



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Máirt, 19 Eanáir 2016

Tuesday, 19 January 2016

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2 p.m.

Paidir.

Prayer.

Ceisteanna - Questions

Priority Questions

Flood Relief Schemes

49. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will establish a statutory national authority to manage all flood relief projects, including implementation of flood defence measures; and if he will make a statement on the matter. [2079/16]

Deputy Sean Fleming: Will the Minister of State establish a statutory national authority to manage all flood relief projects, including implementation of flood defence measures, in view of the serious flooding experienced in recent times and the likelihood that the position will deteriorate further in the decades to come?

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): I thank the Deputy for his question, which comes in a period of significant difficulty for many throughout the country after a number of bad weather events. There is already in place a national authority for flood risk management. The Office of Public Works, OPW, is the lead State body for the co-ordination and implementation of Government policy on the management of flood risk in Ireland. It is also the national competent authority for implementation of the 2007 EU directive on the assessment and management of flood risk. In that context and role it carries out and implements a very wide range of measures and programmes aimed at mitigating and minimising the impact of flooding on society, including the catchment flood risk assessment and management, CFRAM, programme; the flood relief capital works programme; the minor works scheme; the arterial drainage maintenance programme; hydrometric data gathering and analysis; and various studies and research on hydrology and flooding-related matters. In carrying out its role and functions it works in very close co-operation with other bodies in-

involved with flooding matters to ensure there is a coherent and co-ordinated approach to flood risk management nationally.

The OPW carries out its flood risk management functions with full statutory underpinning. The general powers and functions of the Commissioners of Public Works in Ireland, under whose authority the OPW carries out its work, are set out in the State Authorities (Development and Management) Act 1993 and the Commissioners of Public Works (Functions and Powers) Act 1996. The commissioners exercise their powers and functions under the general consent of the Minister for Public Expenditure and Reform. They also have extensive specific legislative powers to undertake flood mitigation measures and schemes under the Arterial Drainage Acts, 1945 and 1995. Further regulatory powers are contained in Statutory Instrument No. 122 of 2010 which transposed the EU floods directive into Irish law and which was amended by Statutory Instrument No. 495 of 2015.

In carrying out its lead co-ordinating role in flood risk management the OPW chairs an interdepartmental policy group comprising all of the main Departments and agencies which have policy responsibility for flood-related matters falling outside the direct remit of the OPW such as the Department of the Environment, Community and Local Government and the Office of Emergency Planning in respect of a emergency response, local authority liaison and community resilience; the Department of Finance in respect of flood insurance; the Department of Social Protection in respect of humanitarian assistance; the Department of Arts, Heritage and the Gaeltacht and the National Parks and Wildlife Service in respect of environmental matters; the Department of Agriculture, Food and the Marine; and the Department of Public Expenditure and Reform.

Additional information not given on the floor of the House

The aim and work of the group is to ensure a comprehensive whole-of-government approach is taken to flood risk management and to introduce effective sectoral supports and policy measures in the different areas of responsibility. The group is finalising an interim report for the Government which it expects to submit shortly.

The OPW's comprehensive CFRAM programme is being carried out also on the basis of close co-ordination with all of the main players and stakeholders in the flood risk management area. Each CFRAM project has governance structures which require the involvement of all of the relevant local authorities and, where appropriate, for example, in the case of the Shannon CFRAM project, the main agencies such as the ESB, Waterways Ireland, Inland Fisheries and Bord na Móna which have functions which may be relevant to flood risk management in the river catchment. The CFRAM programme is the core strategy for addressing flood risk nationally and the involvement of all of the key players in the development of the flood management plans under the programme will ensure those plans and the measures they include to manage flood risk will take account of and address all of the activities of the various State bodies that may impinge on flooding. In relation to the River Shannon catchment furthermore, the Deputy will be aware that the Government has established a new Shannon catchment co-ordination group to enhance ongoing co-operation across all of the agencies involved with the river and to oversee implementation of the Shannon catchment flood risk management plan.

The OPW also works closely with local authorities in the implementation of major flood relief schemes in the main urban areas. The close working relationship and co-ordination of activities between the organisations has ensured the successful completion of major schemes

in Clonmel, Mallow, Fermoy, Ennis, Dublin, Kilkenny, Carlow and Waterford. The OPW has also provided significant funding for local authorities since 2009 to carry out minor flood relief works throughout the country.

It is clear, therefore, that the role of the OPW as the lead national body for the management of flood risk is comprehensive and wide-ranging and involves developing and managing close working relationships with all of the main agencies and bodies in this area. As with all State bodies, in the context of the Government's public service reform programme, the OPW will continue to review and improve its service, wherever possible. I am satisfied, however, that its functions, powers, role and responsibilities in flood risk management address all of the main facets of policy and practice across the full spectrum of inter-related activities in this area. I am also fully satisfied that the OPW is carrying out its role effectively and professionally and that there is no basis for the establishment of a new statutory body for flood risk management.

Deputy Sean Fleming: I think the Minister of State's response justified tabling the question. Perhaps he might address the issue of whether he intends to establish a statutory authority. I am of the belief the OPW's authority in this area should be increased. We do need a new body as the OPW is *in situ*. The Minister of State has described the current position correctly and it needs to change. As he said, the OPW is the lead State authority for co-ordination and chairs policy committees involving the different bodies involved. This is useful to know, but it does not have authority to carry out works because all of the other bodies mentioned by him have legal authority in different areas, particularly local authorities and the Department of the Environment, Community and Local Government but also the ESB, Bord Fáilte, Irish Water, the National Parks and Wildlife Service, Waterways Ireland and Met Éireann. Practically every Department mentioned by the Minister of State has a role to play. Nobody can have statutory authority if all of these bodies have separate statutory roles. Therefore, we need one organisation with statutory authority to deal with the issue.

Deputy Simon Harris: It is not a question of whether we need to establish a statutory authority because we have one in place. The Deputy's party set it up when in government, when the European Communities (Assessment and Management of Flood Risks) Regulations 2010 were introduced under Statutory Instrument No. 122 of 2010 which had been transposed into Irish law. Under the regulations the Commissioners of Public Works were appointed as the competent authority under the floods directive for meeting the requirements of the directive. In that capacity they are required to promote co-ordinated implementation of the directive across river basin districts or other units of management and to work with the competent authorities in Northern Ireland in respect of international river basin districts. The Office of Public Works, OPW, has already delivered many flood relief schemes under successive Governments, including in Fermoy, Mallow, Clonmel and Bray and on the River Dodder. The Deputy, however, makes an interesting point about the need to ensure there is better coordination. That is why we have put in place a new Shannon co-ordination group, the terms of reference of which will be published in the coming days. It will bring together all of the statutory agencies which have many different roles and functions in respect of electricity supply, navigation and tourism and flood management. The main point is that the OPW, under the catchment flood risk assessment and management, CFRAM, process, will have 300 areas at risk of flooding mapped and plans to put in place flood mitigation measures. It is the authority that must deliver them, of which 66 will be in the Shannon river basin.

Deputy Sean Fleming: The system we have in place is not good enough. I accept everything the Minister of State has said about co-ordination the roles of the different groups and De-

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partments involved, but we would never have had motorways if responsibility for building them had been left with the local authorities. The National Roads Authority was given that power and authority. It can sign contracts, issue tenders and do what is necessary to build motorways. The Minister of State should be brave, look forward for the next 50 years or the next two or three generations. A co-ordinating committee is not the answer in terms of what is needed in the decades ahead. We need an organisation with statutory authority. Some of those with authority will have to cede it in the national interest and for the greater good. I know that there would be turf wars all over the place, but we have to think big and look forward.

Deputy Simon Harris: Let there be no doubt that there is a national plan and a national organisation called the OPW which is charged with implementing flood relief plans. It is the competent single authority responsible for delivering plans. There is money available, too. We will spend €430 million on flood defences. More will be spent in the next five years than has been spent in the past 20.

The Deputy used the example of the NRA, but in building roads the NRA cannot ignore planning or environmental advice. It has to work within the confines of the law. The OPW must do the same in respect of flood relief measures. Even in peace times, when there is no flooding, there are issues that fall outside the OPW's policy remit because there will always be a small number of people whose homes cannot be protected. There may be a need for voluntary home relocation and the Department of Finance or the local authorities to put in place individual property protection schemes. There is a need for a whole-of-government approach and other agencies and Departments to play their part. At the end of this month the interdepartmental group on flooding which I chair will send its report to the Cabinet which will make several recommendations. Whoever will be in government in the spring will have several policy options to consider in respect of flood insurance, individual property protection and potential voluntary home relocation, as well as getting on and delivering the national flood plan.

Irish Water Administration

50. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will extend the remit of the Ombudsman to include all companies in public ownership. [2081/16]

Deputy Mary Lou McDonald: My question relates to the extension of the remit of the Ombudsman to include all companies in public ownership. The company I have in mind is Irish Water. As the Minister is aware, the Ombudsman, Mr. Peter Tyndall, has raised important concerns and expressed criticism in asking why the Government has declined to allow his office to investigate complaints made against Irish Water. He has said this move has left the utility's customers without any independent grievance mechanism.

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Ombudsman (Amendment) Act 2012 brought about a very substantial increase in the number of public bodies subject to the Ombudsman's oversight. It was the most significant extension of the Ombudsman's remit in 30 years and a priority objective for me, given that various Ombudsmen had been pressing for the extension for over 20 years. It brought some 180 additional public bodies, the administrative activities and decision-making of which impact on large numbers of citizens, within the remit of the Ombudsman for the first time.

Previously, the approach taken was to schedule bodies by way of order on a case by case basis. In the 2012 Act, I adopted the approach of including a general definitional provision of “reviewable agency” in the legislation to ensure that any public body that conformed to that definition automatically came within the ambit of the Ombudsman, unless specifically exempted in a Schedule to the legislation. This new model of an automatic right of review by the Ombudsman was strongly welcomed by the Ombudsman and has led to a substantial strengthening in the rights of the citizen to secure redress.

As I said at the time, further extension of the remit of the Ombudsman is an ongoing process. The recent extension of the office’s remit to include private nursing homes whose residents are in receipt of public funding or subvention is another example of that.

A number of proposals and recommendations on the remit, role, status and powers of the Ombudsman have been put forward in recent times. These include the extension of the Ombudsman’s remit to include clinical judgments and the recommendation from the Joint Committee on Public Service Oversight and Petitions and the independent working group on improvements to the protection process to extend the Ombudsman’s remit to the direct provision system.

These proposals and recommendations, as well as those put forward by the Deputy, are being examined and considered. As the process of extension continues, specific issues arise that need to be worked through. The Deputy will be mindful of the need to ensure the system of Ombudsman review continues to work effectively and of its role within the broader administrative system as a whole. The latter must continue to work in a way that delivers what is expected, so we do not want to give it too much functionality without ensuring that it has the capacity to do the job effectively.

Deputy Mary Lou McDonald: I thank the Minister for his response. In his supplementary reply, he might address the issue of Irish Water. He knows, of course, that my party’s proposal is to abolish water charges and bring an end to the monster quango that is Irish Water. Even by the Minister’s own reckoning, the current situation leaves people in an impossible position. Essentially, people with complaints in respect of Irish Water - and there are very many of them - have nowhere to go. The Commission for Energy Regulation has described the level of complaints as “low” - at 2,014 - since it assumed the role of regulator of water services in October 2015. However, that low level of complaints is because people are not aware of the role of the regulator.

For instance, where damage has been done to people’s property by Irish Water in installing meters, complainants have nowhere to go but taking a long and circuitous route to lodge complaints and yet with no satisfactory responses.

Deputy Brendan Howlin: I take note of the Deputy’s proposal to abolish the commercial semi-State company, Irish Water. I am not sure what Sinn Féin wants to replace it with or what it wants to do to the staff. It would be useful if Deputy McDonald told the staff what she intends to do with them. Is she going to return them to local authorities, make them all redundant or just continue to pay them? If so, at what cost?

As regards redress for Irish Water customers, the Deputy knows full well that under the Water Services Act 2014, the Commission for Energy Regulation has statutory responsibility to provide a complaints resolution service to all Irish Water customers with an unresolved dis-

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pute with Irish Water being addressed by it. This followed from a voluntary working practice between the Commission for Energy Regulation and Irish Water concerning dispute resolution. Irish Water customers who have registered and who have an unresolved dispute with the utility can log a complaint with the Commission for Energy Regulation which has its own customer care team. Following the investigation, CER has the power to direct Irish Water either to pay compensation or resolve the complaint in whatever way is deemed practicable and proper.

Deputy Mary Lou McDonald: As the Minister knows, the commission will only examine complaints after customers have fully exhausted Irish Water's own complaint resolution processes. I do not know if people have spoken to the Minister on this subject but they have certainly approached me. It is a most unsatisfactory route for having a complaint dealt with. I am sure the Minister has also noted the Ombudsman's comments that he believes Irish Water was needlessly removed from his remit. He does not buy what seems to be the Minister's position that because Irish Water is now a stand-alone company, he should have no remit. That argument does not wash with him. This is further evidence of the chaotic manner in which the issue of water services, with water charges and the quango which is Irish Water imposed on the people, has been managed from the get go. It is more evidence of failure on the Government's part.

Deputy Brendan Howlin: The Deputy is spouting rhetoric but she has not answered the question as to what she would put in its place. Will she restore water functionality to the myriad local authorities which will not deal with the big structural issue of providing water for Dublin, for example, or deal with the fact that one third of our sewerage systems need significant investment of €4 billion, or deal with the staff?

Deputy Mary Lou McDonald: The Ombudsman-----

Deputy Brendan Howlin: None of those is dealt with. I have answered in terms of the dispute resolution system that is in place. The Deputy thinks that is not efficient and so her solution is not to make it more efficient but to abolish the entire entity. That would strike me as a rather large sledgehammer rather than addressing the issue of the complaints process, if it is inefficient in how it operates and needs to be strengthened, by looking at how it can be strengthened and how these matters can be resolved.

I deal with the Ombudsman very regularly. He knows the additional resources I have provided and the significant broadening of his remit. Like those in charge of most agencies, regulators and others, he would like to broaden his remit and that is part of the ongoing dialogue between Government and every regulator.

Office of Government Procurement

51. **Deputy Mick Wallace** asked the Minister for Public Expenditure and Reform, with regard to the Office of Public Procurement, if products can be added to existing contracts without being subject to the tendering process; and if he will make a statement on the matter. [1945/16]

Deputy Mick Wallace: In the 2011 programme for Government, the Government promised to reform public procurement to become a tool to support innovative Irish firms and allow greater access to Irish small and medium-sized businesses. I accept that the establishment of the Office of Government Procurement and the first chief procurement officer in 2013 was a positive step. Does the Minister not think that much more needs to be done for smaller indig-

enous Irish companies than is happening at present?

Deputy Brendan Howlin: I again thank the Deputy for his question. As he knows, public procurement is governed by EU and national law. The aim of these rules is to promote an open, competitive and non-discriminatory public procurement regime which delivers best value for money. While it is preferable for a contracting authority to test the market by carrying out a procurement process, modifications of contracts during the term can be necessary because of changes in circumstances. There are many practical reasons non-material modifications are allowed without a tender process.

I will deal with the specific question the Deputy has asked me. I think he has agreed that the establishment of the Office of Government Procurement was a very good move. It has been one of the game changers in how the State transacts its business. Rather than having myriad different agencies and non-professional procurers buying the same goods and services at different costs, we now have a rational professional way of dealing with this. It is good for small and medium-sized companies, as the Deputy has said.

Obviously, we cannot discriminate one way or the other. However, 66% of the procurement we have done to date is with small and medium-sized companies. We are running a variety of meet-the-buyer programmes to strengthen the hand of small and medium-sized enterprises to better bid for public contracts, either as stand-alone entities or groups of SMEs working for the larger contracts.

However, it is a process. Last week I brought proposals to Government, which were confirmed today in the minutes, to establish the Office of Government Procurement on a statutory basis. When that Bill comes before the House, the Deputy, who I know will be here in the next Dáil, and I, if I am lucky enough to be here in the next Dáil, can have further debate.

Deputy Mick Wallace: The Minister knows he will top the poll in Wexford. The Minister's 66% of public expenditure going to SMEs is a bit skewed in the sense that 97% of Ireland's 200,000 businesses have 50 employees or fewer and 84% of them having fewer than ten. The question arose from a business in Wexford town that both of us know. Jim Wallace the tailor contacted me to let me know that he is finding it more difficult to get work. He was recently taken aback when he found that for work he often supplied previously, this time he had to go through a bigger contractor. There was not a normal tendering process and the contractor just charged 10% on top of his price. I do not believe the Minister would think that is a great idea because it is an extra cost to the State. Likewise, with eligibility for contracts, he is finding that it is becoming a little more difficult because the excessive turnover requirements rule him out of areas in which he was not ruled out of before. The Minister must agree that this has to be difficult for small businesses in Ireland but is to the benefit of larger companies, be they Irish or foreign. This matter needs to be addressed by the Government.

Deputy Brendan Howlin: I hear what the Deputy is saying. The Minister of State, Deputy Harris, has taken a direct interest in all of these matters. He chairs the procurement function and has had a particular focus on ensuring that, in so far as it can happen in compliance with European law, contracts are awarded to Irish entities and, by and large, are given to small and medium-sized enterprises, SMEs. This is all in the context of getting the best deal for the taxpayer and complying fully with the law. This is an evolving process. As we bed down the Office of Government Procurement, if there are any particular issues, the Minister of State and I would be happy to have discussions with any individual or potential tenderer to see how their

hand can be strengthened or the processes can be modified.

Deputy Mick Wallace: We will certainly take up that offer. The Minister referred to the restrictions of European law. Recently, the European Commission ruled that the State wrongly excluded small and medium-sized enterprises from competing for the contracts to provide Ireland's new postcodes by imposing a turnover limit on companies eligible to tender for the project. Gary Delaney, the chief executive officer of Loc8 Code, pointed out the turnover limit as revealed by the Commission. Although it has not imposed restrictions or penalties on Ireland, the Commission has argued that Ireland's position on it was not good enough and that it needs to be addressed. What does the Minister have to say about that?

Deputy Brendan Howlin: Three new European directives which were agreed during the last Irish EU Presidency need to be transposed into Irish law. Some of these will meet the very issues about which the Deputy is talking. We expect the transposition of these will be completed by April. The new directives are on the award of concession contracts, on public procurement, repealing EU Directive 2004/18/EC, and on procurement of entities operating in the water, energy, transport and postal services sector.

The issue of procurement is one at which we are taking a careful look. We want to ensure we construct procurement processes to the best advantage of Irish potential tenderers while, obviously, being cognisant of the regulations and the law I just mentioned.

Value for Money Reviews

52. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform the number of public expenditure value for money reports he conducted in each of the past five years, including their date of publication, and the subsequent actions he has taken; and if he will make a statement on the matter. [2080/16]

Deputy Brendan Howlin: My Department has policy responsibility for the public spending code, which sets out for Departments and State bodies in comprehensive terms, the analytical framework for value for money appraisal and evaluation of public expenditure programmes and projects. Under the code, responsibility for conducting value for money reviews lies in the first instance with the lead spending Department and its implementing agency. The main role of my Department in this respect is to provide direct guidance and assistance to line Departments in the carrying out of those reviews.

Over the past five years, my Department has carried out a range of evaluations and produced several policy analysis reviews, known as focused policy assessments. Rather than list them all, I refer the Deputy to the website of the Irish Government Economic and Evaluation Service, igees.gov.ie/publications. This is a new service, which I set up under the auspices of my Department, to do exactly the type of evaluation to which the Deputy referred. The work includes two comprehensive reviews of expenditure in 2011 and 2014 and specific expenditure analysis papers related to such areas as climate change, demographics, labour market activation and child care.

The Deputy will also be aware that in July 2015, the Government agreed a new three-year programme of value for money reviews across Departments which will ensure public spending is subject to continued ongoing analytical scrutiny. This review programme, which provides

for more than 40 separate reviews, will be supported by the Irish Government Economic and Evaluation Service. This service is not only sited in my Department. As they are trained, members of the service are being placed in all Departments.

Deputy Sean Fleming: That is fine. The Minister's reply was all about policy, guidance and assistance but the people want to know that they as taxpayers are getting value for money and that their money is being well spent. Nothing the Minister said would give anybody any comfort in that area. He referred to a focused policy assessment, policy initiatives and overall responsibility for policy guidelines and assistance. That is all talk; it is Civil Service talk, but the people want to see particular action and they want it to be done transparently.

My question asked what actions have been taken as a result of those reports and what lessons have been learned. An issue was mentioned a few minutes ago, to which I will refer in a slightly different context, that of a value for money report on the postcode system. With respect to housing programmes has anyone done a value for money report on the cost of refurbishing a vacant house compared to the €193,000 to be spent on temporary prefabs for housing? Has anyone done a value for money report on the school transport issue? Has anyone done a variety of value for money reports on the costs of medicines and drugs in Ireland compared to other countries? That is what people want to see, not these guidelines, assistance and policy approaches. They want to see action.

Deputy Brendan Howlin: The Deputy will concede and accept that getting value for money and ensuring that the taxpayer always gets value for money has been the hallmark of this Government for the past five years, unlike the profligacy of what went on before we came into office. That is why we established the Irish Government Economic and Evaluation Service. For the first time, we have a professional cohort of economists and valuers to evaluate, on a neutral basis, any proposal. In fact, I have been criticised about a number of the papers published by the Irish Government Economic and Evaluation Service because they have been critical of Government. The idea behind this service is that it is to stand alone and make an evaluation. Not all proposals that come from Departments stand up to that level of independent scrutiny. I think that is the way we should proceed in future.

In terms of the issue of prefabs, it was this Government, in the worst of times, that got rid of all prefabs in our school system, which were a blight on the school system that existed in the so-called best of times.

Deputy Mary Lou McDonald: My children are still in a prefab.

Deputy Sean Fleming: I think the Minister has been so long in office that he believes the publicity that has been issued by various Ministers. I can show him prefabs in County Laois and the Deputy seated beside me has said that she can show him prefabs in Dublin city. There are still prefabs in place. The Government's press releases might not indicate that. The Government is now moving on to build prefab housing instead of permanent homes for people. There needs to be a proper assessment and a value for money report on that. An amount of €30,000 will bring a vacant house into full occupation for a family versus the temporary measure that is being taken. These are the issues about which people want to speak. When one is on the campaign trail and asks people about their postcode, they look at one with a blank face. Nobody has ever used it and they do not know what it is. I do not think that any of the courier or delivery companies know how to operate it. Yet the Irish people, through one form or another, have had to pay for these issues. While we have had a new Department merely allocating expenditure,

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there is no proof that the Minister can objectively show that we have got better value for money by the establishment of his new Department.

