in a couple of weeks time when it presents its budget to this House.

Let us move away from the pretence that it is for historic reasons that the Government cannot address some of these issues. All these promises were made in the full knowledge that the country was facing difficult financial circumstances. None of these promises was made in the golden era, rather they were made in the darkest hours of the country. Members of the Government stood outside hospitals and said on television programmes that even with the financial challenges it faced on taking government, it would resolve all these issues. The point is that it has not done so. We still have huge numbers of people waiting day in, day out on trolleys in emergency departments. We have an escalating crisis in the outpatients appointment system. The inpatient system is crumbling. The answer from Government to this is to change the targets from one year to 18 months. The Minister of State, Deputy Deenihan, alluded to this in his speech when he applauded Government on the €51 million in funding provided to the HSE directed towards reducing lengthy waiting times by optimising internal capacity and using targeted initiatives where necessary, which ensured that by June waiting times had fallen below maximum permissible waiting times of 18 months set by the Minister. The previous waiting time target for outpatients was one year and for inpatients was nine months. The Government has shifted the targets because the figures were so alarmingly bad. These are not gross national product or other figures often spoken about in this House, rather these are real people, many of whom are in agony and pain and unable to access a consultant in a timely fashion to find out what is wrong with them in order that they can be treated in a timely manner.

There has been a massaging of the figures. Deputy McConalogue referred to patients being put into the private system, assessed and returned to the public system, following which, when the figures increase again, these people are referred to the private system again. That is not good enough. I am not the one who had no confidence in the ability of, in particular, the previous Minister for Health, Deputy Reilly, to deliver health care. I am not the one who moved him to the Department of Children and Youth Affairs. The Taoiseach had no confidence in the previous Minister to deliver on the commitments. It was because there was no delivery on the commitments made that the previous Minister for Health and Deputy Leader of Fine Gael, Deputy Reilly, was sidelined and moved to the Department of Children and Youth Affairs. The Taoiseach said he would take a hands-on approach in terms of assessing what the Department of Health and Health Service Executive required in budgets.

As late as today the Minister for Finance, Deputy Noonan, said that health system budget control is not up to scratch, following which he berated Mr. O'Brien, director general of the HSE, for seeking €1.9 billion. In June of this year the Minister for Health, Deputy Varadkar, stated that it is estimated that satisfying the unmet needs will cost between €700 million and €1 billion, on top of the natural increase needed yearly to cope with the rising ageing population. When the Minister, Deputy Varadkar, highlights how much is required to fund a proper health system, it is okay, but when poor Mr. O'Brien does so, he is berated for inefficiencies and incompetence. The Government cannot have it both ways. One day the Minister, Deputy Varadkar, arrived into the Dáil and told me that all the problems in the health service are not

all resource-based. In an article in the newspaper the following week he stated that he needs at least €1 billion. The reality is there are resource problems in the health service. There is not enough capacity. Our emergency departments are overcrowded and we are unable to shift people from the acute hospital setting to step-down facilities or their homes or other community facilities. There are blockages across the system.

There will be 600 people in the acute hospital system tonight who should not be there and do not want to be there but there is no place for them to go. They are healthy, in effect, but cannot leave hospital because there are no facilities to which they can go in terms of home care packages, home help supports, community step-down facilities or long-term care.

9 o'clock

That is happening tonight. Moreover, it will happen tomorrow night and the night after. Surely, it is not beyond the ability of this Government to address the issue.

Reference has been made to opening up 300 beds. Those 300 beds will come on-stream at the end of this year, but we have already taken thousands of beds out of the public hospital system throughout the country. It is true that some of that happened on my watch, but I was not one of those promising to increase the number of hospital beds at the last general election. I was telling the people the reality. I did not stand outside hospitals and promise to build a new hospital in the north east, maintain services in Roscommon or maintain services in Mallow. I was not one of the people who made those pledges. However, I am certainly going to ensure that I hold those in the Government to account for the pledges they were elected on. I would be failing in my duty if I did not. That is why I will consistently and continually put down motions in the House.

Such motions are not calling for a major or inordinate increase in the level of funding required. Today, I was accused of spending billions under this motion, but I have simply pointed to some key areas with regard to the National Treatment Purchase Fund and the recruitment of additional consultants. This is simply about enhancing the capacity of the emergency departments and the throughput in hospitals. These problems are primarily self-inflicted by the Government by undermining the fair deal scheme and community nursing home facilities for a long period as well as undermining the home care system through the reduction in home help hours and the inability to move people from an acute hospital setting to a more formalised setting more suitable for their needs. Such measures could enhance the ability of the emergency departments to address some of the problems with overcrowding.