Deputy Brendan Howlin: There is none so blind as those who will not see. It has proved positive, with respect to the economic improvement we have made over the last five years, that we are very rigorous in the analysis we do of public expenditure. I make two points. On the issue of modular houses, which the Deputy has characterised as prefab housing, we have a housing crisis. It is a policy decision, not an economic decision, to get as many habitable houses available as we can and as an emergency measure. We do not have the time, bluntly, to do a long evaluation. We have desperate people in need of houses now. The Government made a decision to have 500 modular houses up and running. I ask the Deputy, instead of criticising, to ask local authority members to facilitate their placement in order that we can get people from the appalling situation in which we see of some families into decent quality housing. I ask the Deputy to bear that in mind.

An Leas-Cheann Comhairle: The next question is in Deputy McDonald's name.

Deputy Mary Lou McDonald: My children finished school five minutes ago in Cabra and they are in a school prefab. Is it planned to alter that? That school has been in prefab accommodation for 20 years: imagine that. Is that not shocking?

Health Services Expenditure

53. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform his discussions with the Department of Health regarding expenditure on health. [2082/16]

Deputy Mary Lou McDonald: My question relates to health. Nowhere is the chaos of the Government more evident than in accident and emergency and the burgeoning waiting lists. I would like the Minister to place on the record of the Dáil the discussions he has had with the Minister for Health, Deputy Leo Varadkar, in respect of health expenditure.

Deputy Brendan Howlin: Apparently, the biggest hallmark of failure now is health. Last week it was housing.

Deputy Mary Lou McDonald: No, that is pretty spectacular too.

Deputy Brendan Howlin: With Sinn Féin it is the crisis *du jour*.

Discussions between my Department and all Departments on the issue of expenditure take place very regularly. The Department of Health is no different. At ministerial level there is the Cabinet committee on health and at official level there is a senior officials group on health where discussions on all health and health funding issues take place regularly. In addition, there are regular informal communications between officials of both Departments, heightened in the run-up to the budget. Such engagement is an important component in the process of providing a well-resourced health system.

This has led to health sector funding been prioritised and protected during the lifetime of the Government. Budget 2016 increased the gross health expenditure to €13.61 billion, a €970 million, or 7.7%, increase over the final 2011 spend. Such ongoing communication also resulted in the Government providing additional resources in 2015 for the fair deal scheme, for example,

emergency department overcrowding and winter initiatives.

Something the House might note is that since the start of 2014 up to the end of November 2015 - the last time I had the figures - the HSE has recruited an additional 6,321 staff, an increase of 6.5%. This includes an additional 965 doctors and more than 1,000 additional nurses, again emphasising the Government's commitment to a well-resourced health care system.

Deputy Mary Lou McDonald: I do not take any comfort, nor I am sure does anyone, from the fact there is a Cabinet sub-committee on health, that the Government has an official group on health, that the Minister is discussing budgetary matters daily with the Minister, Deputy Leo Varadkar, and yet we have the mess and the misery that reigns in our hospitals. The Minister commended himself on his increase in funding to the system, but the current service plan imposed on the HSE is €150 million short of what it needs. We heard from Tony O'Brien, the man the Minister, Deputy Howlin, put in charge of the HSE, that funding for hospitals is €100 million less than required. That is simply to stand still. We know there is €1.5 billion less in the health budget than there was in 2008. That is where it sits. I would like the Minister to tell us in more substantive terms what discussions he has had directly with the Minister, Deputy Leo Varadkar, in respect of the underfunding of the health system.

Deputy Brendan Howlin: The Deputy is now falling into the same viewer trap Fianna Fáil did over the weekend, that is, to assume 2011 was year zero and we did not have a complete and absolute economic collapse. Trying to restore the public finances has been the most demanding focus of Government for the past five years. One cannot pretend we had resources available to deploy as we wished. We had to reduce expenditure over that time. We protected health and health numbers as best we could throughout that process and that is self-evident. I do not believe either that every issue in the health service is to be met by more cash. For example, under the Haddington Road agreement, we deployed an additional 5 million hours from all levels of staff - from porters to consultant hospital doctors - to deliver better services.

While everybody, understandably, focuses on health failures, there is an enormous success story also from the majority of those who interact with the health service regarding the fine work done by doctors, nurses, porters and health workers.

Deputy Mary Lou McDonald: There is no pretence about the fact - it is not a good record for the Government - that there are 68,000 people waiting for inpatient treatments, 400,000 people waiting for outpatient appointments and under-staffing right across the system. My local hospital, the Mater hospital, is at least 100 nursing staff short of what is required. If the Minister is trying to put a gloss on this that he has done fantastically well and has protected the health service, all of the evidence speaks against that. The experiences of people on waiting lists and particularly those going into accident and emergency testifies to the contrary.

To boil it down, I want to know if the Minister for Health, Deputy Varadkar, has challenged the Minister to get his act together or the Government to collectively get its act together and commit the level of funding that is required just to have a stable, decent level of service within the health system?

Deputy Brendan Howlin: It is very easy for the Deputy - perhaps she does not have any ambition to be on this side of the House - to say we need to spend more on health, housing-----

Deputy Mary Lou McDonald: We need to spend more on health.

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Deputy Brendan Howlin: -----and disability and to spend more-----

Deputy Mary Lou McDonald: No.

Deputy Brendan Howlin: We have just had a discussion about value for money and-----

Deputy Mary Lou McDonald: Hospital trolleys are not value for money.

Deputy Brendan Howlin: -----one of the approaches we have had is to rebalance staff within the HSE. For example, we now have a higher percentage of front line staff than we had when we came into office because we reduced, as far as we could, administrative staff-----

Deputy Mary Lou McDonald: The Government hammered the front line.

Deputy Brendan Howlin: -----as we allocated resources to the front line. As I say, it is bizarre because the Deputy represents a party that wanted to destroy this country in 2011, pull down the troika agreement and send it packing. We would not have had a single hospital bed or nurse because we would have had nothing to pay them with by the end of 2011 had the Sinn Féin policies been implemented. That is a simple, inescapable fact.

Deputy Mary Lou McDonald: That is lying.

Deputy Brendan Howlin: Like Fianna Fáil, Sinn Féin wants to believe that the economic collapse and-----

Deputy Mary Lou McDonald: The Minister wants to leave elderly people on trolleys and people on waiting lists.

Deputy Brendan Howlin: -----the loss of 330,000 jobs never happened and that we did not have to go through the difficult adjustment period the Irish people have endured for the past five years to put us in a position to start again-----

Deputy Mary Lou McDonald: Did the Minister for Health, Deputy Varadkar, ask the Minister for more money?

Deputy Brendan Howlin: -----investing in quality public services.

Deputy Mary Lou McDonald: Perhaps he did not.

Other Questions

Economic Policy

54. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which public expenditure and reform targets will remain an integral part of economic strategy and to which prudent management in this area will remain beneficial; and if he will make a statement on the matter. [1922/16]

Deputy Bernard J. Durkan: My question is on the extent to which prudent management of the economy is required on an ongoing basis.

Deputy Brendan Howlin: The Deputy will recognise the pivotal role played by my Department in successfully delivering on key Government priorities such as securing fiscal stability, sustainable economic growth and social progress. As a result, Ireland was on course to exit the excessive deficit procedure at the end of 2015, with a forecast general Government deficit of close to 1.5% of GDP for 2015. That is what we estimate the outturn figure will be. When one considers that five years ago, we set out on a path to have a deficit of 3%, which many commentators said was unachievable, and that we now have a deficit of half that, it shows the remarkable journey the Irish people have embarked on. It has brought us to a secure position.

The recently published capital plan sets out a €27 billion multi-annual Exchequer capital investment to be made over the next six years. That will lay the foundations of continued and sustained growth.

Public sector reform was a key element of the Government's response to the crisis and continues to be an essential part of the strategy for recovery. Significant progress has been made since the publication of the first public service reform plan. A second public sector reform plan was published in January 2014 which puts a new focus on improved service delivery and achieving better outcomes.

Managing the delivery of public services within budgetary allocations is a key responsibility of each Minister and Department. With Ireland moving to the preventive arm of the Stability and Growth Pact in 2016, it will be essential that every Department prudently manages delivery of services within their voted allocations to maintain the hard-won fiscal stability and support economic progress that is now a real potential for us.

Deputy Bernard J. Durkan: I thank the Minister for his comprehensive reply. I further ask the extent to which he believes it will become possible to deal with the issues that had to be neglected owing to the shortage of finance in recent years? To what extent does he envisage the various headings benefiting from such measures?

Deputy Brendan Howlin: That is a good and prescient question, to which there are two components. First, it is incumbent on any Government to live within the Stability and Growth Pact, the legal binding agreement to which the State has signed up and for which the people of Ireland have voted. There are choices within this to examine the fiscal space available in the next few years and to decide on how it should be deployed. That debate will be held during the general election campaign and each party, including each party in government, will have a different view on it. From my perspective, I wish to devote the bulk of the fiscal space available in the next five years to improving public services because despite the interactions I have in this Chamber, there are pressure points that must be addressed, as well as new services the Government would like to add. For example, it started to do so in the area of child care in the last budget, while in the budget before that the Government focused on housing, but it has a lot more to do and this debate must take place during the course of the general election campaign. However, it must all be couched in terms that will ensure the recovery is not put in jeopardy. This imperative becomes all the more real when one considers what is happening economically in the international environment, including China and elsewhere.

Deputy Bernard J. Durkan: I thank the Minister. Does he foresee a situation where specific identifiable targets can be set in the areas to which he has referred that must be addressed henceforth within the scope of the growing economy? He mentioned housing and I presume it also includes health and child care services. To what extent does he perceive specific targets as

being necessary and identifiable in the course of that part of the recovery?

Deputy Brendan Howlin: Again, there are two answers to that question. The first concerns the fiscal allocation one gives to each Department and what one wishes to do with it. There will be a political debate about that matter because every party will have its own policy platform to put to the people and the make-up of the next Government in a few months time will determine how much money will be deployed in each area of public expenditure or given by way of a tax rebate. There will be a robust debate about that matter. From my perspective - I believe I debated this issue on national television with Deputy Sean Fleming - one issue will be the size of the State and whether people wish to shrink its size and its activities or to expand it. This will be an important debate to have in the context of the next general election.

Public Sector Pensions

55. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform the full-year cost of ceasing the public service pension reduction on pensions of up to €50,000; the number of persons who would benefit; his plans to do this; and if he will make a statement on the matter. [1916/16]

Deputy Sean Fleming: What is the full-year cost of ceasing the public service pension reduction on pensions up to €50,000, which is approximately the figure up to which a couple can receive a medical card automatically if they are over 70 years of age, and the number of people who would benefit from this? The reduction only extends as far as those on pensions of €34,132, despite the amendments I tabled when Members were discussing the passage of the financial emergency in the public interest, FEMPI, legislation.

Deputy Brendan Howlin: As the Deputy is aware, the Financial Emergency in the Public Interest Act 2015 provides for incremental increases in the threshold before the public service pension reduction, PSPR, applies this year from 1 January, next year and in 2018, ensuring that from 1 January 2018, all public sector pensions with values less than €34,132 will be exempt from the pension reduction. This means that 80% of all pensioners will see no pension reduction within 24 months. The PSPR amelioration provided for under the FEMPI Act delivers on my previously stated commitment to reduce the burden of the FEMPI legislation for retired public servants at the earliest date economic progress allowed me to so do. The measures have been costed on a full-year basis in 2018 at a figure of €90 million. In all cases the maximum pension restoration figure is €1,680 over the two-year period. The Deputy's proposal to increase the pension size threshold below which the PSPR does not apply to €50,000 per year would cost approximately €117 million per year. In addition, those pensioners still affected by the PSPR, including the very highest paid, would secure a pension boost of €4,080 per year via the PSPR restoration. I did not think it was the right thing to do to provide for that level of pension restoration for some people, of whom we would be very critical and who have walked away with very good pensions in the State.

Under section 12 of the FEMPI Act, I am required to review the necessity for the FEMPI legislation annually. Whoever sits in my seat will be required to lay the results of a new evaluation before the House next summer. All of these matters will be considered in that context.

Deputy Sean Fleming: The Minister might clarify two of the figures he mentioned. My proposal would only apply up to a figure of €50,000. The Minister spoke about people on

higher salaries who had walked away with bigger amounts and who could be in receipt of pensions above that figure.

Deputy Brendan Howlin: They get the chunk up to the figure of €50,000.

Deputy Sean Fleming: I was not asking for it, not that I would ask for it, for anyone getting more than €50,000.

Deputy Brendan Howlin: One cannot exempt it either.

Deputy Sean Fleming: Will the Minister provide the cost of the reductions on an annualised basis? Will he then provide the cost of taking in the extra 15,000 or 20,000 people by increasing the threshold to €50,000? Those on a pension of €34,132 who have worked all of their lives are only marginally better off than those in receipt of the State pension, which is approximately €400 per week. I know that we discussed this issue at length during the discussions on the FEMPI legislation. I detect a glimmer of a possibility that the Minister might revisit it, subject to the finances allowing it. It is on that basis that it should be re-examined. The issue is whether the Minister wishes to support Fine Gael and tax cuts or to look after the people in question.

Deputy Brendan Howlin: One cannot spend money and not have the wherewithal to do so. As a general principle, I would like to be able to deploy more resources to improve public services. I agree with the Deputy. I have had a number of meetings with the representatives of public sector pensioners and I am conscious, as I said to the Deputy during the debate on the FEMPI 2015 legislation, that, unlike pay restoration for those who have 30 or 40 years of work ahead of them, it is different if one is facing, if one likes, a more limited time horizon because one is elderly. I wish to ensure pension restoration will happen as quickly as economic circumstances allow. We will give back €1,680 to each pensioner under the proposals we enacted last year. Could we go further and move quicker? We will see what economic progress will allow us to do in the coming months. If we can sustain economic progress, this will be a priority for me personally.

Deputy Sean Fleming: I am pleased that the Minister is coming round to the point of view I expressed consistently during that debate. I know that his senior partner in government has given big commitments on tax cuts, if it is back in government. I hope the other party in government will give equally strong commitments to look after people who are, as the Minister said, elderly; some of whom may not be around in 2018. They were looking for a quicker restoration and I understand their point. I think the Minister also understands it. Those who are marginally above the limit to qualify for a medical card should be allowed pension restoration in full in as short a period as possible. Outside the departmental official-speak, when we get out on the hustings, I hope the Minister will agree and that there will be a sentence in his policy document on the lines of what has been suggested.

Deputy Brendan Howlin: All of our focus on pay and pensions restoration has been on the lowest paid first. As I said it would be, that is and was the hallmark of the FEMPI legislation. We are providing for full pensions restoration for people who would have been on a salary of roughly €68,000 when they were working, which is the case for 80% of public servants. They will see full restoration of their pensions under the provisions we have enacted. Increasing the threshold to €50,000 would mean that we would be providing for full restoration for people whose salary would have been €100,000. We will need to go there eventually, but I did not set

it as a priority in terms of the scarce resources I had available last year. As more resources become available, people are entitled to have their pensions restored as quickly as I can manage it.

Tender Advisory Service

56. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the number of complaints made by small and medium enterprises to the Tender Advisory Service since it was launched in February 2015; the nature of the complaints, concerns and issues raised and which of them were the most common; and if he will make a statement on the matter. [1946/16]

Deputy Mary Lou McDonald: My question relates to the number of complaints made by small and medium-sized enterprises to the Tender Advisory Service which was launched in February 2015. I ask the Minister to set out the nature of these complaints, concerns and issues, to identify the most common complaint or issue raised and to make a statement on the matter. I am sure he is conversant with the number of complaints and frustrations that present for SMEs in seeking to compete for, much less win, public contracts.

Deputy Brendan Howlin: The Tender Advisory Service, TAS, was launched last year to provide an informal outlet for potential suppliers to raise concerns in respect of a particular live tender process. The service is aimed at improving communications with suppliers and increasing professionalism and consistency in the way procurement processes are carried out across the public service. The service will be reviewed at the end of February this year following 12 months in operation.

To date, 27 suppliers have engaged with the service. Of these, four queries were eligible for consideration. Suppliers raised concerns regarding tender specification, the terms and conditions set out in the tender documents, the use of lotting, and requests for sample work. Following an assessment of each eligible query, TAS liaised with the relevant contracting authority. In one case, this resulted in a contracting authority broadening the specification and extending the closing date for the tender. In another, the contracting authority reconsidered its lotting strategy, which led to a further subdivision of a lot. In the remaining two cases, having assessed the queries and liaised with the contracting authorities, no action was deemed necessary.

The remaining 23 queries were deemed ineligible or not appropriate for the service for reasons including that the issues raised were of a general nature and not specific to any particular tender, the supplier had not yet engaged with or exhausted the existing process which is part of the tendering requirement and the supplier had engaged with TAS too late, for example after the whole tendering process was concluded. In instances where the queries were deemed ineligible, suppliers were redirected to either the Office of Government Procurement, OGP customer service team or the contracting authority dealing with the specific tender. Details of the TAS scheme, including frequently asked questions and the standard inquiry form, are available on the procurement website.

Deputy Mary Lou McDonald: It is essential that there is not just an advisory service for small and medium-sized enterprises and microbusinesses in respect of these tenders, but that there is also an effective complaints mechanism. Such a mechanism should give a result to complainants and not just tea and sympathy. The Minister is familiar with many consistently raised issues that are of a general nature, yet also apply specifically to individual contracts. The

prioritisation of the lowest price above wider social and economic benefits is one such issue. The idea of consortium bidding, which flies in the face of how most SMEs and microbusinesses operate, has also been raised time and again. There is a lack of consistency between contracting bodies, for instance in marking criteria. These are general themes and dilemmas that emerge repeatedly and have to be addressed. I wonder if there is confidence in the Tender Advisory Service actually to deal with those issues. The Minister says a number of queries were deemed to be ineligible because they were general. That does not mean they are not worthy, important and in need of investigation and remedy.

Deputy Brendan Howlin: I am mindful of the points the Deputy makes. TAS was set up as an advisory group 12 months ago and will be subject to review next month. I will be very interested to see the outcome of that review. No doubt we will be making improvements to the service on the basis of practical experience over the last 12 months.

It all underscores the fact that the establishment of the Office of Government Procurement has been such an innovation. It is the first time the Government in all its agencies, guises and buying divisions, has consolidated its approach to the SME sector. The OGP talks directly to the Small Firms Association, ISME, IBEC and so on. Over time, the process will improve.

In terms of the Deputy's specific points, for example on consortium bidding, one of the things we are encouraging SMEs to do is bind together to bid for domestic Government contracts, and also to get a share of the European market, at which they are now increasingly looking. That will all be good news for SMEs in Ireland.

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Deputy Mary Lou McDonald: I am well aware the Minister is encouraging that kind of consortium bidding but I am sure he is aware, through his discussions with ISME, the Small Firms Association and further afield, that this is very problematic for small businesses and nearly impossible for micro businesses. When the review happens in 12 months, I believe it is very important there is a listening ear to the reality of how business operates in real time. Whoever is in office, the Government might have a notion of what is best or what is best practice, and it is fully entitled to promote that, which goes without saying. However, if that is something that cannot be complied with or that runs against the grain of how these businesses operate, it needs to be looked at. In truth, many SMEs and micro businesses believe they are effectively locked out of the tendering processes.

I mentioned a number of the issues that arise. I should also mention timeframes, which many small businesses regard as far too tight, and the cost of entering the tendering process, which is way too high. In addition, the issue of transparency across public procurement is raised time and again. The OGP is a good innovation and I have supported it from the beginning, but these issues need to be sorted out.

Deputy Brendan Howlin: I will not disagree and I thank the Deputy for supporting the OGP. It is a very good organisation which is exposing all these issues for the first time. In terms of transparency, it is the first time we have had a transparent system of public procurement. For decades, nobody knew who was buying what from whom across the public service.

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There is a journey to be travelled to ensure we have much better interaction with small firms. Some small firms are frightened off because the thing seems too difficult. They need to be helped and we are working on that. The meet the buyers outreach programme is where we talk to SMEs throughout the country about specific tenders or projects to see how the companies can bid for these tenders and to assist them. There will be occasions where it will be a requirement for companies to band together, and we will assist that too. All this is important.

Public Procurement Contracts

57. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the extent to which, in all public procurement processes, accessibility is considered, given that users have differing capabilities and that users' abilities may be impaired, either permanently or temporarily, by various physical, intellectual, sensory or mental health disabilities; and if he will make a statement on the matter. [1947/16]

Deputy Mary Lou McDonald: This question refers to accessibility in all public procurement processes. Public bodies have a legal responsibility to incorporate accessibility in the procurement process under section 27 of the Disability Act, which came into effect on 31 December 2005. What does that look like, how does that operate and what weight or seriousness is afforded to it?

Deputy Brendan Howlin: The area of accessibility for people with disabilities comes under the remit of the Minister for Justice and Equality and, as Deputy McDonald said, is addressed in the Disability Act. Public bodies are required under section 25 of the Act to make their public buildings, other than heritage sites, accessible to people with disabilities in compliance with the relevant building regulations. In regard to goods and services, section 27 requires the head of a public body to ensure services provided and goods supplied to the public body are accessible to people with disabilities, unless that would not be practicable, would be too expensive or would cause an unreasonable delay.

This legislation is supported by a number of documents which have been issued by the Disability Authority, which again is a matter for the Minister for Justice and Equality. These include a code of practice issued in 2008 and a guidance document issued in 2012. The guidance document is available on the OGP website in order that staff involved in carrying out and managing the procurement of goods and services are aware of their responsibilities.

The Disability Authority has pointed to the benefits of increased accessibility for people with disabilities that can be brought about by public procurement. The Government endorses this important way of maximising social inclusion and we will be working ever more closely to achieve those objectives.

Deputy Mary Lou McDonald: I thank the Minister. The reason for raising the issue is that, as I hope we can agree, issues pertaining to disability and persons with disabilities are far too often marginal or peripheral to mainstream debate, and we need to change that. It stands to reason that the State, in particular the Government in office, through all its actions, including procurement policies and processes, needs to lead from the front. I would like the Minister to be more specific rather than say the Government endorses this approach. I know there are guidelines in place, but what oversight is there of these guidelines? In what instances have those guidelines fallen and what action has been taken to remediate that and to ensure we do not

just have good guidelines and legislation but also have good practice?

Deputy Brendan Howlin: I agree with much of what the Deputy has said. When talking about any issue, we need to ensure we are inclusive. My good friend and colleague, now Uachtarán na hÉireann, always talked about vindicating citizenship to ensure everybody can exercise full citizenship, regardless of disability, gender, sexual orientation or anything else. This is important. I agree entirely with the Deputy that we need to talk about these issues in a mainstream way.

In terms of specifics, it is not simply a matter of saying we support guidelines. For example, in the context of accessibility to facilities for people with disabilities, guidelines are set out in Part M of the building regulations and, as a matter of law, people constructing buildings must have regard to them. Drawing and technical specifications describing the buildings must have regard to these regulations and be designed to ensure there is full access. A certificate attesting compliance with the regulations must also be submitted prior to the commencement of works.

Deputy Mary Lou McDonald: I am aware of that, but for all that, we meet people with a disability, specifically people who use a wheelchair, who tell us their experience is not of an accessible city, town or services. I hope in the course of the next general election they will spell out specifically the inaccessible nature of many facilities. While it is not under the Minister's remit, I could provide the example of one of the big complaints in the city of Dublin, namely, the issue of access to taxis. This falls within the remit of transport, but is outside the remit of the Minister because taxis are privately run.

In the review of matters as we come to the end of the Minister's time in government and as we prepare for an election and, one hopes, a new government, this issue needs to be central. We need to take actions that impress upon public bodies, buyers and providers of services that the law and regulations must be enforced ambitiously and generously in a spirit of citizenship.

Deputy Brendan Howlin: Again, I do not disagree with the Deputy. We need to ensure the regulations are policed and that people comply with them. However, I go further than that. It is not a matter for "us" to ensure "they" are looked after. We need to be inclusive. That is why, for example, the Office of Government Procurement councils dealing with purchases - the Deputy mentioned fleet and transport - include a member of the Irish Wheelchair Association. This member is there specifically to ensure these measures are not peripheral or part of a checklist but an integral part of the procurement process. We need to transfer this process across the system to ensure people with disabilities are fully represented in decision-making. They should not just be outside advisors but be at the heart of decision-making on matters that affect them directly.

Public Procurement Contracts

58. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the impact on Irish small and medium enterprises of the tendering process for Government contracts, which favours big businesses; and if he will make a statement on the matter. [1940/16]

Deputy Clare Daly: This question follows on from points made by Deputies Wallace and McDonald earlier about the procurement process. The Government spends billions annually on goods and services and in capital expenditure. I note the Minister said in response to the other

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Deputies that he is aware there are problems and that he is working on the issues, but that will be too late for many small businesses because of the bias that exists currently towards big business. What assessment has the Minister carried out to look at the scale of this?

Deputy Brendan Howlin: I reject that there is any bias towards big business. If there were, it would be unlawful under both domestic and European law. I advise the Deputy, if she has any information relating to manifest bias in that regard, to notify the Garda as a matter of urgency.

As the Deputy knows, public procurement is governed by European and national rules. The aim of the system is to procure open, competitive and non-discriminatory procurement. Most Deputies in the House who spoke on this issue today indicated that the establishment of the Office of Government Procurement, OGP, is a breath of fresh air. It is the first time we have real data and that we know who is buying what and at what cost. We know the criteria in place. I have said to people who ask similar questions that of course there is room for improvement. For example, we are examining the entire procurement process all the time and the tender advisory service will be reviewed next month to ensure that any complaints that have been received will be fully acted on. As I indicated to the House previously, 27 complaints have been received to date. Concerns from any small firms will be addressed and real capacity will be given to the small and medium enterprise, SME, sector to ensure it can win public contracts. Two thirds of public contracts are already won by the SME sector and the overwhelming majority of contracts, in volume and in monetary value, are won by companies within this State.

That is all good but of course we can do better. Having a transparent and open State process with which people can interact will be an enormous step forward. As I stated to other Deputies, I hope to be in a position to bring legislation before the House to establish the OGP on a statutory basis. We can address these matters in some detail when we look at that.

Deputy Clare Daly: The Minister knows well there are major problems in this area and the bias, although not specific, comes from the manner in which the contracts are constructed and the reality, as a result, is that small and micro-businesses end up being unfairly disadvantaged. The proof is that Irish manufacturers which may have previously made uniforms for State services or provided school books and so on - businesses that have operated for decades - are no longer there. Much of the business has gone to international corporations.

The Minister is, frankly, wrong in saying that 66% of public service expenditure is with SMEs. That is not correct. The reality is that 97% of Ireland's small businesses have fewer than 40 employees. The Minister, for the purpose of this issue, counts an SME as a company with up to 250 employees. That is not a small or a medium-sized business. There are problems and small and medium-sized businesses have indicated that these relate to the manner in which contracts are constructed. The idea of saying to companies to get together and pretend they are one big company will not work for companies that naturally compete with each other. How come other countries can organise contracts to benefit their own types of businesses? For example, in Germany, all their trains are made by Siemens. Why is it that we cannot organise our contracts in Ireland to benefit the types of companies that are predominant here, which are small and medium businesses?

Deputy Brendan Howlin: I do not believe we build trains in Ireland. There is a European definition for SMEs and for comparative reasons, we subscribe to that. Micro-businesses have up to ten employees, small businesses have up to 50 employees, medium-sized businesses have up to 250 employees and larger companies have more than 250 people. Under the SME defini-

tion, two thirds of the goods and services tendered for are won by SMEs in the State. We cannot discriminate against larger companies. If a company in Ireland employs 200 or 250 people, should it be excluded from potentially winning State contracts? Is there some sort of magic number? Is it 50, so if a company has 51 employees, it cannot get a State contract? That would be a ludicrous proposal.

The Deputy referred to the publication of books. I looked at what happened before we had the centralised Office of Government Procurement and individual schools were tendering for books. The same company was supplying the same products to a variety of schools at different costs. We must have some regard to value for money for the taxpayer; that discipline must be brought to play in a transparent fashion in the OGP process. I have said that of course there is room for improvement and it is something on which we will continue to work.

Deputy Clare Daly: What we see is really neoliberalism unleashed. The centralisation of these-----

Deputy Brendan Howlin: That is meaningless gobbledygook.

Deputy Clare Daly: If the Minister buttoned it for a bit, he might listen. The centralisation of these contracts has resulted in the *de facto* exclusion of small and medium-sized businesses. That is a fact. These are the employers that make up the majority of employment prospects for Irish citizens. The point I am making is that other EU countries have managed EU rules to protect their own employers.

Deputy Brendan Howlin: Like that small company called Siemens.

Deputy Clare Daly: The Minister has been found wanting and with the Government imposing a turnover limit on companies, the European Commission has found that it wrongly excluded SMEs from competing, for example, for the Eircom contract. Businesses are arguing that many of them cannot tender for the work; large companies are tendering but the actual work is contracted out afterwards. That the Government has not carried out a comprehensive analysis on the companies that were there before it came to office but which are no longer there is a failure to inform the debate.

Deputy Brendan Howlin: I notice that the SME the Deputy instances in Germany is Siemens, a tiny little company with hundreds of thousands of employees. It is hardly the typical SME-----

Deputy Mary Lou McDonald: Just answer the question.

Deputy Brendan Howlin: -----that we want to win contracts. As I have stated, we have facilitated all SMEs in the State in fully involving themselves in the tendering process. We have “meet the buyers” processes and there are seminars with potential employers. There is a website and we give training on tendering. That is absolutely new and it never before happened with State procurement until the Office of Government Procurement was established. Virtually everybody in the House, except the Deputy asking the current question, has welcomed the OGP. She probably wants to go back to the position where we did not know who was buying what or at what cost.

Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Jonathan O'Brien - the chronic lack of places in autism spectrum disorder-specific special classes in post-primary schools; (2) Deputy Noel Harrington - compensation measures for the inshore fishing fleet due to prolonged adverse weather conditions; (3) Deputy Gabrielle McFadden - the need for the Minister for Defence to review the protocols for deploying defence personnel to assist local authorities in the event of extreme weather, such as the recent flooding in Athlone and in other areas around the country; (4) Deputy Gerry Adams - the ongoing eviction of up to 70 people from a halting site at Woodland Park in Dundalk in County Louth; (5) Deputy Michael Fitzmaurice - protocols for the deployment of defence personnel to aid the local authorities in the case of an extreme weather events; (6) Deputy Denis Naughten - protocols for the deployment of defence personnel to aid the local authorities in the case of extreme weather events; (7) Deputy Paul J. Connaughton - the operation of and the difficulties with the young farmer scheme; (8) Deputy Dara Calleary - the restoration of Delivering Equality of Opportunity in Schools status to Coláiste Pobal Acla and the review of the scheme; (9) Deputy Derek Keating - funding for St. Mary's girls' national school in Lucan, County Dublin, under the school capital building programme; (10) Deputy Dessie Ellis - the number of people in emergency accommodation and recent allegations of under-reporting; (11) Deputy Billy Kelleher - the prioritisation of funding for the north ring road in Cork City; (12) Deputy Colm Keaveney - open disclosure in the medical profession; (13) Deputies Clare Daly and Mick Wallace - the ability of the Garda Síochána Ombudsman Commission and An Garda Síochána to access the phone records of citizens including journalists; (14) Deputy Timmy Dooley - the rising costs of motor insurance and its unaffordability for many individuals; and (15) Deputy Barry Cowen - the spiralling increase in homelessness among families with children.

The matters raised by Deputies Derek Keating, Jonathan O'Brien, Billy Kelleher and Clare Daly and Mick Wallace have been selected for discussion.

Leaders' Questions

Deputy Micheál Martin: The appalling human impact of the homelessness crisis was revealed on RTE last night in "My Homeless Family". The unacceptable impact on families and children in particular was laid bare in this city and across the country. The programme was made possible by the bravery and dignity of the three families involved. There was Erica and her daughter; Sandra and Brendan; and Melissa. With great courage and dignity, they revealed the depressing and very dangerous nature and reality of homelessness in Ireland, particularly the reality of emergency accommodation in commercial hotels and unacceptable bedsits across the country. They put a brave human face on the statistics and anybody watching would have been truly shocked by what was revealed in that reality. It offends any sense of common decency and represents a defining indictment of the Government's neglect and misguided policies on this issue over the past number of years that have allowed this national emergency to develop. Over the past three years, the Government has been warned repeatedly by all the non-governmental organisations dealing with homelessness, from the Peter McVerry Trust to the Simon Community to Threshold to Focus Ireland, that its policies were wrong and that the crisis was escalating. In 2012, we were looking at eight new families on average becoming homeless

per month. This increased to 40 families per month in 2014 and between 65 to 75 families per month in the first half of 2015 - about three per day - with nothing being done.

In 2012, the Government sowed the seeds of this crisis by putting limits on rent supplement. We saw that last night. One of the families was driven into homelessness because rent supplement lagged so far behind the market rents. There has been an explosion of rents in Dublin and throughout the country in recent years.

The number of vacant houses lying idle is still 3,000. There is no urgency to get them filled by families who should not be in hotels but in those houses. At budget time, the Minister for Finance announced that NAMA was going to build 20,000 houses, only 2,000 of which were to be local authority houses. He should have insisted that 10,000 houses from NAMA would be social houses and instructed NAMA to do so. NAMA sold a massive number of properties to vulture funds but there is nothing for social housing in its construction plan.

Did the Taoiseach see the programme? Is he ashamed of the fact that well over 1,500 children are in emergency accommodation of the type we saw last night in the RTE programme? Will he change policy on rent supplement, which would be a practical move? Threshold told the Government that its policy on rent supplement is driving vulnerable families into homelessness. Will he change that policy? Will he instruct NAMA to at least implement a 50-50 split and build 10,000 social houses out of the 20,000 it says it will build? Will he move to eliminate the scandal of local authority houses lying idle while the nation must watch vulnerable families stay in hotel accommodation for well over a year and two years in some cases?

The Taoiseach: I thank Deputy Martin for his question. Obviously, the stories of Emily, Ryan, Preston and Parker are not the kind of stories one wants to see on television or indeed hear about. The reason for the real problem with housing is the total collapse of the construction sector just a few years ago, which was the most severely impacted sector and which is taking the longest to get back on its feet, as it were. A total of 123 complaints were received about emergency accommodation. I understand that all these complaints were dealt with appropriately.

Not for the first time, Deputy Martin mentioned the question of increasing rent supplement. The real problem is the supply of houses. Increasing rent supplement would only exacerbate the pressure on the existing housing stock. I have been through this with Deputy Martin before. He is aware that under the tenancy-specific agreement, where a landlord pressurises a tenant to leave, the facility exists between the Department of Social Protection and the tenant and landlord to deal with that kind of issue. A total of 5,800 families were assisted under that scheme in 2015. A total of 6,000 families were helped by the housing assistance payment, HAP, programme in 2015. These are people who are under pressure but who are working. The assistance given to them allowed them to remain in their homes.

A total of 300 sites throughout the country are being worked on and are in various stages of construction. The Deputy is aware that more than €3 billion has been provided by the Government for social housing between now and 2021. Targets and moneys have been given to every council which have been told to get on with it. The Deputy is aware of the changes in the regulations issued by the Minister for the Environment, Community and Local Government and the Minister of State at the same Department. A total of 2,000 people were assisted last year, mostly in Dublin, in respect of voided buildings that have been brought back into proper condition for people to live in. They were more immediate requirements to deal with the exist-

ing stock of apartments or houses that needed to be reconstructed. This is a significant number in itself. The next stage is for the local authorities who have been given the money, instructions and targets to get on with dealing with the supply of housing. This is all social housing. The private sector, NAMA and others will provide housing that will come on the market for those in the private housing sector. Obviously, the demand is increasing there as well because of the extent of the employment that has been created and that will be created.

I have not seen the programme but I have heard the comments and read the reports about it. This is not acceptable. I commend the people who spoke out. Obviously, they tell their story very clearly but I must say that the actions being taken by the Government in having 5,800 families assisted through the supplementary allowance scheme, 6,000 families helped last year by the housing assistance payment, 300 sites being worked on in various locations throughout the country and 2,000 taken off the housing list last year speak for themselves in respect of the extent of the challenge and how the Government has had to rebuild a construction sector that had collapsed entirely.

Deputy Micheál Martin: The reason given by the Taoiseach is not the reason. He allowed this crisis to escalate. He allowed it to become the full-blown national emergency it is. I gave him the figures. Eight families on average per month were becoming homeless in 2012, 40 per month in 2014 and 75 per month in 2015. A total of 90 families became homeless during one month last year. This is nearly three families per day becoming homeless. The Taoiseach kept on throwing out figures that mean nothing to anybody. Twelve local authorities did not build a single social house last year and they built 1,400 in five years. This could not put any dent in any social housing list. The Government cannot even get modular houses built. They were announced with a fanfare three or four months ago but, again, nothing has happened.

The Government stands indicted on rent supplement.

An Ceann Comhairle: Will the Deputy put his question?

Deputy Micheál Martin: In December 2014, Bob Jordan from Threshold said, "...keeping Rent Supplement limits below market rents has done nothing to dampen rent increases. All it has done is drive vulnerable families into homelessness." These are people at the coalface who told the Government years ago that the rent supplement changes in 2012 introduced by the Tánaiste were wrong.

An Ceann Comhairle: Could the Deputy put his question?

Deputy Micheál Martin: She got it wrong. She saved €55 million by doing it, the worst €55 million ever saved in any Estimate because it drove vulnerable families out of the rental market and into homelessness.

An Ceann Comhairle: Will the Deputy please co-operate with the Chair and put his question?

Deputy Micheál Martin: That is why we have the escalating spectacle of families with children in commercial hotels with all the difficulties and challenges this entails. I am not the only person saying this. Every organisation at the coalface has repeatedly asked the Taoiseach and the Tánaiste to change their position on rent supplement and they have not done so. I also asked the Taoiseach, who might come back to me on it, because he did not answer the question when I first asked it-----

An Ceann Comhairle: Will the Deputy put his question? We are way over time.

Deputy Micheál Martin: Will the Taoiseach now change tack on NAMA and instruct it that a minimum of 10,000 houses out of the 20,000 houses it is to build should be social housing of one form or another because it has a social remit?

The Taoiseach: Deputy Martin says that figures do not mean anything to him, that they are meaningless. For his information, 5,800 families received a supplementary allowance increase last year under the tenancy scheme introduced by the Tánaiste and Minister for Social Protection. A total of 6,000 families were helped under the housing assistance payment. A total of 300 sites are being built on at the moment.

Deputy Micheál Martin: The Government changed the scheme.

The Taoiseach: There are 300 sites being built on and 2,000 people were taken off the housing list by being re-accommodated in places that were voided and neglected and not habitable.

Deputy Willie O’Dea: The Government has only changed the name of the scheme.

Deputy Barry Cowen: How many went on it?

Deputy Richard Boyd Barrett: They have been recategorised.

Deputy Barry Cowen: How many went on it in the past five years?

An Ceann Comhairle: Would the Deputy hold on a second. Is he the Leader here? Has he taken over the leadership?

The Taoiseach: Deputy Martin does not want to recognise the fact.

Deputy Micheál Martin: I do but I do not like meeting families who have spent Christmas in hotels. I just do not like meeting them and I have met them. Of course I want to recognise it and get them out of hotels.

The Taoiseach: The Deputy does not want to recognise the fact that the construction sector collapsed completely and has had to be rebuilt from the ground up. It is literally taking the longest of all the sectors to recover. Everybody admits that.

Deputy Micheál Martin: The Taoiseach does not get it.

Deputy Timmy Dooley: Where is Deputy Alan Kelly in all of this? Is he playing footsie with Delaney?

The Taoiseach: The Exchequer spend here is up to €70 million, a 56% increase on what it used to be. I have given Deputy Martin the figures.

Deputy Willie O’Dea: The Taoiseach said he would do it last year.

The Taoiseach: He mentioned modular housing. Yes, the Government did commit to building 500 units of modular housing, warm, comfortable and easily built, the first 150 to be delivered here in Dublin but there were objections to the first ones being built. There are a further 350 to come on stream.

Deputy Micheál Martin: We told the Taoiseach that would happen.

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The Taoiseach: These are areas where the Government has a serious programme and is following it. Yes, it is catch-up but it is catching up.

Deputy Finian McGrath: It is going nowhere.

The Taoiseach: I do not like to see a situation where people are in those circumstances.

Deputy Willie O’Dea: It is going nowhere.

Deputy Finian McGrath: It is going nowhere in a hurry.

Deputy Gerry Adams: I have raised the issue of homelessness with the Taoiseach many times. Each time I have done so the Taoiseach has repeated the mantra that the Government is addressing this crisis and that it is a priority. That is patently untrue. In the first three quarters of 2015 only a grand total of 28 local authority homes was built, and none in my constituency at a time when children are spending their formative years in hotel rooms.

Last night on RTÉ the stark reality of families living in chaos in emergency accommodation was highlighted and quite rightly has drawn widespread condemnation and outright disgust. The Taoiseach says it is not acceptable that emergency accommodation for homeless families is not fit for purpose but what about the fact that they are in emergency accommodation in the first place? Is that not also unacceptable? The figures do not lie. There are 5,100 citizens in homeless accommodation, including 1,638 children.

No doubt some of these children will read the 1916 Proclamation in their classrooms during this centenary year. What will it mean to them? What does it mean to the Taoiseach and to his Government? He would rather cherish all the bankers equally than all the children of the nation. He would rather have United States style tax cuts for the wealthy than help those in need of a home. Will the Taoiseach acknowledge that homelessness is a consequence, a result, of Government policy? He had choices to make and made the wrong ones. Will he at least acknowledge that?

The Taoiseach: I acknowledge that the Government inherited an unprecedented situation where among other sectors the housing construction sector had collapsed completely. I acknowledge that the Government has put in place a clear plan and strategy and put money on the table to deal with that. I have given Deputy Adams’s colleague in opposition the figures that apply to the last period.

In terms of direct build local authorities, the chief executives and their staff have been given money, targets and objectives, and told to get on with it. We need to see the blocks and concrete and houses emerging from the 300 sites at various stages of development all around the country. I will send the Deputy the details for his information.

Deputy Gerry Adams: I do not need the Taoiseach to do that.

The Taoiseach: I will send them to him, whether he reads them or not.

Deputy Jonathan O’Brien: He said he did not need it.

Deputy Willie O’Dea: Unsolicited junk mail.

The Taoiseach: We have also worked with the representative bodies for the approved housing body sector, that is the Irish Council for Social Housing and the National Association of

Building Co-Operatives, and both are members of the oversight group. The 18 local authority areas supported 6,000 families in the housing assistance programme, HAP. A site selection process is under way for the first bundle of public private partnership, PPP, houses comprising six sites to provide 500 houses in the greater Dublin area. That will add to the situation.

The Dublin Region Homeless Executive, DRHE, confirmed that 175 additional beds will be available on an emergency basis throughout the winter. I am glad that all of the agencies get extensive support from central funds. Together with Dublin City Council and its personnel, we were able to deal to the best extent possible with rough sleepers and homelessness on the streets this Christmas. That needs to continue for the spell of cold weather that may lie ahead. I do not know whether the Deputy visited the 100 bed facility, Bru Aimsir, that opened in Dublin 8 but it was a very welcome addition to the stock of beds available for rough sleepers, properly assessed, minded, cared for and there is further scope there if that is required. That, together with the Merchants Quay night café and other facilities for rough sleepers in Dublin, has meant that nobody should be on the streets who does not want to be on the streets.

The Government took as a priority dealing with the immediate issues that it could deal with, returning buildings that were neglected or voided to a habitable status. The facilities brought in by HAP and the supplementary increase under the tenancy emergency scheme have made a significant difference to thousands of families but the real problem is dealing with supply. That is now in hand, not just in the greater Dublin area but throughout the country and there is money on the table and an objective set of directions given.

Deputy Gerry Adams: The Taoiseach knows as well as I do that politics is a matter of political choices. He made his choice for the first four years of his Government. Of course it did inherit a bad situation from Fianna Fáil and the Green Party but it did not build social and affordable housing. In 2015 family homelessness rose by 93%. It has doubled in one year on the Taoiseach's watch. Those figures do not include the hidden homeless. The Taoiseach tried to rationalise a moment ago how these issues arise. Cathy, who is a constituent of mine, is forced to sleep on a couch in an overcrowded house. She has a job but she cannot afford to pay rent. She is one of many people not officially classed as homeless.

The Democratic Programme of the First Dáil states: "It shall be the first duty of the Government of the Republic to make provision for the physical, mental and spiritual well-being of the children, to secure that no child shall suffer hunger or cold from lack of food, clothing, or shelter". The Taoiseach does not believe that. That is his political choice. He says he will now deal with the issue. Is that not strange weeks out from an election? He is now going to deal with it, yet another election promise. Too little, too late.

He says he did not have the money for homes but he had €64 billion for bankers. He should consider how much even a fraction of that €64 billion would have contributed to avoiding this crisis or to rectifying it. The Taoiseach's time is up. He has run his race but before he goes why does he not explain to the citizens why he did not spend even a fraction of that €64 billion on dealing with the issue of homes for citizens instead of giving it to the banks?

The Taoiseach: I thank Deputy Adams for that. Obviously, given the mess that the Government inherited the question of taxpayers' money going into banks was of critical importance. Over €30 billion was lost and wasted by the previous Administration. The remaining €30 billion will be recovered by the taxpayer in full over the next period of time. That crowd there did all of that, wasted and lost it.

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Deputy Gerry Adams: What about the Taoiseach's crowd?

The Taoiseach: Deputy Adams legitimately asked on many occasions was this Government going to continue to pay €3 billion in interest rates every year for Anglo Irish Bank.

Deputy Mary Lou McDonald: Cue the promissory note.

The Taoiseach: He asked the question for months. That was not part of the programme this Government implemented because we did a different deal with the European Central Bank. However, we were told only recently that this was a follow on, implementing the previous administration's catastrophic position.

Deputy Gerry Adams: Answer the question, Taoiseach.