I commend the motion and I make no apology for it. I would be denying my responsibility as an Opposition spokesperson by not holding this Government to account. Primarily, I will hold those in the Government to account on the commitments on which they sought a mandate, although they are denying that they said these things every day of the week. It is shameful that they are doing so on a consistent basis. At the least they should stand up and declare what they committed to, as against what they are actually doing, and be honest about it. The idea that they are denying their mandate is beyond belief at this stage. The people deserve better. More important, the thousands of people waiting on hospital lists throughout the country deserve better. The hundreds waiting on trolleys tonight, tomorrow night and the night after certainly deserve better. I commend the motion and I thank Deputies for supporting it.

Amendment put:

<i>The Dáil divided: Tá, 73; Nil, 47.</i>	
<i>Tá</i>	<i>Nil</i>
<i>Breen, Pat.</i>	<i>Adams, Gerry.</i>
<i>Bruton, Richard.</i>	<i>Aylward, Bobby.</i>
<i>Burton, Joan.</i>	<i>Boyd Barrett, Richard.</i>
<i>Butler, Ray.</i>	<i>Broughan, Thomas P.</i>
<i>Buttimer, Jerry.</i>	<i>Browne, John.</i>
<i>Byrne, Catherine.</i>	<i>Calleary, Dara.</i>
<i>Byrne, Eric.</i>	<i>Collins, Niall.</i>
<i>Cannon, Ciarán.</i>	<i>Colreavy, Michael.</i>
<i>Carey, Joe.</i>	<i>Coppinger, Ruth.</i>
<i>Coffey, Paudie.</i>	<i>Cowen, Barry.</i>
<i>Collins, Áine.</i>	<i>Crowe, Seán.</i>
<i>Conaghan, Michael.</i>	<i>Daly, Clare.</i>
<i>Conlan, Seán.</i>	<i>Doherty, Pearse.</i>
<i>Connaughton, Paul J.</i>	<i>Donnelly, Stephen S.</i>
<i>Conway, Ciara.</i>	<i>Dooley, Timmy.</i>
<i>Coonan, Noel.</i>	<i>Ellis, Dessie.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Fitzmaurice, Michael.</i>
<i>Costello, Joe.</i>	<i>Fleming, Tom.</i>
<i>Creed, Michael.</i>	<i>Halligan, John.</i>
<i>Deasy, John.</i>	<i>Healy, Seamus.</i>
<i>Deenihan, Jimmy.</i>	<i>Healy-Rae, Michael.</i>
<i>Deering, Pat.</i>	<i>Kelleher, Billy.</i>
<i>Doherty, Regina.</i>	<i>Kirk, Seamus.</i>
<i>Dowds, Robert.</i>	<i>Lowry, Michael.</i>
<i>Durkan, Bernard J.</i>	<i>Mac Lochlainn, Pádraig.</i>
<i>English, Damien.</i>	<i>McConalogue, Charlie.</i>
<i>Farrell, Alan.</i>	<i>McDonald, Mary Lou.</i>
<i>Feighan, Frank.</i>	<i>McGrath, Finian.</i>
<i>Ferris, Anne.</i>	<i>McGrath, Mattie.</i>
<i>Fitzpatrick, Peter.</i>	<i>McGrath, Michael.</i>
<i>Griffin, Brendan.</i>	<i>McLellan, Sandra.</i>
<i>Hannigan, Dominic.</i>	<i>Moynihan, Michael.</i>
<i>Harrington, Noel.</i>	<i>Murphy, Catherine.</i>
<i>Harris, Simon.</i>	<i>Murphy, Paul.</i>
<i>Heydon, Martin.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Humphreys, Heather.</i>	<i>Ó Cuív, Éamon.</i>
<i>Humphreys, Kevin.</i>	<i>Ó Fearghail, Seán.</i>
<i>Keating, Derek.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Kehoe, Paul.</i>	<i>O'Brien, Jonathan.</i>
<i>Kyne, Seán.</i>	<i>O'Dea, Willie.</i>
<i>Lawlor, Anthony.</i>	<i>O'Sullivan, Maureen.</i>

<i>Lynch, Ciarán.</i>	<i>Pringle, Thomas.</i>
<i>Lyons, John.</i>	<i>Shortall, Róisín.</i>
<i>McEntee, Helen.</i>	<i>Smith, Brendan.</i>
<i>McFadden, Gabrielle.</i>	<i>Stanley, Brian.</i>
<i>McGinley, Dinny.</i>	<i>Troy, Robert.</i>
<i>McHugh, Joe.</i>	<i>Wallace, Mick.</i>
<i>McLoughlin, Tony.</i>	
<i>McNamara, Michael.</i>	
<i>Mitchell, Olivia.</i>	
<i>Mitchell O'Connor, Mary.</i>	
<i>Mulherin, Michelle.</i>	
<i>Murphy, Eoghan.</i>	
<i>Nash, Gerald.</i>	
<i>Neville, Dan.</i>	
<i>Nolan, Derek.</i>	
<i>Noonan, Michael.</i>	
<i>O'Donnell, Kieran.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Dowd, Fergus.</i>	
<i>O'Reilly, Joe.</i>	
<i>O'Sullivan, Jan.</i>	
<i>Perry, John.</i>	
<i>Phelan, John Paul.</i>	
<i>Reilly, James.</i>	
<i>Ring, Michael.</i>	
<i>Ryan, Brendan.</i>	
<i>Spring, Arthur.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Twomey, Liam.</i>	
<i>Varadkar, Leo.</i>	