The Taoiseach: Yes, I will answer the question.

An Ceann Comhairle: We are over time.

The Taoiseach: I am telling the Deputy that of the €64 billion, half is gone forever. The other half put in by this Government in restructured banks will be recovered by the taxpayer in full over the period of time ahead. The target for 2016 is to deliver 17,000 units of social housing, which is double what was going on before. That is in addition to a return to use of voided units, places that were not finished and which were neglected.

Other issues, including the housing assistance programme and the supplementary increase under the tenancy scheme, are all of assistance to thousands of families. I admit that we do not have social housing for everybody.

Deputy Gerry Adams: It cannot be otherwise.

The Taoiseach: However, because of the increase in employment and the fact that our economy is growing, we have been able to put €3 billion on the table between now and 2020 specifically for social housing. In addition, the Minister has given instructions and directions to the local authorities in respect of the money, the target and the housing programme to be delivered and has asked them to get on with it. We were not able to do that when we did not have an economy to invest in those kind of facilities.

Deputy Jonathan O'Brien: Get on and call the election, will you?

An Ceann Comhairle: Please. We are over time.

The Taoiseach: Having served on a local authority for years, I would be the first to say to Deputy Adams that people deserve an opportunity to have a house.

Deputy Jonathan O'Brien: The Taoiseach will not even use the word "crisis".

The Taoiseach: We cannot do it unless we deal with the supply of housing. That supply requires a facility and environment that will make it possible. One cannot do it unless one has an economy that drives that.

Deputy Mary Lou McDonald: The penny drops.

Deputy Micheál Martin: The Taoiseach is driving people into homelessness.

The Taoiseach: We now have a programme, a strategy and a clear plan to catch up given the neglect and collapse caused by the crowd that were in before. We will do it over the period ahead.

An Ceann Comhairle: I call Deputy Wallace.

(Interruptions).

Deputy Paul Kehoe: You stopped building.

An Ceann Comhairle: There is only one Deputy Wallace that I am aware of. Excuse me, Minister, would you mind? I have called Deputy Wallace.

Deputy Mick Wallace: Thank you, a Cheann Comhairle.

Deputy Willie O’Dea: You should be ashamed of yourselves.

An Ceann Comhairle: I am sorry. Would you stay quiet and allow Deputy Wallace to put his question?

Deputy Mick Wallace: Last night’s horrific programme has once again highlighted the Taoiseach’s incredible failure to deal with the housing problem. For him to blame the last Government, after he has been in office for five years, beggars belief. I am shocked that the Taoiseach is so out of touch with what is happening. I can honestly say that of all the things that have happened in the past five years, his failure to deal with the housing crisis has been incredible. It has been an unmitigated disaster all the way through. It has actually got worse instead of better. I have asked the Taoiseach several times why he will not put 10,000 of the 20,000 units that NAMA wants to build into local authority social housing to be run by the local authorities.

The Taoiseach says that everything is about supply. We could have an extra 100,000 houses in Ireland today but if they were not social and affordable houses, we would still have homelessness and we would still have people looking for houses. Of the 20,000 houses that NAMA is going to build, 18,000 are for the private sector, while 2,000 are for the social housing sector. That is a nine to one ratio. The Taoiseach’s priority is nine private houses and one social house. I would argue that the biggest problem of all with housing in Ireland today is the lack of safe local authority social housing. However, the Taoiseach is going to let NAMA build nine private houses to one social house. They will be sold for €300,000. Of the people in Ireland today who need to buy or rent a house, how many does the Taoiseach think will be able to afford to pay €300,000 which NAMA thinks will be the selling price?

An Ceann Comhairle: A question, please.

Deputy Mick Wallace: NAMA admitted that it is obliged to sell on the basis that they are commercial ventures designed to maximise the return to the Irish taxpayer on NAMA’s secured assets. This will not deal with the housing crisis, however.

An Ceann Comhairle: This is Question Time, so will the Deputy please put his question?

Deputy Mick Wallace: Will the Taoiseach change tack and put 10,000 of those units into social housing? It would make an incredible difference. If he were to do so, it would be the most dramatic thing that has been done for the housing problem in Ireland in the past five years.

The Taoiseach: Quite a number of local authorities actually refused houses that were of-

ferred to them by NAMA for whatever reasons.

(Interruptions).

Deputy Jonathan O'Brien: Do not even go down that road.

The Taoiseach: I am only making the point. The strategy that is laid out here, with money on the table provided by the Government, is to build 110,000 new social housing units through current and capital funding streams.

Deputy Micheál Martin: They are not social houses.

An Ceann Comhairle: Would the Deputy please stay quiet?

The Taoiseach: The programme contains €3 billion. As Deputy Wallace is well aware, local authorities have been instructed to get on with achieving their targets and objectives in order to meet this demand. In 2015, 13,000 social housing units were provided. That was an 86% increase on the 7,000 built back in 2014.

A Deputy: They will not vote Fine Gael anyway.

An Ceann Comhairle: Will you stay quiet for goodness sake?

The Taoiseach: The target for this year is 17,000. As I told the Deputy, 2,000 were taken off the housing list last year. Some 6,000 were helped through the housing assistance programme and another 5,800 were helped through the increase in rent supplement under the tenancy agreement. Therefore, local authorities, which used to build lots of houses, have been given clear instructions and money to build social housing for people in every local authority area.

It is not possible, as the Deputy knows as a builder himself, to provide these things overnight and there is a process to be gone through. We have short-circuited that in many respects. The Minister has recently changed the process again to make it easier for local authorities to get on with building housing units where there are fewer than 15 involved. The money is on the table to provide social housing for thousands of people and not have a situation like we saw last night on the television.

(Interruptions).

An Ceann Comhairle: Deputy Martin should have a bit of courtesy. He was five minutes over his time. I call Deputy Wallace.

Deputy Micheál Martin: I am always courteous to Deputy Wallace. He tolerates my excesses.

An Ceann Comhairle: Then just stay quiet and lead your troops by example.

Deputy Mick Wallace: The Taoiseach says that he cannot provide houses overnight and he is right but he could have provided them in five years. He had five years to do it but he has not done so. The Taoiseach is talking about local authorities that did not take up units offered to them by NAMA. Has it dawned on him that those units were the most unsuitable on the island of Ireland?

An Ceann Comhairle: This is question time. The Deputy should put questions and not

make speeches.

Deputy Mick Wallace: The attractive units that should have been going to social housing were sold to US investment funds at half the price it cost to build them. Why did this Government allow NAMA to sell units for half the price it cost to build them? That does not make any sense to me. One may ask how does one know the price of this or that but there is a value on everything.

An Ceann Comhairle: A question, please.

Deputy Mick Wallace: The value is the cost of putting it there on a given day. NAMA has on a regular basis sold stuff for half the price it cost to build it. US investment funds-----

An Ceann Comhairle: Will the Deputy put his question? He is over time.

Deputy Mick Wallace: Can the Taoiseach explain why NAMA chose to sell stock of residential units for half what it cost to build them? The Taoiseach said he could not have produced units overnight. He could not have done so but he could have produced them over five years. These were units that were built ready to use. He was able to take Westport House out of NAMA. People were able to buy their way out of Project Eagle. Why did the Taoiseach not take the residential units out of Project Arrow?

An Ceann Comhairle: Please resume your seat. I call the Taoiseach.

Deputy Mick Wallace: I do not understand why he did not. They were already built and he would not have had to wait for them to be built. Instead they were given away for half what it cost to build them. Will the Taoiseach please explain that to me?

Deputy Micheál Martin: There is no logic to it.

The Taoiseach: I am not sure if Deputy Wallace has ever engaged with people who are looking for social housing but they want it close to where they are now. I did not comment on the suitability or otherwise of the NAMA offerings that were made to local authorities. I know from engagement that when people look for a social house, they want it to be close to where they are now, given their family connections or whatever else. The Government set out to address a deplorable situation and the first measure was to reconstruct buildings in which people could not live to make them habitable. Some 2,000 such buildings have now been dealt with.

The second measure was to deal with an emergency where rents were being increased by landlords and people were being forced out. A tenancy arrangement was introduced and is helping 5,800 families. The housing assistance programme, in circumstances where people going back to work were losing all of their benefits, was changed such that it now tapers off. A total of 6,000 families have been involved in it. Some 2,000 families were taken off housing lists last year.

In 2013 there were 89,872 households on the social housing assessment list. The majority, 46,500, were found to be dependent on rent supplement. The results speak for themselves. The list contained more than 2,000 duplicates from one year to the other, and perhaps multiple applications. It is not as easy as the Deputy might think to say to someone living Dublin, Balinasloe or Athlone, "I have a social house for you, but it is in Drogheda."

Deputy Clare Daly: The Taoiseach is the only one who is saying that.

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Deputy Micheál Martin: The Taoiseach is the only guy who is saying it.

Deputy Sean Fleming: The Taoiseach and NAMA are saying it.

The Taoiseach: People are entitled-----

An Ceann Comhairle: I am sorry, Taoiseach, but we are three minutes over time.

The Taoiseach: People are entitled to look for houses close to them.

An Ceann Comhairle: Will the Taoiseach please adhere to the Chair's ruling?

Deputy Sean Fleming: Who does the Taoiseach think is saying that? Who is responsible?

The Taoiseach: Each council has been given its objectives and targets and money. They have been told to get on with building social housing.

Deputy Clare Daly: It is all their fault. The Taoiseach is in a bunker.

The Taoiseach: One targets 110,000. NAMA has a different remit.

Deputy Barry Cowen: The Government is falling apart - the last laugh.

Ceisteanna - Questions (Resumed)

Taoiseach's Meetings and Engagements

1. **Deputy Micheál Martin** asked the Taoiseach if he received a call from Chancellor Merkel of Germany on the European transmissions directive; and if he will make a statement on the matter. [33920/15]

The Taoiseach: I have not received any such call in recent times. However, during the Irish Presidency of the Council of the European Union in 2013 I had an extensive range of contacts with and calls from Heads of State or Government or Presidents of EU Institutions regarding the business of the day. In that context, Chancellor Merkel contacted me directly to emphasise Germany's views on proposals on CO2 vehicle emissions standards which were under negotiation between the Council and the European Parliament at the time. The points she made to me were also being pursued by German representatives in Brussels. I ensured her views were passed on to those directly engaged in the negotiations on our side at the time.

Deputy Micheál Martin: This is a very serious issue. The Taoiseach has been reported as having been involved in lobbying with Chancellor Merkel in working to delay cuts to car carbon dioxide targets. This is happening in tandem with the Volkswagen scandal that emerged when vehicular emissions were deliberately misrepresented to the public and it turned out that there had been interference with and manipulation of vehicles to give false readings. We know that German Governments have had very close ties with Volkswagen. The last President of Germany, the previous Chancellor and the current Deputy Chancellor have all held seats on Volkswagen's board. *The New York Times* has reported that the Taoiseach actually lobbied on behalf of the Chancellor for Germany's car makers in order to have the directive watered down until, I believe, 2021. The Taoiseach worked with Chancellor Merkel in 2013 to press Brussels

to overturn an agreement on cutting emissions and postponing some regulations until 2021. Why would he do this? Volkswagen is now recalling 80,000 cars sold in Ireland following revelations of emissions test cheating. I know that the German Government might have considerable influence over the Taoiseach and that the German Chancellor has considerable influence over him. However, it is going too far for her to lobby the head of the Irish Government with a view to diluting and delaying a very important directive that goes to the heart of public health and people's well-being in terms of air quality.

The Taoiseach used a strange phrase in his reply to me and I did not quite pick it up. He said he had ensured her views were passed on to those who were making the decision. Is that correct? That means that he actually spoke to those who were making decisions on behalf of Chancellor Merkel. It is very nice diplomatic parliamentary language. However, calling a spade a spade, it seems the Taoiseach reacted sympathetically to the Chancellor and lobbied on her behalf, which was the wrong thing to do. It is scandalous and he should be clear on what transpired. There is a huge scandal around Volkswagen and the manipulation of the emissions tests which undermines public health to a frightening degree. It was reported during the week that one of the top risks to public health was air quality, much of which is related to the automotive industry. There have been attempts during the years to improve the quality of emissions and reduce the harmful ingredients in car emissions and so on. For the life of me, I do not know why the Taoiseach would not have told Chancellor Merkel: "I am not passing this on to anybody. We actually think this is the right thing to do. The directive should be implemented. The industry is lobbying, but, Chancellor, the cutting of emissions through the agreement arrived at among the Heads of State in Europe is good for the public."

Am I correct in saying the Taoiseach worked with Chancellor Merkel to have the regulations and agreement on car carbon dioxide targets put back to 2021 and have them diluted? This has come about from the Volkswagen scandal. The Taoiseach's lobbying role has been reported in *The New York Times*. He needs to be far more clear than the language used in his reply suggests.

The Taoiseach: I am not sure what is happening to the Deputy, but he seems to be keen to move into overdrive. I am not sure on what he bases his belief in respect of *The New York Times*. I do not know why he wants to believe *The New York Times* in the reports being issued here. He has made the comment that the German Chancellor had influence over the Taoiseach. That is not so and it is beneath the Deputy. As a former Minister for Foreign Affairs and Trade, he will appreciate that one engages with one's counterparts within the European Union and beyond on issues of national, international and global importance, as he did and rightly so.

4 o'clock

The main purpose of the proposed CO2 regulations on vehicle emissions standards was to confirm CO2 reduction targets for 2020 which had been provisionally agreed in 2008. During our Presidency of the Council in the first six months of 2013, a great deal of progress was made. The file in question was on the agenda for the last meeting of permanent representatives, COREPER, during Ireland's Presidency in June 2013 for the analysis of a provisional agreement which had been reached in the trilogue negotiations by the Irish Presidency with the Commission and the European Parliament. At that meeting some member states asked that a decision on the final negotiated compromise be postponed, as they needed more time to consider it.

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Given that the objective of any EU Presidency is to achieve the maximum possible consensus, we agreed with this. The measure was subsequently adopted later in 2013 under the Lithuanian Presidency. While it would have been a welcome achievement to have finalised the negotiations during our Presidency, it is normal for member states to ask for and be granted the time required to consider the outcome of complex negotiations carefully before giving their agreement. The time extension was sought primarily by Germany. It was also sought by Hungary, the Czech Republic and Slovakia. The matter was dealt with at the last meeting of COREPER, without it being placed on the agenda of the European Council which I had the privilege to attend with the President of the Council. It was signed off on subsequently by the Lithuanians.

This is a complex issue. Deputy Micheál Martin seeks to tie it with the Volkswagen scandal in the United States and wants to lump Ireland in as a party to it. That is beneath him. The recent Volkswagen disclosure relates to falsifying pollution emission test results for some models of VW diesel cars with 1.2, 1.6 and 2 litre engines. These vehicles, as the Deputy knows well, were fitted with sensor or software-defeat devices which recognised when a vehicle was being tested and then reduced emissions accordingly. That is illegal under European law. The Deputy is now suggesting that, through a telephone call to me about normal business from the German Chancellor, we were subsequently involved in some illegal scam. That is also beneath him.

This issue relates solely to pollutants emitted from vehicles, primarily nitrogen oxide emissions. The relevant legislation covering diesel engines, the Euro 5/6 regulation of 2007, specifies emissions limits for all important toxic complete pollutants. The Volkswagen fraud concerns nitrogen oxide emissions from diesel cars and as such is not directly related to the emissions standards directive agreed to in 2013 which covers carbon dioxide emissions and different matters. Carbon dioxide emissions are directly relevant to climate change, which is why efforts were made to reduce emissions, including those from transport. Nitrogen oxide emissions, while also climate-related, are primarily of concern because of their impact on human health.

The manipulation by Volkswagen of data for the level of harmful nitrogen oxide emissions in diesel cars is estimated to affect over 100,000 vehicles in this country. Initial concerns about unexplained inconsistencies related to petrol engines which could have affected carbon dioxide emissions from approximately 9,000 cars have been found not to be valid. The falsifying of emissions data is an extremely serious matter and is being investigated and followed up at European level, with investigations led by the anti-fraud squad of the European Commission and the European Parliament. The Commission is also taking a co-ordinating role in investigations at national level by member states. In Ireland several Departments and Government agencies are actively involved, including the Department of the Environment, Community and Local Government; Transport, Tourism and Sport; Jobs, Enterprise and Innovation; the Road Safety Authority and the National Standards Association of Ireland.

In the case of cars affected by the manipulation of nitrogen oxide emissions data, Volkswagen is planning to commence a programme of remedial recalls in January. This may require hardware changes in up to half of the cases involved and may take more than one year to complete. Where the emissions scandal was initially confined to cars in the Volkswagen Group, the German regulator, KBA, Kraftfahrt-Bundesamt, which has taken the lead on the issue at European level, has expanded its investigation into more than 50 models from other manufacturers, including BMW, Mercedes, Ford, Volvo and Nissan. Recent reports indicate that Renault may also be affected.

Although details are still unclear in terms of the scale of the impact as to whether the carbon dioxide tax band ratings of petrol cars will be affected, it is possible that there may be implications for car owners in the context of motor taxation. Volkswagen has written to the Minister for Finance, Deputy Michael Noonan, and other relevant Ministers, undertaking that additional taxes arising from fuel consumption in terms of carbon dioxide discrepancies will be settled by the company. Once the impacts are clear following the ongoing investigations, consideration will be given to whether any further action should be taken.

I want to make it clear to Deputy Micheál Martin that when I had the opportunity and privilege to host the EU Presidency, it was my duty and responsibility to deal with other leaders who might make calls or comments or deal with information. For the Deputy to suggest that, because we held Presidency, we suddenly lobbied on an issue that had been discussed by countries at COREPER is certainly beneath him. I did not think he would go that far. If that is what he wants to do in his kind of politics, he can keep at it, but I will have no hand, act or part in that sort of stuff.

Deputy Micheál Martin: Not half.

An Ceann Comhairle: I ask the Deputy to be very quick. We are now on this question for 14 minutes.

Deputy Micheál Martin: That is not my fault. I was quite brief in asking my question. The Taoiseach, as usual, went down a cul-de-sac on a separate issue to deliberately waste time, as he always does.

An Ceann Comhairle: The Deputy's question was about if the Taoiseach had received a call from the German Chancellor, Ms Merkel.

Deputy Micheál Martin: I asked the Taoiseach a straight question. Did he lobby on behalf of the German Government on the carbon dioxide issue? I did not make up *The New York Times* report.

The Taoiseach: Explain it.

Deputy Micheál Martin: *The New York Times* report reads:

In the summer and fall of 2013, Ms Merkel pressed Brussels and succeeded in overturning an already concluded agreement on cutting carbon dioxide emissions, postponing some regulations until 2021.

Ms Merkel was said at the time to have worked with Enda Kenny, the Irish prime minister, on the lobbying effort.

The Taoiseach is missing the point I am making about Volkswagen. I am not accusing him of having anything to do with Volkswagen. It is known, however, that German Governments have worked with industry. The Taoiseach knows damn well that industry lobbies hard and it was lobbying here. I am a former Minister for Foreign Affairs and Trade and I was also a Minister in other Departments. The German Government came to us to dilute nicotine levels in cigarettes and we refused.

An Ceann Comhairle: Will the Deputy, please, put his supplementary question, as there are other Deputies who wish to ask questions?

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Deputy Micheál Martin: Other countries also told them where to go. Sometimes principles have to be asserted in discussions such as this. The bottom line is that, even from the Taoiseach's replies, notwithstanding the long, convoluted cul-de-sac he went down, Germany essentially got its way in cutting carbon dioxide emissions and having the directive delayed.

An Ceann Comhairle: That was not the Deputy's question. The question was if the Taoiseach had received a call from the German Chancellor, Ms Merkel.

Deputy Micheál Martin: Yes and if he would make a statement on the matter.

An Ceann Comhairle: Will the Deputy, please, move on? Fifteen minutes have elapsed.

Deputy Micheál Martin: It would have been better if the Taoiseach had been far more forthcoming when he was asked in public about this issue because his Department had no comment to make on it. A more comprehensive response earlier would have been far more advisable. The critical point is that there is no question but that the German Chancellor was lobbying on behalf of the industry, an industry which had serious questions to answer in terms of its interest in ensuring public health. I will take no lectures from the Taoiseach on my right to put these questions in the interests of the public. Essentially, what happened was that the German Chancellor, Ms Merkel, lobbied on behalf of the car industry to delay important public health directives and the Taoiseach acquiesced.

An Ceann Comhairle: The Deputy made a statement. He should be very careful.

Deputy Micheál Martin: A statement is fine.

An Ceann Comhairle: The Deputy cannot make accusations against people which have already been denied.

The Taoiseach: Deputy Micheál Martin is perfectly entitled to ask any question here. That is his right as a public representative and the person who happens to be the leader of his party. However, I reject the assertion he has made.

Deputy Micheál Martin: Which one?

The Taoiseach: First, he said the German Chancellor had been lobbying. He then told me that I had been lobbying. He claims that essentially what she was doing was lobbying. I have already answered him. The matter was on the agenda for the final meeting of COREPER. An extension was sought and supported by Slovakia, the Czech Republic, Hungary and Germany.

Deputy Micheál Martin: Why was it sought?

The Taoiseach: Because there were only two full working days for countries to consider it.

Deputy Micheál Martin: That is not why it was sought. The Taoiseach knows the realities. Who does he think he is coddling?

The Taoiseach: Okay, the Deputy knows the answer.

An Ceann Comhairle: Will Deputy Micheál Martin, please, show the Chair some respect?

Deputy Micheál Martin: I am showing the Chair respect.

An Ceann Comhairle: The Deputy is not. He should speak through the Chair. Seventeen

minutes have already been spent on this question.

Deputy Micheál Martin: Who does the Taoiseach think he is coddling? Of course, it was lobbying.

The Taoiseach: If the Deputy will allow me to continue, I will answer his question.

An Ceann Comhairle: Will Deputy Micheál Martin, please, stop making accusations? This is Question Time.

Deputy Micheál Martin: It is Parliament.

An Ceann Comhairle: I am sorry, but there are other places in which to make accusations.

Deputy Micheál Martin: I am not making accusations; I am making serious points.

An Ceann Comhairle: I ask the Taoiseach to complete his reply to this question as I want to move on to Deputy Adams's question.

Deputy Micheál Martin: I am within my rights to make them in Parliament. I am within Standing Orders to say what I have said. I do not like my rights under Standing Orders to be undermined.

An Ceann Comhairle: It is not within Standing Orders for the Deputy to be making accusations against people and the Chair is obliged to protect all Members of this House.

The Taoiseach: The extension was sought by a number of countries - Slovakia, the Czech Republic, Hungary and Germany. Opposition to that was expressed by France and Italy, but when the agenda point was finally reached at the COREPER meeting, there was no objection and no opposition. There were two full working days for countries to consider the final text, as the final compromise was reached with the European Parliament on a Tuesday and the final endorsement was sought on the Friday of the same week, which was the last COREPER meeting of Ireland's Presidency.

I have clarified the distinction for Deputy Martin in respect of nitrogen oxide emissions and carbon dioxide emissions from cars and vans. Obviously it speaks for itself. I reject the Deputy's unwarranted assertion. It is beneath him to make that point.

Deputy Micheál Martin: Cop on, Taoiseach. He said it is beneath me - what is he talking about?

The Taoiseach: I am obliged, as one who held the Presidency of the Union, to engage and discuss this matter with all the other leaders. Here is the evidence of the discussions that took place not at the European Council but with the representatives of the permanent representatives of COREPER.

Deputy Micheál Martin: Who were instructed by government; they represent government.

The Taoiseach: Yes. I am telling the Deputy that countries sought an extension because of the very short time that was left to decide on this. It was not decided during Ireland's Presidency; it was decided and agreed during the Lithuanian Presidency. The Deputy should go back to *The New York Times* and have a discussion with his friends.

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Deputy Micheál Martin: I know how it works, and one looks after one's friends.

An Ceann Comhairle: We will move on to Question No. 2 in the same of Deputy Adams.

Taoiseach's Meetings and Engagements

2. **Deputy Gerry Adams** asked the Taoiseach if he will report on his meeting with the Prime Minister of India, Mr. Narendra Damodardas Modi; and if he will make a statement on the matter. [33922/15]

3. **Deputy Micheál Martin** asked the Taoiseach the status of his meeting with the Prime Minister of India, Mr. Narendra Damodardas Modi, on 23 September 2015; and if he will make a statement on the matter. [33968/15]

The Taoiseach: I propose to take Questions Nos. 2 and 3 together.

I was pleased to have the opportunity to hold official talks in Dublin the Indian Prime Minister, Narendra Modi, on 23 September of last year. The visit to Ireland formed part of a longer trip which included Prime Minister Modi's attendance at the UN General Assembly. I also travelled to attend the General Assembly and I recently reported details of that trip to the House.

Although the visit of Prime Minister Modi was relatively brief, it was nonetheless very significant, given the importance of our economic and political relationship and the fact that this was the first visit to Ireland by an Indian Prime Minister for almost 60 years. At the meeting I was accompanied by the Minister for Foreign Affairs and Trade, the Minister for Education and Skills, the Minister for Health and a number of officials.

Prime Minister Modi and I had a very positive and constructive discussion covering a number of bilateral issues. Ireland and India have historically enjoyed strong links, dating back as far as our respective independence movements. Our relationship today continues to be strong, extending beyond cultural links to include, among other things, trade, investment and education. During our meeting I reiterated an invitation to the President of India to make a state visit to Ireland.

On economic issues, Prime Minister Modi outlined his programme of economic reform and his government's aim of ensuring that India's economic progress continues and that development spreads throughout the country. I outlined the strength of Ireland's economic recovery and highlighted a number of areas where Irish companies could make important contributions to Indian needs, including in the areas of water technology, information and communications technology, ICT, and health care. Both Prime Minister Modi and I discussed the potential for increased investment in each other's countries. I welcomed the announcement of 110 new jobs in Dublin by Indian company, NIIT Technologies, on the day of the Prime Minister's visit. Since the visit we have also seen a significant jobs announcement by the Indian technology company, Infosys.

Education is an area of strong co-operation between Ireland and India. The Prime Minister mentioned his government's efforts to enhance the accessibility of education their - its "Digital India" campaign. I welcomed the increase in the number of Indian students studying in Ireland, which has nearly doubled since 2012. Both sides expressed the importance of continuing to expand these important linkages.

We discussed health care and specific proposals to ensure that medical internships carried out in India are recognised in the Irish system. These proposals will be addressed in the Health (Miscellaneous Provisions) Bill, which is currently being drafted by the Department of Health.

We also discussed a number of multilateral issues including UN reform, peacekeeping, nuclear disarmament and Syria. On the latter, I provided Prime Minister Modi with an update on the steps taken at EU level to address the ongoing migration crisis.

Prime Minister Modi made reference to his disappointment that the negotiations on the EU-India free trade agreement had stalled. Speaking on this point, the Minister, Deputy Charles Flanagan, agreed that the temporary delay was disappointing but expressed the hope that negotiations could resume and progress be achieved.

At the conclusion of the meeting, Prime Minister Modi paid tribute to the Irish experience of 1916 and spoke of how the centenary in 2016 would provide good opportunities for co-operation in acknowledging that shared aspect of our histories. I know that the Irish and India ambassadors are considering how we might take this forward and develop it in the coming year.

Deputy Gerry Adams: Tá mé buíoch den Taoiseach fá choinne an fhreagra soiléire sin. As the Taoiseach acknowledged, Ireland and India have a long and shared history and many shared cultural values. We were both colonised and endured many centuries of struggle and India like Ireland was partitioned but, unfortunately, our island remains partitioned. We also share difficulties created by climate change. There is a desire for greater economic co-operation, as the Taoiseach outlined.

Recent news coverage showed that hundreds of people died during the heavy rains in parts of India and there was huge disruption and devastation when the rainfall was three times the norm. The agreement, as the Taoiseach will know, at the Paris climate change conference represents and presents important opportunities and challenges for this State, the Indian state and the 200 other countries that signed up to it, but the devil is in the details and all of this depends on implementation. Agreeing to reduce greenhouse gases, the impact of this on the developed and less developed states and a fund to help the poorer regions of the world will present significant challenges in the decades ahead. Did the Taoiseach have any opportunity to go into the detail of all of that?

The Taoiseach spelt out some of the economic opportunities. According to the UN World Economic Situation and Prospects 2016 report, India will have the fastest growing economy in the world this year and next year, with predictions of 7.3% growth. The same report predicts that the global financial conditions will be volatile and may see diminished trade flows and stagnant investment. There are very significant opportunities for us to increase trade and investment. As the Taoiseach acknowledged, Irish exports to India are worth more than €55 million a year and almost 3,000 people here are employed by Indian companies. That is a marked increase from €34 million in 2012. Also, companies like the Kerry Group and Glanbia have a presence in India and there is potential for growth especially in the areas of technology, pharmaceuticals and agriculture with a growing and huge market with more than 3 million of a middle class. It is estimated, and the Taoiseach acknowledged this in his response, that 1,500 students from India are in higher educational institutions here. Around 26,000 India people live on the island, mostly in this part of it.

During his visit, Prime Minister Modi indicated there would be growth in the number of

flights and air routes between our two states. Does the Taoiseach have any information on this? Can he indicate what steps the IDA is taking to increase our economic footprint in India? Were there any discussions about sending an economic delegation to India? If there is any possibility of that type of approach, I suggest that we include our opposite numbers in the North, Invest NI and the appropriate Ministers. I know the Taoiseach has been a champion of this in the past with other overseas economic delegations.

The Taoiseach: Clearly, with a population of 1.2 billion, more than one sixth of the world's population, India has become one of the fastest growing major economies on the globe. Since it began a campaign of economic liberalisation in 1991, India has recorded continuously high growth rates. Currently, that growth is being propelled by sectors which include aviation, education, the agritech sector, medical devices, e-commerce and software-as-a-service, SWAS, offerings. Many of the sectors are areas where, as the Deputy pointed out, Irish companies have particular strengths and it is imperative, therefore, that we provide them with the appropriate supports to capitalise on this opportunity. The Prime Minister specifically mentioned the difficulties India is having with the Ganges, which is an enormous river of 2,500 miles. We have since made contact with the Prime Minister's officials in respect of a number of Irish technology firms which deal with wastewater and its treatment that may be of interest or assistance to India.

As the Deputy pointed out, the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, has invested significant effort in improving our trade links with India. Enterprise Ireland has an office in New Delhi, which offers in-market support for Irish businesses in India. IDA Ireland and Tourism Ireland both operate from Mumbai. All of those agencies participate in what is called the local market team. The team is chaired by our ambassador to India and it co-ordinates the trade and investment efforts of all the agencies under a shared market strategy and plan.

Nine focused trade missions have taken place to India during the lifetime of the Government. Clearly, they are an invaluable way of developing new and existing markets overseas for Irish businesses. In that context I can inform Deputy Adams that we have been very willing to associate with trade missions or Ministers from Northern Ireland.

India is one of the fastest growing tourist generating countries in the world. Tourism Ireland estimates that the number of Indian visitors coming here in 2014 increased by approximately 10% and 2015 will see a further increase. I will bring the Deputy up to date in respect of the flight connections when we see what is happening in this regard.

In respect of education, staff from the Department of Education and Skills and their colleagues in the education in Ireland section of Enterprise Ireland have been working to increase the educational links between the two countries. In 2012, there were approximately 850 Indian students in Ireland. The number has increased to approximately 1,500 students studying in Ireland, mainly for postgraduate degrees in engineering, the pharmaceutical area, business, accounting, computer sciences and hospitality management. A significant number of Irish institutes have developed links with Indian institutes and colleges.

The scholarships given by this country that are administered by the Higher Education Authority, HEA, and supported and funded by the Department of Education and Skills entitle scholars to a waiver of tuition fees of approximately €15,000 for the term of the scholarship and a grant to the value of €7,500 to cover living expenses. The scholarships are awarded to can-

didates who have an excellent academic record, and in the 2015 to 2016 academic year, seven Government of Ireland scholarships have been awarded to students from India. In addition to the Government of Ireland scholarship programme, Irish higher education systems and institutions offer in the region of 200 scholarships which target Indian students each year.

A number of negotiations took place in respect of the European Union-India free trade agreement negotiations. They broke down because of the mismatch between ambitions and expectations. The parties got together again and the Commission short-listed three areas where the European Union would like to see progress before entering a decision-making process. First, the EU needs to receive a very clear signal from India on the removal of barriers to other services sectors, including insurance, banking, maritime and accountancy. Second, the EU wants to finalise the goods package, which is a balanced automotive package, and the European Union red lines on duty rates on wines and spirits are critical. Third, the EU wants an agreement to finalise procurement negotiations by signature, including comprehensive coverage on market access to the central level and an overall chapter with allowances for sufficiently ambitious commitments.

A meeting of the chief trade negotiators on both sides, which was due to be held in Delhi in August, was indefinitely postponed by the Indian ministry for commerce and industry after the EU imposed a legally binding ban on the sale of approximately 700 pharma products clinically tested by GVK Biosciences in Hyderabad.

The EU-India free trade negotiations are of interest to Ireland. Dairy products and whiskeys are key areas of export opportunity, which are currently subjected to very restrictive tariffs and non-tariff barriers. We are of the view that it would be very desirable for further meetings to take place to put some momentum back into the discussions between Europe and India.

I can inform Deputy Adams that we discussed other issues such as membership of the UN Security Council, the Security Council veto, migration and a number of other related issues.

Deputy Micheál Martin: Perhaps the Taoiseach could clarify matters for me. I welcome the visit of Prime Minister Modi to Ireland. I was on the previous trade mission to India with the then Taoiseach, Mr. Bertie Ahern, when we developed a range of strands of the relationship in terms of the economy, trade, education and culture. The Taoiseach mentioned medical internships. I understand from his reply that he suggested there would be an agreement of mutual recognition between the Medical Council and the Medical Council of India. Will the Taoiseach clarify whether that is in respect of Indians coming to Ireland to work as interns and do their training here? In addition, will he outline the specifics of the agreement? Was a memo signed between Ireland and India on health?

Were there any discussions on India's nuclear programme, which is expressly for civilian purposes, in terms of providing energy to its vast population? The Taoiseach mentioned tariffs. Did he have any substantive discussions on the excessive tariffs India continues to levy on whiskeys imported into India? Irish whiskey and European whiskeys are generally at an enormous disadvantage in terms of penetrating the Indian market because of the excessive tariffs levied by the Indian Government. Was there any discussion between the Taoiseach and the Indian Prime Minister in this regard? Was the wider issue of the Transatlantic Trade and Investment Partnership, TTIP, discussed with the Prime Minister?

In the education area, were any ideas on research developed at the meeting, for example, in

terms of research partnerships in specific areas, be it pharmaceutical, life sciences or technology?

Is the Taoiseach satisfied that the Irish diplomatic and trade and enterprise footprint is sufficient to meet current needs and future potential given that in many ways the 21st century will belong to Asia, notwithstanding current difficulties, and that over a 50-year span there will be significant growth potential? Do we have enough Enterprise Ireland offices in India? Is the IDA presence in India strong enough and is the Taoiseach satisfied with the pipeline of potential projects coming from India on the foreign direct investment side?

The Taoiseach: Given that the Deputy served as Minister for Enterprise, Trade and Employment, he is aware of the potential that exists in India with a burgeoning middle class with increased spending capacity and the English language being spoken by the majority. India has the biggest population of English speaking people and it has a very strong legal base. Clearly, the opportunity for investment to Europe is very significant. The investment opportunity through Ireland to Europe is also very significant. If one looks at the number of people we have there, either with Enterprise Ireland or through the diplomatic service, namely, the ambassador and the team, one can never say we have enough. Those who are there do a first-class job. It is the same as in Brazil, Argentina and Chile. We have other real opportunities in other countries in Asia, such as Korea, Indonesia and China. The discussions foundered between Europe and India because of the mismatch I spoke of. I had hoped that from a European point of view, which would have direct benefit for Ireland, we could get this moving again. In our discussions with the Prime Minister, we referred to these barriers. Clearly they are anxious to get back on track with the European free trade discussions with India, which I very much support.

The Deputy mentioned the health issue. We discussed health care and specific proposals to ensure medical internships carried out in India are recognised in the Irish system. There is a problem, which the Minister for Health, Deputy Varadkar, was very well aware of and the proposals were to be addressed in the Health (Miscellaneous Provisions) Bill which was then being drafted in the Department of Health. I will check that out to give Deputy Martin the up-to-date information.

Deputy Micheál Martin: Will the Taoiseach send me a note on it, please?

The Taoiseach: I will send the Deputy a note on it. The Deputy mentioned a number of other things. India requested to join the Missile Technology Control Regime, MTCR, as it is called. We indicated to Prime Minister Modi that Ireland was prepared to join a consensus on the Missile Technology Control Regime at a recent meeting in Rotterdam but no consensus emerged from that. India had also submitted an application for membership of the Nuclear Suppliers Group, NSG, and Ireland is aware of India's keen interest in membership of the two groups involved. We appreciate its importance in terms of enhancing their capacity to trade in civil nuclear technologies. The recent NSG plenary meeting looked at the question of membership of the group for states which are not parties to the non-proliferation treaty, NPT, and agreed that this issue would continue to be examined by the group. Ireland looks forward to taking part in these discussions and to continuing to take an active part in it.

The question of UN Security Council reform was also mentioned. We are very supportive of Security Council reform. Ireland has continued to be very frustrated at the slow pace of reform and the impact it has on the council being able to act as efficiently and effectively as it should. We believe the five elements of UN Security Council reform are interconnected as part

of a single package: categories of membership, the question of the veto, regional representation, the size of an enlarged council, and working methods and the relationship between the council and the General Assembly. One can only get success if there is agreement on all these five areas. We are very supportive as a country of the intergovernmental negotiations and Security Council reform and we believe now is a very opportune time to move towards what is referred to as text-based negotiations, that is, putting it down in writing.

On the question of the composition and membership of the UN Security Council, Prime Minister Modi raised the issue of UN reform and he specifically highlighted India's desire for a permanent seat at the Security Council. We recognise, as we have always done, that there is a need to expand the membership of the Security Council so it better reflects 21st century realities in a regionally balanced way. Any expansion of membership should accommodate member states that play a particularly significant part in the United Nations system. However, Ireland would want to prevent any diminution in the capacity of smaller member states to serve as non-permanent members on a rotating basis at regular intervals, as Deputy Martin is aware happens now.

On the final issue of the question of the veto at the Security Council, we firmly oppose the conferral of veto powers on any new members. Similar to many other states, we believe that extending the veto right to additional members of the council will only compound the difficulties associated with the current arrangements regarding veto rights. We wish to see the veto rights of the five permanent members of the Security Council - the P5 - ended. We are a supporter of the Accountability, Coherence and Transparency Group which has launched a code of conduct calling for positive action by all members of the United Nations to prevent genocide and crimes against humanity. We have associated ourselves with the political declaration which was presented by Mexico and France calling for the voluntary suspension of the veto by permanent members of the Security Council in cases of mass atrocities. Deputy Martin is also aware that I was at the UN summit in September on the 2030 agenda for sustainable development, and a new global development agenda was set out there. A key component of that was the sustainable development goals of the 2030 agenda. That is the second of three major international agreements to be concluded in 2015 to promote sustainable development at the global level. The conference in Paris in December 2015 was a very significant achievement to which we will measure up when final targets are set for Ireland. In my address at the summit, I reiterated our commitment to make progress towards the target of 0.7% of GDP for overseas development aid, a central part of achieving the sustainable development goals. These were also matters that we referred to in the discussion with Prime Minister Modi.

Deputy Micheál Martin: May I make a brief submission?

An Ceann Comhairle: I am anxious to move on to the next question.

Deputy Micheál Martin: It is an important point.

An Ceann Comhairle: The Deputy should be quick.

Deputy Micheál Martin: The Taoiseach mentioned, in response to my question on the nuclear issue, that India was anxious to be part of a new Missile Technology Control Regime. He also said that India is seeking membership of the Nuclear Suppliers Group to trade in civil nuclear technologies. These are very serious issues and there is a history there. Ireland, as a member of the nuclear non-proliferation treaty, is one of the important countries in that and we

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get lobbied by India and other countries on these issues. I had an involvement in this and the original idea was that India would be exclusively on the civilian side. Perhaps the Taoiseach could write to me with further information on the background to the Missile Technology Control Regime, what is involved and the objectives that India has set itself in terms of wanting to be a member of the Nuclear Suppliers Group. Perhaps he could also outline in a bit more detail what India is seeking and whether those issues were raised in the meeting between the Taoiseach and Prime Minister Modi.

The Taoiseach: It was specifically on the enhancement of India's capacity to trade in civil nuclear technologies. I will send Deputy Martin a more detailed note on it.

Economic Management Council

4. **Deputy Micheál Martin** asked the Taoiseach if the Economic Management Council has the responsibility of preparing Ireland's plans for a possible British exit from the European Union; and if he will make a statement on the matter. [40015/15]

25. **Deputy Gerry Adams** asked the Taoiseach the role of the Economic Management Council in preparing the Government's response to the plans of the British Prime Minister, Mr David Cameron, for a referendum on British membership of the European Union; and if he will make a statement on the matter. [44677/15]

The Taoiseach: I propose to take Questions Nos. 4 and 25 together.

The Economic Management Council has been established with the status of a Cabinet committee and has four members: the Taoiseach, the Tánaiste, the Minister for Finance and the Minister for Public Expenditure and Reform. The Council's role is to manage the Government's programme and the statement of Government priorities in respect of economic planning and budgetary matters and the integration of the work of Departments and agencies in these matters. It is not appropriate to answer questions about proceedings because it is a Cabinet committee and is protected by the Constitution, although we have had discussions.

Work has been under way across Departments for some time to ensure we best understand the various issues at stake in the EU-UK issue. The Department of the Taoiseach has a leading role given the whole-of-Government dimension of the issue. In this context, a small unit was established in the Department in May 2015 to deal specifically with British, Irish and Northern Ireland affairs. The Cabinet sub-committee on European Union affairs has oversight of the EU-UK issue and continues to examine it closely. Obviously, these matters are discussed, but there is an oversight responsibility and the Cabinet makes the decision at the end of the day.

Deputy Micheál Martin: I thank the Taoiseach for his reply. My question is related to Brexit, whether the Economic Management Council has a responsibility for preparing Ireland's plans for a possible British exit from the European Union and asks whether the Taoiseach will make a statement on the matter. I take it that he is aware that the Economic and Social Research Institute, ESRI, has confirmed that the potential loss to Ireland could be as much as €4 billion in exports and that this could have an extremely serious impact on the market here. There have already been reports that some companies are becoming risk averse and taking less business risk. Despite Members' earlier conversations on the visit by the Prime Minister of India, the bottom line is that the United Kingdom is still our most important market, particularly for the

agri-food industry. In 2013, for example, it bought 50% of Ireland's beef and there were 95 IDA Ireland-backed UK companies based in Ireland. The United Kingdom is also our most important tourism market and the effect of the current favourable exchange rate between sterling and the euro can be seen in certain parts of the country that are benefiting.

When the Taoiseach met the Prime Minister, Mr. Cameron, on Brexit, he asked for Ireland's support. The backdrop to that meeting was the horrific bombings and terrorism in Paris and negotiations on Brexit rightly appear to have been put aside temporarily. Moreover, the migration crisis is also becoming difficult to resolve. However, given the significance of this issue and the potential implications for Ireland of Britain leaving the European Union, will the Taoiseach outline to Members how the Government intends to plan for it? Will he indicate whether scenario planning has been done by the Government on the referendum that will be held in Britain? The ESRI has indicated that there is a possibility of net migration of approximately 60,000 people from the United Kingdom in the event that there is a Brexit and suggests there could be an impact on wages. While the Taoiseach has indicated that a Government sub-committee is overseeing it, has an interdepartmental group been formed with overall responsibility or accountability for this issue? I ask because I get the sense there is not a strong awareness among the public about the potential implications for the economy of Britain leaving the European Union. I would appreciate it if the Taoiseach were to indicate the Government's structured response and the work that has been done to date on it.

An Ceann Comhairle: As time is short, I ask Deputy Gerry Adams to put his questions now.

Deputy Gerry Adams: I understand the Taoiseach may be restricted in the details he can outline, but are there plans to minimise economic disruption in the event that a referendum in Britain results in a vote to leave? Obviously, because our two islands are in close proximity, a decision by Britain to leave the European Union is of considerable interest to us, a point the Taoiseach has outlined in the past. However, given that the exit also may include the Northern state, this is a matter of considerable concern for everyone. As more than €1 billion per week is traded in goods and services between the State and Britain, the consequences of a UK exit for us in this part of the country would be enormous. However, one should also be mindful that for 80 years the physical Border and partition, with its economic, cultural and political outworkings, were a source of enormous dislocation and conflict at times. The Good Friday Agreement has seen a transformation and, as I am sure the Taoiseach has experienced many times, the physical Border is now all but invisible. There is much work to be done to remove economic and political barriers and all of the other legacy issues, but I am sure the Taoiseach will agree that the return of Border controls would be a serious retrograde step. The impact on both sides, along the entire Border corridor, would be detrimental. I also believe there would be an adverse effect on all-Ireland bodies that are part of the Good Friday Agreement. As the Taoiseach is aware, I come from there and it should not be accepted that a decision taken on the island of Britain would have such import for those of us who live in the North. Has the Government sought or will it seek an assurance from the British Government that a referendum vote in the North alone will determine the relationship between that part of the island and the European Union?