Tellers: Tá, Deputies Paul Kehoe and Emmet Stagg; Níl, Deputies Billy Kelleher and Niall Collins.

Amendment declared carried.

Question put: “That the motion, as amended, be agreed to.”

<i>The Dáil divided: Tá, 73; Nil, 46.</i>	
<i>Tá</i>	<i>Nil</i>
<i>Breen, Pat.</i>	<i>Adams, Gerry.</i>
<i>Bruton, Richard.</i>	<i>Aylward, Bobby.</i>
<i>Burton, Joan.</i>	<i>Boyd Barrett, Richard.</i>
<i>Butler, Ray.</i>	<i>Broughan, Thomas P.</i>
<i>Buttimer, Jerry.</i>	<i>Browne, John.</i>
<i>Byrne, Catherine.</i>	<i>Calleary, Dara.</i>
<i>Byrne, Eric.</i>	<i>Collins, Niall.</i>
<i>Cannon, Ciarán.</i>	<i>Colreavy, Michael.</i>
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<i>Collins, Áine.</i>	<i>Crowe, Seán.</i>
<i>Conaghan, Michael.</i>	<i>Daly, Clare.</i>
<i>Conlan, Seán.</i>	<i>Doherty, Pearse.</i>
<i>Connaughton, Paul J.</i>	<i>Donnelly, Stephen S.</i>
<i>Conway, Ciara.</i>	<i>Dooley, Timmy.</i>
<i>Coonan, Noel.</i>	<i>Ellis, Dessie.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Fitzmaurice, Michael.</i>
<i>Costello, Joe.</i>	<i>Fleming, Tom.</i>
<i>Creed, Michael.</i>	<i>Halligan, John.</i>
<i>Deasy, John.</i>	<i>Healy, Seamus.</i>
<i>Deenihan, Jimmy.</i>	<i>Healy-Rae, Michael.</i>
<i>Deering, Pat.</i>	<i>Kelleher, Billy.</i>
<i>Doherty, Regina.</i>	<i>Kirk, Seamus.</i>
<i>Dowds, Robert.</i>	<i>Lowry, Michael.</i>
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<i>Farrell, Alan.</i>	<i>McDonald, Mary Lou.</i>
<i>Feighan, Frank.</i>	<i>McGrath, Finian.</i>
<i>Ferris, Anne.</i>	<i>McGrath, Mattie.</i>
<i>Fitzpatrick, Peter.</i>	<i>McGrath, Michael.</i>
<i>Griffin, Brendan.</i>	<i>McLellan, Sandra.</i>
<i>Hannigan, Dominic.</i>	<i>Murphy, Catherine.</i>
<i>Harrington, Noel.</i>	<i>Murphy, Paul.</i>
<i>Harris, Simon.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Heydon, Martin.</i>	<i>Ó Cuív, Éamon.</i>
<i>Humphreys, Heather.</i>	<i>Ó Fearghail, Seán.</i>
<i>Humphreys, Kevin.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Keating, Derek.</i>	<i>O'Brien, Jonathan.</i>
<i>Kehoe, Paul.</i>	<i>O'Dea, Willie.</i>
<i>Kyne, Seán.</i>	<i>O'Sullivan, Maureen.</i>
<i>Lawlor, Anthony.</i>	<i>Pringle, Thomas.</i>

Dáil Éireann

<i>Lynch, Ciarán.</i>	<i>Shortall, Róisín.</i>
<i>Lyons, John.</i>	<i>Smith, Brendan.</i>
<i>McEntee, Helen.</i>	<i>Stanley, Brian.</i>
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<i>McHugh, Joe.</i>	
<i>McLoughlin, Tony.</i>	
<i>McNamara, Michael.</i>	
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<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Twomey, Liam.</i>	
<i>Varadkar, Leo.</i>	

Tellers: Tá, Deputies Paul Kehoe and Emmet Stagg; Níl, Deputies Billy Kelleher and Niall Collins.

Question declared carried.

The Dáil adjourned at 9.25 p.m. until 9.30 a.m. on Thursday, 24 September 2015.