Another big issue arises in this regard, in so far as the British Prime Minister has indicated he may introduce legislation to make it clear that the British Parliament is sovereign and that British courts are not bound by the Charter of Fundamental Rights of the European Union. This will have profound implications for citizens in the North and, in particular, our ability to use the Charter of Fundamental Rights of the European Union as a defence against punitive

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British legislation. All of this is playing out on the Taoiseach's watch. I am aware that another European Council meeting has been set for 18 and 19 February. The meeting last December set the explicit objective of securing an agreement or mutually satisfactory solutions. In the light of this and the timetable set by the European Council and the British Government, will the Taoiseach outline the Government's view on these matters? In addition, does the Government have in place a contingency plan if a Brexit goes ahead?

The Taoiseach: This is a serious matter in the context of challenges facing the country. Obviously, while we must hold a general election in Ireland, Europe faces a number of challenges that will be of highly significant import, of which this is one. Issues such as migration, oil, energy costs, climate change, the impact of the great powers and the situation in the Middle East are not within our control, but they have an impact on this country and its economy. The important point to make to the Deputies who are as interested as everybody else is the detail of the proposals has yet to be tabled in this case. Everyone is cognisant of the potential impact of what might happen when the question is asked of the British electorate whose decision it is to stay in. Britain is our largest and nearest trading partner and the fact that trade to the value of €1 billion takes place across the Irish Sea every week speaks for itself. Obviously, currency fluctuations can have an impact on trade either way in tourism, the hospitality sector, production, manufacturing and exports. While a paper is to be circulated by President Tusk in the near future, I do not know what it will entail and nor do I wish to commit to presuming to know what will be the outcome of the British people's decision. Suffice it to say the Government is sufficiently interested in this matter to be highly public in its support for Britain remaining a strong and central part of the European Union. Ireland has made its decision on the fiscal stability treaty, our entrance to the European Union and commitment to the euro, the eurozone and the Union.

As the Deputies are aware, four clusters or baskets of issues were set out. One cluster pertained to economic governance, which includes moves to prevent non-eurozone countries such as the United Kingdom from being disadvantaged by decisions taken solely in the eurozone. That is a good basis for discussion. I believe the euro area must have the capacity to do what is necessary to ensure financial stability and economic growth. It must also, however, act with full respect for the Single Market which comprises the entire European Union, as well as for the integrity of the Union as a whole, without prejudice to any interest of member states. I consider this to be an achievable goal. The Government appreciates the concerns of the United Kingdom and other non-euro countries in this regard and while this is an issue that obviously requires some serious analysis, it can be dealt with.

A second basket of issues concerns making the European Union more competitive. This includes the completion of the Single Market, better regulation and expediting international trade agreements. Ireland shares quite a number of Britain's priorities in this area and welcomes steps that will give impetus to growth, competitiveness and employment.

The third one concerns steps to enhance national sovereignty. Those steps relate to strengthening the role of national parliaments in the EU as well as addressing the concept of an ever-closer union. We always have had a constructive approach to this proposition and believe that a solution can be found to that particular issue.

The question of migration and welfare is one that is of great concern to people. It is clear what happened in Cologne is appalling. I saw the response from Syrian men and women who said this is not what their country represents. It is a very sensitive issue and something which

cannot be condoned in any circumstance but discussions at the December Council showed broad agreement that abuses of free movement should be targeted without calling the principle of free movement into question. I think this is acceptable to everyone and we are supportive of action to achieve it. In addition, we agree that welfare systems should not, in themselves, be a pull factor in encouraging migrant workers to come to any country but any reform would have to have full respect for equality and non-discrimination. At the meeting, President Juncker said the Commission would like to look at a number of options in respect of this category, which is where the real difficulty was being experienced following the Prime Minister's tabling of these issues.

No one here would want to see the common travel area coming under pressure and border controls between here and Britain or Northern Ireland, as rightly pointed out by Deputy Adams. The issue, in so far as Northern Ireland is concerned, is of great importance to us. Deputy Martin referred to the ESRI report which was commissioned by the Department of Finance and published on 5 November. It considered the impact of a British exit on Ireland across trade, foreign direct investment, energy and migration and found that, aside from the UK, Ireland would be the most adversely affected European member state. We should not assume, therefore, that we do not have an interest in this issue.

None of the findings in the report made an Irish case for a British withdrawal from the European Union. We have been very public about our support for the British Prime Minister and Britain's continued membership. A number of other studies are also available which point out the economic, political and social implications of a potential British exit from the EU for Ireland, Europe and Britain. The Institute of International and European Affairs published a study in March of last year which identified key areas that would be impacted. These included trade, energy and foreign direct investment. It concluded that the precise impacts would depend on the trade arrangements that would be put in place to manage bilateral economic relations in the event of a British exit. The key issue is that Britain is our number one trading partner and we are its fifth most important market. The trade is valued at approximately €1 billion per week.

Deputy Adams raised the question in Northern Ireland. As I stated when I spoke to the Confederation of British Industry, the ESRI found that Northern Ireland could be the most adversely affected region of the UK in the event of a British exit. This is extremely worrying on a number of levels. The EU has been an important if, perhaps, underestimated enabler of peace in Northern Ireland. It provided €2.4 billion in funds over the period 2007 to 2013 to help Northern Ireland overcome the challenges faced by a peripheral region emerging from conflict. Common membership of the EU project is part of the glue that holds that transition process together and now is not the time to weaken a cohesive, stabilising influence and outward focus that shared EU membership brings to Northern Ireland.

While we are conscious of these things, our best opportunity at the moment is to work with British industry and British needs in this country to explain the importance and the potential implications of a decision that might be made by the British people. I must focus on an outcome from the February meeting of the European Council and then the British Prime Minister's making his case to the British people. In the meantime, we must continue to work on the clear opportunities for trade in all of these areas in the future.

Written Answers follow Adjournment.

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Order of Business

The Taoiseach: It is proposed to take No. 14, referral to select committee of proposed approval by Dáil Éireann of the terms of the association agreement between the EU and its member states and Central America; No. 42, statements on European Council, Brussels, pursuant to Standing Order 102A(2)(b); and No. 6, Public Sector Standards Bill 2015 - Order for Second Stage and Second Stage.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 9 p.m. and shall adjourn on the adjournment of Private Members' business which shall be No. 227, motion re: confidence in the Tánaiste and Minister for Social Protection, which shall be taken at 7.30 p.m. or on the conclusion of Topical Issues, whichever is the later; No. 14 shall be decided without debate; No. 42 shall be taken immediately following the Order of Business and the proceedings thereon shall, if not previously concluded, be brought to a conclusion after 85 minutes and the following arrangements shall apply: the statements shall be made by the Taoiseach and by the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called on in that order and who may share their time, and shall not exceed 15 minutes in each case; a Minister or Minister of State shall take questions for a period not exceeding 20 minutes; a Minister or Minister of State shall be called on to make a statement in reply which shall not exceed five minutes; and to be followed immediately by Topical Issues.

Tomorrow's business after Oral Questions shall be No. 15, Credit Guarantee (Amendment) Bill 2015 – motion to instruct the committee; No. 43, Credit Guarantee (Amendment) Bill 2015 - Order for Report, Report and Final Stages; No. 44, Public Transport Bill 2015 - Order for Report, Report and Final Stages; and No. 6, Public Sector Standards Bill 2015 - Second Stage. It is proposed, notwithstanding anything in Standing Orders, that the proceedings in relation to No. 15 shall, if not previously concluded, be brought to a conclusion after one hour and the following arrangements shall apply: the speech of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called on in that order, shall not exceed 15 minutes in each case; and such members may share their time.

An Ceann Comhairle: There are four proposals to be put to the House. Is the proposal for dealing with the late sitting agreed? Agreed. Is the proposal for dealing with No. 14, motion re referral to select committee of proposed approval by Dáil Éireann of the terms of the association agreement between the EU and its member states and Central America, without debate agreed? Agreed. Is the proposal for dealing with No. 42, statements on European Council, Brussels, pursuant to Standing Order 102A(2)(b), agreed? Agreed. Is the proposal for dealing with No. 15, Credit Guarantee (Amendment) Bill 2015 – motion to instruct the committee, tomorrow agreed? Agreed.

Deputy Micheál Martin: I have a number of issues on forthcoming legislation to raise with the Taoiseach. The Taoiseach will agree it is very disturbing to read about how a hospital discharged an 81 year old woman who, following a stroke, is unable to swallow. She was deemed clinically unsuitable for PEG feeding and is, therefore, facing the possibility of starving to death. It seems incredible and there must be a proper investigation into how this was allowed to happen. The woman's GP has highlighted the case and is saying what has occurred is unethical. The case, which is a serious and potentially harrowing case, is being reviewed by the President of the High Court. Will the Taoiseach speak to the Minister, Deputy Varadkar, in the context of the Health (Miscellaneous Provisions) Bill that he mentioned earlier. Is there

any prospect of dealing with this issue via any vehicle? It seems extraordinary that decisions of this kind are now being taken.

The Taoiseach will have read that AIB is offering a one year deposit rate of 1.4% to German savers, which is three times that which is on offer to Irish savers.

5 o'clock

Many are asking why AIB is treating Irish customers in a far less effective way than German customers. Why are they being discriminated against? Have there been any discussions between the Government and AIB about this? Has the Central Bank any role?

The third issue concerns the Garda Síochána (Amendment) Act 2015, the Taoiseach's comments on which have been very interesting. He spoke about the importance of press freedom and he is reported in today's *Irish Independent* as rebuking the watchdog for spying on journalists. He was described as slapping down GSOC for snooping on the phone records of journalists. One could be forgiven for thinking he was commentating on somebody else's legislation but, in fact, this was the Government's legislation. The implication is that the Government is now disavowing the legislation. The Taoiseach has indicated that the Minister for Justice and Equality, Deputy Frances Fitzgerald is bringing in amending legislation in this regard. Was the Taoiseach slapping down GSOC for this? Are those reports correct? When can we expect the amended legislation to deal with this issue?

To be helpful, Deputy Niall Collins has drafted and published legislation, which should be on the Order Paper, which would require GSOC to apply to the High Court before it monitors any phones. This would have the desired impact of protecting press freedom while allowing GSOC to pursue its legitimate work. Will the Government give some of its own time to accept Deputy Collins's Bill? It would put flesh on the bones of the comments the Taoiseach was making this morning about GSOC.

The Taoiseach: I read the report in respect of the elderly lady the Deputy speaks of who has a particular set of challenges, and I note the intervention of the President of the High Court. There is a health Bill, which is published, which deals with the Medical Practitioners Act 2007, the Dentists Act 1985, the Health and Social Care Professionals Act 2005, the Pharmacy Act, and the Nurses and Midwives Act to provide for amendments required for the transposition of Directive 2013/55 EU in an appeal against minor sanctions. I am not sure whether that covers it or not but I will advise Deputy Martin on that.

In regard to the question that he mentioned about AIB, that is an online platform for a different situation. The bank has made a commercial decision to allow for higher interest rates of more than 1% on deposits which would, I suppose, be seen as an attractive introductory market for outside deposits. It is not part of the relationship between the Government and the bank here. It has made that commercial decision itself.

In respect of reports today about the question of the retention of data and the communications therein, I want to make it perfectly clear that I have absolute confidence in Ms Justice Ring, who is the chair of GSOC. It should be pointed out that there is no interpretation that GSOC has done anything incorrect. It has followed the law and has very high standards in this regard. There is oversight by another eminent member of the Judiciary. The Minister for Jus-

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tice and Equality will make a statement or announcement on this, I think later this evening, in respect of the decision taken by Government to have a review of this legislation.

For the information of the House, there are five areas to which the Communications (Retention of Data) Act 2011 applies: the Garda Síochána, the Garda Síochána Ombudsman Commission, the Defence Forces for purposes of safeguarding the security of the State, the Revenue Commissioners in respect of serious specified revenue offences, and the Competition and Consumer Protection Commission in respect of serious specified competition offences. The Government reflected on the matter this morning and the Minister for Justice and Equality may well have issued a statement by now or otherwise will do so. I want to make it clear that the Government has absolute confidence in GSOC, the chair of GSOC and in the oversight judge.

I am not responsible for headline reports. This is a complicated matter and is not as simple as it might seem initially. The Government has made a decision to look at the legislation. Obviously, this is the House that determines legislation at the end of the day.

Deputy Micheál Martin: On a point of order, during the Order of Business we can legitimately ask for proposed Government legislation. Given the extraordinary headlines and comments this morning, I would have thought the Taoiseach would be in a position to outline what legislation is being proposed-----

An Ceann Comhairle: That is not a point of order.

Deputy Micheál Martin: -----particularly if the Minister is outside the House right now, perhaps having done it already. Surely that is very regrettable.

An Ceann Comhairle: That is not a point of order. I call Deputy Adams.

Deputy Micheál Martin: Will the Taoiseach clarify that he did not say he rebuked the watchdog for spying on journalists? He is saying he did not say that at all and that no one on his behalf briefed the newspapers. Nobody on his behalf briefed the *Irish Independent* in this respect.

An Ceann Comhairle: No, we cannot have that. I call Deputy Adams.

Deputy Micheál Martin: Will the Taoiseach clarify that nobody briefed the *Irish Independent*, that he did not say these things and that no one on his behalf said he was rebuking the watchdog for spying on journalists?

An Ceann Comhairle: That is not a point of order. Resume your seat. I call Deputy Adams.

Deputy Micheál Martin: It is a very important issue. GSOC was rubbished this morning by spokespeople on the Taoiseach's behalf. Someone briefed the journalists. They did not make it up themselves.

An Ceann Comhairle: I know it is important but this is the Order of Business. Deputy Martin, you have had your turn.

The Taoiseach: I never mentioned GSOC at all yesterday. I have absolute confidence in the capabilities of the eminent judicial chairperson-----

Deputy Micheál Martin: So the Taoiseach did not slap them down at all

An Ceann Comhairle: I have called Deputy Adams.

The Taoiseach: I am not responsible for headlines in papers.

Deputy Micheál Martin: Sometimes you are.

The Taoiseach: I made the point about-----

An Ceann Comhairle: Deputy Martin, please remain in your seat.

Deputy Micheál Martin: The Taoiseach has some very capable spin doctors. Let us give them credit. They are very good and they have a very good habit of doing that kind of thing.

Deputy Bernard J. Durkan: Deputy Martin is not too bad himself. He knows a thing or two about spin doctors.

Deputy Micheál Martin: Then the Taoiseach comes into the House and he withdraws.

An Ceann Comhairle: Deputy Martin, would you please show respect to the Chair?

Deputy Derek Keating: No respect.

Deputy Micheál Martin: I will show respect, a Cheann Comhairle, but I think the Taoiseach should show a bit more respect for us as well. We did not all come down in the last shower.

The Taoiseach: I am not responsible for headlines in *The New York Times* or anywhere else.

Deputy Micheál Martin: Your people must have been.

An Ceann Comhairle: Please stay quiet, all of you, and let Deputy Adams in.

Deputy Paul Kehoe: Deputy Martin had a fair few spin doctors himself.

Deputy Micheál Martin: Fine Gael has very good ones. I have given them credit. The only thing the Government gets an A mark for is spinning.

An Ceann Comhairle: Deputy Martin, please show some respect.

Deputy Gerry Adams: Go raibh maith agat, a Cheann Comhairle. Under the Order of Business I usually raise two or three commitments of promised legislation or programme for Government commitments. Today I just want to raise one issue but I want to do it in some detail because of the seriousness of the situation.

An Ceann Comhairle: Does it concern promised legislation?

Deputy Gerry Adams: Yes, it is around a programme for Government commitment to deliver on principles of social inclusion for the Traveller community and a commitment by the Minister of State at the Department of Justice and Equality with responsibility for equality, Deputy Aodhán Ó Ríordáin, that Traveller ethnicity would be a reality. He rightly said this did not need legislation or a referendum, and his commitment came after the Joint Committee on Justice, Defence and Equality recommended that we recognise Travellers as an ethnic community. This is supported by the UN and the Irish Human Rights and Equality Commission, IHREC.

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I set out that stall in light of the evictions of families from the Traveller community in Dundalk, which runs contrary to the Government commitment. This process of evicting Traveller families from a halting site-----

An Ceann Comhairle: Deputy, you are stretching it. The eviction of Travellers from anywhere in the country is a very serious matter but it does not belong on the Order of Business.

Deputy Gerry Adams: I did try to get a Topical Issue matter on this issue.

An Ceann Comhairle: If you put the issue down for tomorrow, I will consider it. Please do not raise it on the Order of Business. If I allow you in, I have to allow everybody else in on issues like that.

Deputy Gerry Adams: I also wish to raise the review of fire safety in Traveller accommodation that the Government published in December 2015 following the Carrickmines tragedy which said very clearly that nothing in the fire safety review process was intended to be used to address the broader Traveller accommodation issues in a negative way. Clearly this is not a green light to evict Travellers from halting sites which do not meet fire safety standards, but instead of putting health and safety measures in place, that is exactly what the local county executive is doing, and more evictions are planned for tomorrow.

An Ceann Comhairle: Thank you, Deputy. I think you have had your chance now.

Deputy Gerry Adams: I ask the Taoiseach, in keeping with the commitments, if he will make a statement before the Dáil ends, as the Minister of State, Deputy Ó Ríordáin, promised, to recognise Travellers as an ethnic group. I ask that he request that the Minister for the Environment, Community and Local Government stop the eviction of these citizens.

An Ceann Comhairle: I would suggest you raise that as a Topical Issue matter.

The Taoiseach: The question of ethnicity has not come before the Government for discussion but was referred to at a Cabinet sub-committee and there is further work to be done there. In respect of the serious matter the Deputy has raised about Traveller accommodation, I would point out that the site in question was unoccupied since 2008 and there was serious deterioration. It was occupied in April of 2014. After an inspection of the site last November, the fire officer formed the opinion that it was dangerous in its manner of occupation, and that is clearly a serious issue. I understand that after notices were ignored, gardaí on Friday attempted to enforce the direction by moving on some of those caravans. The occupants and their representative group have not entered into discussion with Louth County Council, as far as I know.

Deputy Gerry Adams: Yes, they have. I was there yesterday.

An Ceann Comhairle: We cannot have a discussion on the matter.

The Taoiseach: That is where this needs to be dealt with in the first instance. We cannot have a situation where a fire officer says this is a fire hazard and it continues to be occupied.

Deputy Gerry Adams: Then rectify it. Do not put them out on the street.

Deputy Derek Keating: On an issue I have raised before, what is the status of the Criminal Justice (Spent Convictions) Bill? I have outlined its importance for many constituents, who still raise it with me. I would be grateful if the Taoiseach indicated its current status.

The Taoiseach: Report Stage of this Bill will be taken here next Wednesday. Hopefully, we might be able to conclude it in the Dáil.

Deputy Derek Keating: Does the Taoiseach envisage that we would have it enacted in the lifetime of the 31st Dáil?

The Taoiseach: It is Report Stage. If it concludes here on Fifth Stage, it goes to the Uachtarán for signature. If everybody gets together, it will happen. Otherwise, we will have to do it in the weeks ahead.

Deputy Derek Keating: I am sure the Opposition will appreciate the importance of having it passed.

Deputy Ruth Coppinger: In regard to impending legislation, when will the Criminal Justice (Sexual Offences) Bill be brought before the Dáil and will there be sufficient time to deal with it? Obviously, we are near the end of this Government's term. At what stage does the Taoiseach anticipate we will be able to take this Bill? Will there be sufficient time for amendments on what is a very complex issue? Many groups have made submissions on this and are anxious that it would be dealt with.

The Taoiseach: It is important legislation, as Deputy Coppinger says. It is in the Seanad on Report Stage on Thursday. I cannot say whether the eminent speakers in Seanad Éireann will want to amend it or how long it will take to discuss. When it concludes Report Stage in the Seanad, it will then come here.

Deputy Ruth Coppinger: The Taoiseach knows when he will call the election. Does he anticipate that all Stages will be taken or just Second Stage?

An Ceann Comhairle: We will have to wait until it comes here.

The Taoiseach: I cannot say how long the Seanad will take to deal with Report Stage given there are amendments and Members can have very strongly held views about it. I do not want to do the Seanad's business for it.

Deputy Ruth Coppinger: Will it be guillotined?

The Taoiseach: Let us first see when it finishes in the Seanad.

Deputy Bernard J. Durkan: What is the current status of the criminal justice Bill on victims' rights? The universities (amendment) Bill is also scheduled legislation. Are we likely to see it before the end of the current Dáil?

The Taoiseach: The Criminal Justice (Offences relating to Information Systems) Bill has been published. The universities Bill is a priority for publication. It seeks to give the Minister the power to require universities to comply with Government guidelines on remuneration allowances and so on.

Deputy Bernard J. Durkan: When is it likely to be brought before the House?

The Taoiseach: It is scheduled for publication and it has priority attached to that. I will advise the Deputy on the state of progress.

Deputy Seán Crowe: The Bankruptcy (Amendment) Act has gone through the Houses and

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the President has signed off on it. It had to go back to the Minister's Department for some sections to be cleared. When will we see it proceed into law?

The Taoiseach: That Bill has gone through, as the Deputy said. A number of sections require a commencement order. The Minister for Justice and Equality intends to sign those sections on 29 January. I understand there are other sections that require a commencement order to take place in February but she intends to sign the immediate ones on 29 January.

Motor Vehicle (Duties and Licences) (Amendment) Bill 2016: First Stage

Deputy Seán Conlan: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Finance Act (Excise Duties) (Vehicles) Act 1952, as amended by the Motor Vehicle (Duties and Licences) (No. 2) Act 2008; to allow all vehicles 30 years and younger, and whose date of first registration is prior to the 1st of January 2008, to have their road tax calculated based on CO2 emissions (as certified by the vehicle manufacturer or the National Car Testing Service) or engine size, whichever is the lower of the two.

I am pleased to introduce the Bill, which, if passed, will see everybody in this State being able to avail of the same system of car taxation. The purpose of the Bill is to ensure that those who own a vehicle which was registered prior to July 2008 will be able to avail of the cheaper system of taxation introduced in 2008 but which is currently only available to vehicles which were registered post-July 2008.

In a republic, every citizen should be treated equally before the law and nowhere should this be more apparent than in our taxation system, which I believe should be progressive. This is not the case for those with older vehicles, so the young, the elderly and people on lower incomes are discriminated against in our State in regard to car tax. In certain circumstances, they pay up to three times as much car tax as those with newer vehicles, so a person driving a 2016 diesel BMW 520 can be paying one third the amount of tax a person driving a 2007 Nissan Micra is paying.

We must look at how this can be changed while still complying with the CO2 requirements as stipulated in the 2008 Act. The explanatory note to my Bill sets out clearly how this can be done. As some pre-2008 vehicles will not be able to comply with CO2 specifications for the purposes of taxation and in circumstances where pre-2008 vehicles were purchased before the CO2 legislation system for road tax, they cannot retrospectively comply with the legislation, which did not exist at the time the vehicles were purchased. For this reason, pre-2008 vehicle owners will be allowed the option of road tax based on CO2 emissions or engine size, whichever is the lower of the two. The level of CO2 emissions can be based on the certificate provided by the manufacturer or, in the absence of a manufacturer's certificate, the level of CO2 emissions can be tested as part of the NCT. Given that this level is listed on the NCT results, the car owner does not incur an extra cost but owners will be able to readily see their CO2 emissions level.

At the moment, the legislation discriminates against those who cannot afford to purchase a vehicle dating from 2008 onwards, a category which, as I said, includes the young, the elderly and those on lower incomes. All road users and taxpayers should receive equality of treatment. Therefore, I hope the Government will see fit to agree to the implementation of this Bill.

To give an example of the operation of the current system, a person driving a 2007 Opel Astra will pay €544 annually in road tax whereas a person driving a 2015 Opel Astra will pay €280. There is obviously an anomaly in the system in that many cars registered prior to July 2008 have the exact same engines and electronic management systems as cars purchased post-July 2008. If we want a progressive system and want to encourage people to use more efficient cars, this makes no sense. There are systems which can remap the engine of a vehicle to make it more fuel-efficient and lower the CO2 emissions. Why would we not encourage people to do that? Given we have the technology to do so, we should encourage drivers to lower the CO2 emissions if that was the real purpose of the 2008 legislation, rather than just tax collection.

This is progressive legislation that would benefit all road users, particularly young people who are trying to get a job for the first time and need a car to travel to work and elderly people on pensions who cannot afford a new vehicle but find the annual level of road tax crippling. Any government that ignores this cohort of society, who can least afford to tax their vehicles, is out of touch with society. It is all well and good to feel that one can buy a new car and there will be no problem, but the majority of people in this country who suffered throughout the recession are not in a position to buy a new vehicle and need to be encouraged to try to make their cars more efficient. This Bill is a positive measure and I hope the Government agrees to implement it. I look forward to the Bill going before the House in the coming months.

An Ceann Comhairle: Is the Bill opposed?

The Taoiseach: 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 Seán Conlan: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Association Agreement between the European Union and Central America: Referral to Select Committee

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I move:

That the proposal that Dáil Éireann approves the terms of the Association Agreement between the European Union and its member states, on the one hand, and Central America on the other, signed at Tegucigalpa, Honduras on 29th June, 2012, a copy of which was laid before Dáil Éireann on 6th January, 2016, be referred to the Select Committee on Foreign Affairs and Trade, in accordance with Standing Order 82A(3)(b), which, not later than 27th January, 2016, 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.

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European Council: Statements

The Taoiseach: I welcome the opportunity to address the House on the outcome of the European Council which took place on 17 and 18 December. The context for the meeting was no easier than it is today, with the ongoing migration and refugee crisis continuing to pose the most serious of challenges for the European Union. This crisis was the first item on the Council agenda. Heads of State and Government assessed what has been done so far and looked at further shaping and implementation of a comprehensive EU approach.

Another important item was the debate about Britain's membership of the EU which, post the European Council, has moved forward into a crucial phase. The November letter from Prime Minister Cameron and the December letter from the President of the European Council, Donald Tusk, set the context for a substantive and constructive discussion by Heads of State and Government about the British proposals for reform of the EU, with the intention now to reach agreement on a package of measures at the February European Council.

The meeting also reviewed Europe's actions in the fight against terrorism, building on the decisions taken at its February meeting and in light of the barbaric attacks in Paris and elsewhere.

These three items dominated the discussions in December. A number of other items were also discussed, including international developments such as the situations in Syria, Ukraine and, briefly, Libya; certain economic and financial issues, taking stock of discussions on the five Presidents' report on economic and monetary union and developments in the Internal Market; and, finally, energy union and a forward-looking climate policy. I have asked the Minister of State, Deputy Dara Murphy, to address the issues of energy union and the climate policy in his statement.

The migration crisis was central to discussions at the December European Council, as it has been for much of last year and as it is expected to be in the year ahead. This is a highly challenging issue. The number of people seeking refuge over the past number of months is without precedent for the European Union, and it is true that as a Union we have struggled to chart an effective way through the complexities of the situation. Recent appalling events in Cologne and elsewhere in Europe, as well as the unprecedented border closures, some involving countries such as Sweden and Denmark which had a common travel area that predated their EU membership, have called into question fundamental principles of the European Union and demonstrate the need to respond in a measured and balanced fashion.

For our part, Ireland has consistently called for an approach at the European level which addresses the root causes as well as the humanitarian challenges. This has also been a feature of our national response. I am proud of the contribution that Ireland has made in response to the crisis, in particular the endeavours of our Defence Forces, which have deservedly been commended in this House and elsewhere on previous occasions. The Union has worked hard to develop a comprehensive response to the crisis, with many difficult discussions along the way. However, having reached agreement on critically important issues such as "hotspots", registration, control of external borders, relocation and returns, implementation has been disappointingly slow.

In our case, for example, the Government agreed in September to take 4,000 refugees and asylum seekers into Ireland through a combination of resettlement and relocation programmes,

and although the resettlement aspect of this is advancing with 176 individuals having already arrived in the State and more expected over the coming months, the relocation aspect has been very slow. We await an update this week on the progress of the first grouping of asylum applications under this framework. The delay has been due mainly to administrative difficulties with the establishment of the hotspots and the setting up of the relocation programmes in Italy and Greece. Consequently, in our discussions there were calls across the board for implementation of agreed measures to improve in the weeks ahead. If we are to chart an effective response to the challenges posed by this crisis, we must deliver on the commitments we have made.

Another feature of our discussions at the December European Council was co-operation with regional partners in the Western Balkans and in Africa, where in contrast there has been some progress, building on the high level conferences that took place last year. In addition, we addressed relations with Turkey, a critically important partner in the region. The European Union is committed to working with Turkey and to establishing a €3 billion fund for supporting Syrian refugees based there. Member states, including Ireland, will contribute to this fund, once the final arrangements have been agreed. Here too, implementation will be key. Both Turkey and the European Union have made commitments under the joint action plan agreed in November and it is imperative that these are fulfilled. Up to now, the flow of refugees through Turkey to the EU has not diminished.

Finally, in regard to migration, there was a discussion of the European Commission's proposals for a new European border and coast guard and agreement to prioritise work on this within the next six months. Ireland is of course not obliged to opt in to any eventual decision on this. However, I want to make the general point that although Ireland does not participate in Schengen, we view it as a profoundly important achievement and we are committed to engaging constructively, as we have done over the past year, for example in co-operation with Frontex.

The migration crisis, or more precisely our response to that crisis, has been described by some as the issue that will define our times. What is clear is that we need to see much more action in the weeks and months ahead. As member states, it is incumbent on us all to deliver on the commitments we have made. I therefore welcome the agreement at our meeting to assess progress and to return to the issue at the next European Council in February.

I turn now to the issue that is of the greatest strategic interest to Ireland, namely, the UK's re-negotiation of its relationship with the European Union. As I have stated many times, the UK's continued membership of the EU is a priority for Ireland, and our approach to the negotiations remains constructive and pragmatic. At the political level, there have been regular discussions about this issue, including in my own exchanges with David Cameron. In parallel, work has been ongoing at official level for many months now to prepare for these critically important negotiations. As part of these efforts, officials from the Department of the Taoiseach liaise closely with other Departments as well as with our permanent representation in Brussels, our embassy in London and our embassies across the EU to ensure a comprehensive, whole-of-Government response to the key questions.

Last month's European Council provided a first, very welcome, opportunity to have a collective discussion of the issue, with all 28 EU Heads of State and Government and the Presidents of the EU institutions, framed by the earlier exchange of letters between Prime Minister Cameron and President Tusk. Prime Minister Cameron opened the discussion by outlining the four broad areas where he is seeking change and by explaining the complex domestic politics around the issue in the UK. I intervened in strong terms in the subsequent discussion to present

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the Irish point of view, which is of course well known to this House and to the UK and other EU member states. I spoke about the importance of the issue to Ireland, given the uniquely close political, social, economic and cultural ties between our countries. I also emphasised the significance of UK membership to the EU as a whole and I stressed the importance of working together to find a solution that will enable the UK to remain in the EU.

Regarding the proposals themselves, Ireland is supportive of moves aimed at delivering more for our citizens. We share the UK's enthusiasm for sustained effort under the "competitiveness" heading. The issues here are the drivers of long-term prosperity for the citizens of the EU. Under the "economic governance" and "sovereignty" headings, although the details of the proposals remain to be clarified, we can also see where solutions might lie. In the immigration and free movement area, we can probably support the proposals, subject to the details, in regard to addressing fraud and abuse and changing the way in which child benefit is paid abroad. The idea of limiting access to in-work benefits is more difficult and there is widespread opposition to the proposal in its current form. However, I am hopeful that with willingness and determination, a workable solution in this area can also be found.

In terms of the debate itself, I was encouraged by the substantive and constructive exchange of views about the four categories of reform proposed by Prime Minister Cameron, including the difficulties in regard to in-work benefits. There can be little doubt that this is a challenging and sensitive issue, but the atmosphere at the European Council meeting was very positive and there was a willingness to find a way forward. David Cameron himself, while not withdrawing his proposal, signalled his openness to alternative ideas that would have the same effect. We agreed therefore to work closely together in the period ahead with a view to reaching agreement on a package of measures at the February European Council. The sense is that, as regards the large majority of the issues, the broad lines of agreement are emerging. Whereas the question of welfare benefits and immigration remains difficult, work here also appears to be progressing and, as I stated, I am hopeful a solution will be found that addresses the legitimate concerns of all countries.

The legal form and implications of the final package remain to be teased out but I welcome the fact that the British Prime Minister is not pressing for early treaty change. We await the emergence of detailed proposals from President Tusk, which are expected in very early February. These will allow all member states to develop further their responses under all four headings and to participate actively in intensive and collective preparatory work at official level leading up to the February meeting. The aim is to secure agreement at that time on a package of measures acceptable to all of us and that will allow the British Prime Minister to recommend and campaign for a vote to remain in the European Union.

The European Council took place in the aftermath of the appalling terrorist attacks in Paris in November. These were an affront to the very values we all cherish in Europe and in the democratic world. As I have stated before, Ireland stands in solidarity with France and we are united in our determination to counter the threat posed by global terrorism. The discussions took stock of progress since last February when a detailed programme of criminal justice, law enforcement and border control actions was set out. The central point of our discussions in December was that the EU has now to deliver on the agreed measures. Building on the work of justice Ministers, we looked at enhancing information sharing and early implementation of the passenger name record directive, which was finally agreed in early December. Further emphasis was placed on systematic and co-ordinated checks at external borders - this primarily concerns Schengen area member states - and there was a commitment to examining Commis-

sion proposals on new directives for combatting terrorism and on the illegal firearms trade. Proposals were also made for increasing the effectiveness of the fight against terrorist financing, which were further considered by finance Ministers last Friday.

Ireland has consistently called for a co-ordinated international response and a comprehensive approach to combatting terrorism. In this regard, we welcome that the European Council proposed the stepping up of engagement with partners in North Africa, the Middle East, Turkey and the western Balkans. The Commission, High Representative Mogherini and the EU counter-terrorism co-ordinator were tasked with taking this work forward and reporting back to the European Council.

I now turn to a number of economic issues that were discussed at the European Council in December. Deputies are aware that a report on Completing Europe's Economic and Monetary Union was produced in June. This so-called "five presidents' report" was published under the personal authority of the President of the European Commission, in co-operation with the presidents of the euro summit, the Eurogroup, the European Central Bank and the European Parliament. Following consideration last year in some Council formations, the report and the proposals put forward by the Commission as initial follow-up were discussed by Heads of State and Government. The five presidents' report is an important contribution to the debate about the future of the single currency area. It sets out the authors' vision for achieving a "deep, fair and genuine" economic and monetary union by 2025 in two stages. The first of these phases, which should run to 2017, focuses on boosting competitiveness, maintaining responsible fiscal policies and completing banking union. A second stage would run to 2025, involving more fundamental changes to the EU's economic and institutional architecture.

Ireland's consistent position has been that we need to concentrate on strengthening and fully implementing the many significant reforms already agreed over the past few years. We need to press ahead on banking union and in this context, we have welcomed the proposals for a European deposit insurance scheme presented by the Commission in November. A further positive development on banking union was the entry into force of the Single Resolution Mechanism on 1 January of this year following ratification, including by Ireland, of the intergovernmental agreement on the transfer and mutualisation of contributions.

We must also continue to improve our collective engagement with the European Semester process of economic policy co-ordination. As part of this, the Commission presented its annual growth survey package on 26 November, setting out the key priorities for supporting growth and jobs under the 2016 European Semester. This retains the threefold emphasis established last year on investment, structural reforms and responsible public finances, which are priorities with which we fully agree. I am pleased to note that after years of sacrifice by the Irish people, our national economy is recovering strongly but we also need to see further improvement in the economic performance of the wider euro area and EU economies. This is important for creating the right conditions for investment and job creation, including here in Ireland. As regards the longer-term proposals put forward in the five presidents' report, these are widely agreed not to be the immediate priority. We agreed in December that they and other ideas need to be explored further and we undertook to come back to them before the end of 2017.

The European Council also assessed the development of the Single Market, in particular in the context of the new strategy published by the Commission on 28 October. This is a crucial initiative, including in the context of the current UK debate, and we endorsed it at our December meeting and called for ambition in its implementation. The Single Market is Europe's main

engine for growth, job creation, investment and competitiveness. Discussions at the December European Council focused on the need to achieve a deeper and fairer Single Market for goods and services in all key areas. The need to implement the digital Single Market and to fulfil the action plan on capital markets union was also highlighted. These are, of course, both areas where Ireland strongly supports progress. The meeting also highlighted the importance of the negotiations with the United States on the Transatlantic Trade and Investment Partnership, TTIP, agreement. Again, this reflects our national position. In broad terms, we see the key issue here as pressing ahead with a high level of ambition, agreeing concrete timelines and delivering results.

The European Council also had a relatively brief consideration of external relations issues. First among these was the position of Syria, where there was agreement that while only an inclusive political process can lead to a solution, there cannot be a lasting peace in Syria under the present regime. Countries expressed support for the efforts of the global coalition to defeat the regional and global threat posed by ISIL or Daesh. We understand appalling events have happened in recent days. Turning to Libya, the signature of an agreement between the main parties was welcomed, although there were no illusions about the fragility of the process. Lastly, Heads of State and Government had a brief examination of relations with Russia and the situation in Ukraine.

As I have outlined, the December meeting of the European Council dealt with a diverse range of issues but with the focus very much on migration and the UK issue. I look forward to hearing Deputies' comments.

Deputy Micheál Martin: Over the past five years, we have spent an enormous amount of time on statements such as these. In addition to post-Council statements, which have been held for decades, we have had the extra opportunity to each speak for ten minutes before summits. However, if one looks back on the record, one will find that the statements have been defined by the Government's refusal to share any information not already in the public domain and its failure to set out any coherent account of what Ireland's policy is towards the reform and development of the European Union. In order to find out what our Government is saying on our behalf, we have had to rely on media reports and connections in other governments. This matters because the Union continues to be faced with the most serious crisis in its history and direct threats to its core principles are stronger than ever and yet our Government is a bystander that waits to find out what will happen before trying to claim some level of credit for it.

Control on national budgets is a major issue and when a new treaty was being discussed, the one and only request of our Government, according to the then President of the Council, was that whatever emerged should not have to be referred to the people. There was no proposal about fixing serious flaws in economic and monetary union or a proposal about helping regions in trouble. Absolutely no suggestion was made that aid be given to countries carrying debt linked to failed European policies. On issue after issue in the past five years, the policy of saying as little as possible has been seen.

The only proactive policy in Europe has been a public relations strategy at home designed to reinforce the Government fairy tale about its own actions. An enormous amount of effort has gone into distorting the reality of how many decisions have been taken and to make patently false claims about how decisions have been reached. Using the quite strong European freedom of information regulations, we have sought details of how or when our Government set out demands for any relief from bank-related debt or attempted to implement any of the major

changes in policy that Fine Gael and the Labour Party promised in 2011. There was nothing there. The Dáil was told that the Taoiseach bravely stood up to the leaders of France and Germany, who may or may not have had two pints in their hands at the time, but the record shows nothing of the sort. While Fine Gael and the Labour Party already claim to have “won” major interest concessions, the record shows that concessions negotiated by others were automatically extended to Ireland without any negotiation. In fact, the major decrease in debt service costs was four times what the Taoiseach had requested. He will remember when he and his Ministers showered praise on themselves for a supposed “game changer” on bank related debt. The Ministers for Finance and Public Expenditure and Reform said we might receive up to €30 billion. I remember it well. It was in 2012. In the end, we have received exactly nothing, the same amount for which we asked.

The bluster and rhetoric with which we have had to put up have failed to cover up a serious policy failure. At a time of great danger for the European Union, standing on the sidelines and focusing on national politics make us part of the problem - a timid Union that is scared to stand up to its opponents and unwilling to show the urgency or ambition which its citizens so badly want to see. In this, the Government has abandoned 40 years of precedent. It is the first Government to end its term having failed to express a concrete opinion on reform of the European Union. In the past, Governments of all parties set out their vision for the Union and how it might develop. In discussing possible changes to EU treaties every previous Government set out a public negotiating position, lobbied for it and, when it was agreed to, published a detailed statement on how Ireland’s interests were impacted on by the proposed changes. It is undeniably true that the Taoiseach has had meetings with the British Prime Minister, Mr. Cameron, and Chancellor Merkel. He appears to get on well with both. Equally, however, there is no evidence of any concrete outcome for Ireland from these meetings, again, unlike many previous Taoisigh who built strong relations and showed important progress had been made on Ireland’s interests. Ireland was always a country which prided itself on not being afraid to speak up on important issues. We must return to this tradition because it is the single most important reason we have succeeded in shaping so many policies. It is why, even in the midst of the economic crisis in 2009, other states invited us to chair the OSCE and why they have supported us in many international efforts such as our initiatives on non-proliferation and banning cluster bombs.

The most recent summit addressed a list of vital questions and delivered little progress. It was a dispiriting outcome. The item which took the most time to deal with was migration. Incredibly, it focused purely on border control as a means of controlling migration to Europe. This fundamentally ignores the reality of why so many have tried to come to Europe and from where they have come. It is wrong for people to dismiss the idea that this scale of migration of people with no resources and links with European countries is not a problem. The countries that are hosting the greatest numbers are feeling undeniable pressures which must be recognised. However, let us never forget that this is, first and foremost, a humanitarian crisis which has become a migration crisis. People are making treacherous and often fatal journeys because they believe they have no alternative. They were driven out of their homes by a combination of a regime which was determined to prevent democracy and a fundamentalist army which was determined to impose mediaeval barbarity. In refugee camps they have found places which offer no future and worsening conditions. While the European Union has increased its humanitarian assistance, it has been a fraction of what is being into proposals on border controls and aiding people after they have felt the need to flee the camps. In addition, the budget of the United Nations and other relief agencies has been squeezed. Food is inadequate, shelter is poor, education for children is rare and employment opportunities are impossible. The first priority must be the

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provision of humanitarian aid. However, the Taoiseach and his colleagues appear to have done nothing but note past decisions at the end of their meeting.

Many of the migration proposals agreed to are reasonable, as are the proposals on combating terrorism. However, it is the duty of leaders not to succumb to the nasty populism of those who seek to spread fear and label innocent people with the deeds of a tiny minority which lack any legitimacy to speak on their behalf. We must never forget that others refused to blame and label us for the murderous and sectarian brutality of the Provisional movement. We must stand with the Muslim community against the rising intolerance and overt racism of many extremists in Europe.

European values face a far bigger threat from the far right and Russian-inspired autocracy than they do from any other source, but the summit's communiqué is disturbingly silent on Russia's invasion and partition of a sovereign European country and its continued attempts to destabilise it. Ukrainian democracy remains fragile. It will be difficult for it to survive if it cannot show that it can marshal continued support for its sovereignty. I hope that in the coming weeks the media will take a break from discussing the political process and allow us to have a debate about issues such as this where the gaps between parties are becoming wider. The support some of our representatives in the European Parliament are giving to the invasion and partition of Ukraine deserves to be exposed.

The basic structure of EMU remains unsteady and the need for reform is undeniable. Therefore, the bland discussion held at the summit is worthless. New proposals may emerge in June, but how they might help remains a mystery. So far nobody has produced any justification for the claim that strengthened fiscal controls would assist growth and create employment.

The discussion on the Single Market was somewhat more substantive. My party remains a supporter of the principle of freer and fairer trade. Ireland simply could not achieve decent standards of living without the security access to international markets provides. What we do not support is the idea that it should include measures which allow unfair competition against critical industries and the agrifood sector, in particular. We also believe the Commission is in danger of wasting enormous time and resources in picking fights for the sake of being tough, rather than delivering meaningful competition improvements. If one looks back at the Microsoft action, the Commission rejected arguments which turned out to be true concerning the transitory nature of technological dominance. The increased competition in browsers did not come from litigation; it was part of the inherently disruptive nature of modern technology. In fact, if one looks back over the past 50 years, one will see a constant and natural process of companies winning and losing dominance in different markets. Google, Apple and other major companies are always one significant development away from losing their edge and it would be a foolish person who said they could not be challenged. I respect Commissioner Vestager who is a valued colleague of ours in the ALDE group. Her aggressive agenda of seeking to open and fair competition for all should be supported. However, I hope time and money will not be wasted in the pursuit of cases which may attract major attention but which will be of marginal benefit to European business.

The summit noted the recent Paris agreement on climate change. As a fitting end to five years of moving away from ambitious action on climate change, the Taoiseach's speech in Paris has been rightly criticised by a wide range of experts and non-governmental organisations. There are communities throughout the country which are experiencing at first hand the impact of the more frequent extreme weather with which climate change is linked. I hope that

after next month we will again have a Government which will show a genuine commitment to addressing a problem which requires a global solution but which has a very clear and growing national impact.

The decision to postpone serious discussion of Great Britain's demand for changes in the European Union resulted from the fact that progress in the negotiations was more talked about than real. The failure to have a national debate about what terms we would be willing to support to retain Great Britain in the Union is inexcusable. It is clearly in our national interest for Great Britain to remain in the Union. It is also in the Union's interest. However, there has to be some limit. There has to be a point beyond which what is being asked for simply goes too far. Nothing short of reducing the European Union to a hollowed-out and toothless free trade area would satisfy the English Eurosceptics. They even oppose the idea that a country should be subject to sanctions for breaking agreed rules. Given what the Prime Minister, Mr. Cameron, has said, he will at least need agreement for some measures to be included in a future treaty, just as concessions for Ireland were included in subsidiary treaties rather than the main text of the Lisbon treaty. Whatever is agreed to on 18 and 19 February will fall to the next Government to implement and the next Dáil to agree to. That is, of course, in the event that there is no referendum required and that if there is a change to the concept of freedom of movement and the respective powers of institutions, a referendum may be required.

The Taoiseach needs to know that he has no blank cheque. He must defend Ireland's interests in a European Union which is capable of addressing core problems and a eurozone which can manage its own interests. He should also be aware that any attempt by his staff to repeat for this summit the type of media manipulation on which they spend so much time will damage him and public support for whatever will emerge.

If the UK referendum happens in June, it is Fianna Fáil's intention to lay out the case in Northern Ireland for it to remain as part of the European Union. For the other jurisdictions which will be voting, it is up to them to assess what is in their best interests, but the case for Northern Ireland remaining in the European Union is overwhelming and we should not and will not be silent in the campaign. This will apply, even if we are in the new Government the country so badly needs. Having opposed EU membership, both North and South, and every single EU proposal in the South, Sinn Féin has chosen to join the Social Democratic and Labour Party, SDLP, in calling for Northern Ireland to remain in the European Union. This is welcome. I hope its hard Eurosceptic rhetoric of the past four decades will not have done too much damage.

On the long list of items which the next Government will have to address urgently is a European Union in which there is no credible reform agenda which can deliver the social and economic progress citizens so urgently crave. The case for shared rules which prevent a race to the bottom, the exploitation of employees and unfair competition for business is stronger now than ever, but its enemies on the right and the left continue to attack and undermine it. It needs those who believe in the idea of shared progress to speak up and show urgency and ambition. Ireland must stop standing on the sidelines.

Deputy Seán Crowe: I agree with some of Deputy Micheál Martin's opening remarks on this process. It would be helpful in the next Dáil, if we are returned, for us to know exactly what the Irish position is in many of the negotiations taking place. If the Taoiseach were to impart that information, it would help the discussion we are having. It would also be useful for the people at home who are listening to it.

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I understand Britain's in-out referendum on membership of the European Union was discussed at the recent European Council meeting. A new Survation opinion poll - apparently it is the British equivalent of Red C - published in the *Mail on Sunday* shows support among British voters for leaving the European Union rising to 53%, while 47% want to stay within it. However, undecided voters were excluded from the count.

Sinn Féin firmly believes a British withdrawal from the European Union would represent a political and economic setback for Ireland and hinder the process of democratic transformation in the North. On 29 January the Sinn Féin MEP Martina Anderson will hold a conference in Belfast on the referendum, as well as on the Tory plan to repeal the Human Rights Act 1998. It is welcome that the Taoiseach at the recent Council meeting raised the economic, social and political implications a Brexit would have for Ireland. There is support across the House on this issue. As the referendum will allow the views of English voters to dictate the future relationship of the North and, therefore, the island as a whole with the European Union, has the Taoiseach ever raised with the Prime Minister, Mr. David Cameron, the undemocratic nature of the referendum? This is not just an issue for the North because people in Scotland and perhaps a majority in Wales have a similar view. There is a rump in London that seems to be opposed to the European Union.

In Dáil statements made before the Council meeting Deputy Gerry Adams said climate change was one of the defining challenges facing society and that while the Paris agreement was a good step forward, it fell far short of what was needed to protect humanity from the growing environmental crisis created by our abuse of the planet and its natural resources. We have seen some of its disastrous consequences in recent weeks with the devastating floods that have affected the island and its people. The agreed conclusions to the meeting state the Commission and the Council will review the results of the Paris conference in March 2016 and prepare the next steps. Sadly, it is widely accepted that the State will not even reach the European Union's 2020 target of a 20% reduction in greenhouse gas emissions. This is a bit of a farce with developed countries buying off less developed ones. It does not do anything to improve or save our planet. We need to urgently review the State's commitment to reform in order to tackle climate change and reverse its current inaction because we are rapidly running out of time. We need a plan.

More than 1 million refugees arrived in the European Union last year by land and sea. It is the biggest crisis of forced displacement since the Second World War. I raised the issue at the pre-Council meeting discussion. One of the primary responses of the European Union was an agreement to resettle 160,000 refugees from Italy and Greece. Considering the scale of need and the crisis, this was seen as a shockingly low number, yet to date only 322 refugees have been resettled. I raised this issue personally with the Taoiseach after the debate. There is something radically wrong when only 322 refugees have been resettled across the European Union. In contrast to the slow pace of joint projects, EU countries have taken snap unilateral measures, including border lock-downs in the heart of the Schengen free travel zone and tighter asylum laws in Denmark, Germany and Sweden. While the current EU President, the Netherlands, is shepherding the process, the next EU President, Slovakia, which will take over in July wants to tear down the 160,000 person relocation scheme and has lodged a case against the plan at the European Court of Justice. We are in the middle of one of the biggest humanitarian crises in the world and the European Union is simply failing to act in a unified manner and is making the position worse. The State has been asked to take in only 20 refugees under the programme. What is the failure here? What is wrong with the system? Ireland agreed to accept 2,600 refugees.

Some aid agencies are reporting that many new arrivals are reluctant to apply for asylum in Greece or Italy, a prerequisite for entering the relocation scheme, either because they fear they will be stuck in these countries or because they do not wish to move to certain EU member states. That is understandable considering the hostility in some states shown to people from different backgrounds. What solutions to this problem did the Taoiseach propose at the Council meeting? The Minister of State at the Department of the Taoiseach, Deputy Dara Murphy, might reflect on this and give us some more information in his response.

The International Organization for Migration has stated 31,244 migrants and refugees have arrived in Greece by sea since the start of the year - 21 times more than in the same period last year. The organisation states projections indicate the number of arrivals in Greece in 2016 “may significantly exceed” last year’s record figure of 853,650.

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There is a general acceptance that this crisis is not going away. Many European politicians, particularly those on the right, want to close their eyes and somehow wish away this problem or are seeking to shift the problem onto the shoulders of others. There is a lack of solidarity with those countries on the front line, particularly Greece and Italy. Their solutions are not grounded in reality. We need to act with unity in providing these refugees and asylum seekers the protection and support they need.

In addition to the asylum seeker relocation programme, the Government has committed to taking in 520 refugees under a UNHCR programme. According to reports, 176 refugees entered this State in 2015 under this programme and yet the Government has committed to receiving 4,000 people under relocation and resettlement programmes by the end of 2017. How many refugees does the Minister of State expect Ireland to accept in 2016? There was widespread support across the State but the process seems to have dragged on. At one point, thousands of people were offering accommodation but we do not seem to be following up on that.

It is a pity the Taoiseach has had to leave the Chamber, as I now wish to raise the issue of Turkey. For months, the Turkish army has been running an operation, with special police forces, of unprecedented violence against towns located in Kurdish regions of the country. Some 10,000 soldiers, supported by tanks and helicopters, have been mobilised for this offensive which virtually turned the country’s south-eastern region into a war zone. The repression has escalated further in urban areas of the region, reaching a level unprecedented since 2002, with more than 50 curfews in 18 Kurdish cities and districts.

Elected representatives, including from the HDP which received more than 10% of the votes during the last legislative elections, have been particularly targeted as well as more than 1,200 academics and lecturers who signed a petition denouncing these operations. A well-known human rights lawyer, Tahir Elçi, was assassinated recently.

This violence, affecting more than 1 million people, has already led to the exodus of more than 200,000 inhabitants from the region. The conflict’s main victims are civilians, with 360 killed as of 13 January, including 61 children and 73 women.

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In his speech, the Taoiseach spoke about Turkey being an important partner but our partner seems to have gone rogue given what is happening in that region. Does the Government have any concerns about the Turkish Government's approach to its large Kurdish population? It does not seem to be within the framework of any rule of law, including Turkish law, including respect for fundamental freedoms and human rights.

Would the Minister of State not agree that indiscriminate military operations and the systematic use of curfews represent an unacceptable collective punishment? During this window of opportunity, will the Taoiseach raise these issues, including the tactics used in Turkey, with his Turkish counterpart? The Minister of State might have an opportunity to do so also.

Turkey is also included among what the EU is calling "safe countries of origin", which allow the asylum application process to be streamlined and applicants returned to their country of origin faster. People have concerns about Turkey's inclusion on this list. Turkey does not meet any of the criteria, especially that of a fair application of the law within a democracy, in addition to concerns over the ongoing persecution, torture and violence that the state is conducting. Some 23.1% of people who left Turkey to claim asylum have a well-founded application. Those figures raise concerns. That is a huge number for a country of so-called "safe origin".

I note that once again, the Israeli-Palestinian conflict was not raised at this Council meeting. It seems that this issue, including the huge suffering of the Palestinian people, has for whatever reason dropped off the EU agenda. Since the last EU statement on the conflict in July 2015, Israel has advanced 2,410 new housing units for illegal colonial settlements.

Peace Now, an Israeli NGO, says that the Israeli government is planning to build 67,000 more illegal settlements. Will the Taoiseach and his Department raise these concerns as the prospects of creating a two-state peace process are disappearing? Will the Taoiseach ensure that Israel and Palestine will be discussed at the next European Council meeting in February? In the final days of this Government, will he abide by the motions passed in the Dáil and Seanad, and in line with the wishes of the vast majority of Irish people, to formally recognise the state of Palestine?

Tens of thousands of Polish citizens have taken to the streets in protest at the alarming anti-democratic measures of the new government there. Does our Government have concerns about that? The new Polish Government has taken control of public TV, radio and print media by firing previous directors. I am worried about the direction in which some European countries are going. Has that matter been raised at meetings with our European counterparts?

Those are some of the concerns I have. It would be helpful if Ireland's position on many such issues was clearly outlined. We should be told whether such arguments were made and if they were successful. We should not have to trawl through records to try to discover the Irish position. We should know exactly what the Irish position is on these issues when they arise, including what we said and argued for. That would reassure people at home, especially those who are sceptical about the direction in which Europe is going. Many people in Ireland would like to see Europe moving in a far different direction.

An Leas-Cheann Comhairle: The next speakers are Deputy Clare Daly and Deputy Mick Wallace, who are sharing time. Is that agreed? Agreed.

Deputy Mick Wallace: I, too, am concerned about recent events in Europe. During the lifetime of this Dáil, we have argued with our Government that it would be good to put a lot

more effort into working for peace and taking a neutral position, rather than taking sides in wars and facilitating the American war machine.

Some years ago, Europe had a more neutral position in terms of what was happening internationally than it has at present. I find its approach to many things now is worrying. Europe's failure to address the Palestinian issue has been evident for a long time. The manner in which we have dealt with Saudi Arabia is also worrying. This month, 47 people were executed in Saudi Arabia, 43 of whom were beheaded. I do not remember hearing any protest by our Government or other western governments about that but maybe I missed it. What Saudi Arabia is doing is similar to what ISIS does. God knows, people are right to condemn the barbaric nature of ISIS but I wish they would also condemn the barbaric nature of Saudi Arabia in much of what it does.

The current war in Yemen is really worrying and what is occurring there is absolutely terrible. Every human rights body on the planet has condemned what Saudi Arabia and the US-Britain supported coalition is doing there. The Minister of State probably does not remember but a few weeks after Obama was awarded the Nobel peace prize, he ordered a cruise missile strike in Yemen complete with cluster bombs. It ended the lives of 35 women and children, none of whose humanity was acknowledged in virtually any western media reports.

Last year the marketplace in Fayoush in Yemen experienced a massive airstrike that killed at least 45 civilians, wounding another 50. We can be sure that none of the victims was profiled in western media. Their names were not mentioned. No television network interviewed their grieving families. We never learnt about their extinguished life aspirations or the children turned into orphans. There was no Twitter hashtag in memory or support of them. This was an horrific bombing and there have been many others. Given that the war started only last March, to date just under 3,000 civilians have been killed by airstrikes supported by the US, Britain and Saudi Arabia - the so-called coalition, along with support from the United Arab Emirates and Qatar.

I do not understand why we do not have a position on this. Are we okay with it? The statistics coming out of Yemen are striking. Along with the Saudi coalition's bombing campaign, American warships have also helped to enforce a naval blockade. According to the UN, this collective punishment has left the country on the brink of famine, with desperate shortages of food, medical supplies and fuel which is used for pumping increasingly scarce water from the depths of the country's depleted water tables. To the best of my memory it has a population of approximately 27 million people. Four out of five Yemenis are now in need of humanitarian assistance and we have very little to say about it. Europe has very little to say about it because Saudi Arabia is a friend of the US.

What kind of credibility do we have if we will not call a spade a spade? We are right to condemn the atrocities of ISIS, but why are we not condemning the atrocities of Saudi Arabia? Last year the Saudis bought 22,000 bombs from the Americans at a cost of \$1.2 billion. They are cluster bombs in nature. This afternoon I watched a scary video showing how they work. People should look at it because the way they spread and target multiple areas is barbaric. One dropped from an aeroplane can hit ten or 12 buildings at a time. It is horrific. The Minister of State should watch it to bring home the barbarity of it all.

In 2014, the Taoiseach and the Minister for Jobs, Enterprise and Innovation visited Saudi Arabia. After the meeting the Taoiseach said, "I congratulated Saudi on their leadership in

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terms of moderation here in the Gulf region and their desire for a peaceful situation on a lot of very complex and technical issues.” The Taoiseach also said that he raised the issue of human rights by offering his congratulations to the prince on being invited to the Human Rights Council of the United Nations. My God, we are congratulating these people.

I think people are starting to accept that the Turks represent a serious problem in the region given how they have been massacring the Kurds. They have actually helped ISIS to develop. ISIS uses the Turkish border like a sieve and Turkey is okay with it because its main concern is the Kurds and it is using this situation to obliterate as many Kurds as it can.

When will people wake up to the fact that the Saudis are every bit as big a problem if not a bigger problem? Saudi Arabia, the UAE and Qatar have helped fund ISIS and other extreme fundamentalist terrorist activities for a long period. It is unbelievable that everyone is okay with that. Some 16 of the 19 involved in the 11 September 2001 attacks on New York were from Saudi Arabia, but the Americans went and bombed Afghanistan and are still bombing it.

We talk about atrocities. How many people has ISIS killed since 2006? Has it killed 10,000 or 100,000? I do not know. It is not more than 100,000 for sure. Figures now show that the US military machine and the US and western forces have killed in the region of 2.1 million civilians in Afghanistan and Iraq alone since 2001. Where is the terror coming from? Who is causing the most terror? Who is killing the most people? Why can we not call the truth? What is wrong with that anymore? It is just horrific.

The arms industry has never been in such a healthy state. It is running out of cluster bombs and cruise missiles. Shares in arms companies are increasing rapidly because so many arms are being used. It is interesting that in President Obama’s two election campaigns, the arms industry gave him more money than it gave his Republican opponents. His four biggest contributors were the arms, pharmaceutical, oil and coal industries. One gets nothing for nothing in this world and payback always comes. If the US were not dropping bombs on people’s homes and villages, the arms industry would not be doing very well. It would not be making as many bombs, fighter planes and God knows what. I wish to God Ireland would just call it as it is and tell the truth. It is just too bad.

Deputy Clare Daly: The Government’s abject failure to behave as a sovereign nation and put its stamp on a different type of foreign policy for the EU is incredibly disappointing for many people. The EU is now complicit in the world being much more unsafe and unstable than it has been at any time previously. Not only is Europe turning a blind eye, it is actually profiting from that.

From the Taoiseach’s earlier statement, it is quite clear that the Council meeting spent a considerable amount of time dealing with the so-called problem of refugees. However, the reality is that the refugees have a European Union problem rather than the other way around.

We all know it was a record-breaking year for people smugglers in Europe, making about €5.5 billion from exploiting the misery of people fleeing from war. Some 90% of refugees who manage get to Europe do so with the help, if one could call it that, of a smuggler, being exploited to the tune of €3,000 to €5,500. We know the reports of the abuses, the kidnappings, the sinking of boats and the horrors endured on these journeys. There is no secret about that horror and the people making the journey know they are putting themselves at risk at the price of their whole life’s savings.

Why are they doing it if they know the risks? They are doing it because what they are escaping from is even worse. Their families are being murdered. Their homes are being annihilated and they are starving to death in some instances. This is a consequence of western wars and invasions. That is why they are fleeing. The EU has set up a system whereby people cannot claim asylum in Europe without reaching Europe first. They can only do it illegally and by putting themselves at the hands of smugglers and so on. Many organisations have highlighted the EU's failure to operate a humanitarian visa system. The EU's response, namely, the so-called war on smugglers which at one stage was going to launch military strikes against them, is going to be just as ineffective as the war on drugs and terror with the victims ending up being revictimised.

It is disgusting that the EU has moved back to the position of concentrating efforts on preventing and discouraging people from attempting to get into EU territory rather than dealing with issues such as humanitarian visas. Why can this not be done? Has the Government raised this at European meetings? Small consular outposts could be created outside of the European Union in countries such as Libya. Obviously, the routes migrants take change but the posts could be moved around with them. At these posts, people could have their applications for asylum assessed and be issued with a humanitarian visa. They could then get a boat or airplane into the EU rather than having to venture forward illegally.

Not only has the issue of humanitarian visas to be addressed but the Dublin regulation has to go. We should be championing that. It has been a disgusting provision which the Government has milked a little bit. The Government should be pushing for an end to the closure of land borders as these are far safer for people than crossing the Mediterranean in a leaky boat. I am interested to hear what was said on this matter at the Council.

Dealing with the people who end up here is only one matter. We could be doing much better in this regard. The key issue is what we are doing as a neutral State to raise the issue of western military interventions which are the ultimate cause for the scale of the crisis that is unfolding. Has the Government pushed for an end to air strikes and other interventions? Has it raised the issue that these matters need to be debated? If it has not done so, why? As a neutral country we should be raising the despicable role of Turkey, which has facilitated the growth of ISIS for its own opportunistic and strategic goals *vis-à-vis* Syria as well as having a role in the plight of the Kurdish population there. Why is the Government not doing so? I think I know the answer and Deputy Wallace has highlighted it. It is because the Government is putting economic interests, trade deals and deals with these people above the human rights of others. It is just not good enough. It is not in the interest of the Irish people or those who support our neutrality. The Government should be doing better rather than being an Uncle Tom to the EU which is ultimately playing that role to US imperialism.

Deputy Seán Crowe: Has the undemocratic nature of the Brexit been discussed with the UK Prime Minister, David Cameron?

To date only 322 refugees have been resettled, meaning these humanitarian schemes are clearly failing. What solutions is the Government putting forward for this? Is there any idea of the number of refugees coming to Ireland in 2016?

On the role of Turkey against the Kurds, along with curfews imposed, will concerns about this partner - this rogue partner - be raised in the future? Much money, almost €3 billion, is being pumped into that whole region. What about the ongoing issue with Israeli settlements?

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Germany's finance Minister, Wolfgang Schäuble, has proposed an EU-wide tax on petrol to cover the costs of the refugee crisis and, specifically, to secure the Schengen external borders. Again, he has not given any details as to how the tax would be collected and if Brussels would be in charge of the moneys raised. Has the Cabinet discussed this proposal? What is Ireland's view on this?

The Syrian conflict is creating the bulk of refugees, yet many countries have helped intensify the conflict by providing arms and covert support to militant groups in the region. I note the issue was discussed at the Council meeting and I welcome the statement supporting a political process to bring peace to the country. Will Ireland play any part in the Syria conference to be held in London in February?

The Transatlantic Trade and Investment Partnership, TTIP, was referred to in flowery and positive language. Has there any been Council discussions about the potential lawsuit being brought by TransCanada against the US Government? TransCanada is suing the US Government to the tune of \$15 billion because it had to cancel plans to build its environmentally disastrous Keystone XL pipeline. Two lawsuits against the US Government will not take place under US law or in the US courts but, apparently, under the secret arbitration process, ISDS, the investor-state dispute settlement. Have any concerns been raised about what this process holds for EU governments if we push ahead with TTIP?

Minister of State at the Department of the Taoiseach (Deputy Dara Murphy): The question whether the decision that will be taken by way of referendum, possibly in June, by the people of the UK is democratic or undemocratic is very subjective. It is not for us to comment. We are more than aware of the various break-ups of the UK with Northern Ireland and Scotland. It is not for us to comment on how the different elements of the United Kingdom may or may not vote. The reality is that there will be a referendum and all the people of the UK will have their say on it. It is a decision for the people of the United Kingdom to make. Of course, what comes following that and how different parts of UK will vote will be part of the debate that will take place after the vote. Our position remains absolutely categoric, however. We want the people of the United Kingdom to vote to stay in the European Union. We believe it is fundamentally in their own best interests. Clearly for Ireland, it is the case that we will be the most affected outside of the UK should it vote not to remain in the EU. It will also affect all the member states as well as the European Union itself.

On the question raised by Deputy Clare Daly about the number of people who have come into the country so far for both resettlement and relocation, it is fair to say, particularly with respect to relocation, that the pace across the European Union has been disappointing. Between both measures, we have committed to bringing in 4,000 people to Ireland. To date, only with respect to resettlement, we have not seen any significant numbers. We are optimistic, however. We have people located in the hotspots trying to assist and ensure a significant number of people will come through to this country over the next couple of months. With respect to resettlement, which is coming from outside, I must correct a point made by Deputy Clare Daly. It is possible for people to apply for asylum outside of the European Union. That is our preferred way for people to come in. We hope, under resettlement over the next few months, to see more people, again in the hundreds, coming to this country. We accept the points raised by the Deputies that the system is nowhere close to being as efficient as it should be. The European Union collectively needs to ensure the target of achieving 160,000 people, who can come properly into the European Union through both measures, starts to happen quickly.

With respect to the Deputy's question about Turkey, on which Deputy Wallace commented, we must remember that Turkey is a very important partner for the European Union, especially in the current context of the migration crisis. Notwithstanding some of the criticisms, we must continue to work with Turkey. An EU-Turkey joint action plan, agreed on 29 November, is designed to help Turkey in providing for the refugees in its territory and also to prevent uncontrolled migration from Turkey across to the European Union. There is a €3 billion fund for supporting Syrian refugees who are based there. Again, implementation of this will be key both for Turkey and the European Union. There have been some positive moves since 29 November, including the opening of Chapter 17, which is with respect to Turkey's EU accession. Many of the issues that have been raised and some of the concerns will be addressed through the various chapters of the ongoing Turkish accession negotiation. Frans Timmermans, the First Vice President of the Commission, recently met the Turkish Ministers for foreign affairs and justice to discuss the need to speed up some of these measures, which will address some of the concerns that have been raised.

With respect to comments made by Wolfgang Schäuble, I would hazard a guess that they have not been discussed at Cabinet. The Deputy will be aware that taxation remains a national competence in any event. I am aware of the media reports about his comments with respect to various taxation measures, but I am not aware that it has been considered or discussed at Cabinet. The Deputy will be aware that I am not a member of Cabinet.

An Leas-Cheann Comhairle: Other Deputies wish to ask further questions. I will come back to the Minister of State who will have five minutes to speak at the end of the debate.

Deputy Micheál Martin: I inadvertently consulted the Leas-Cheann Comhairle on this earlier and thought there would be more questions, but that is a genuine oversight on my part. On the summit and the Council meeting and the deal and discussions between the European Union and Turkey in terms of seeking to prevent people leaving the camps to travel to Europe, in the overall context has the Government a position on what is happening in Turkey? The issues that are emerging are of growing concern. There were bombs in Istanbul which killed nine tourists. There has been a drift from essential democratic norms in a number of areas in terms of the Turkish Government applying pressure to independent media and a growing indifference to minority rights. What was the contribution of the Irish Government or that of the Taoiseach to the summit in regard to those issues and what is the state of play in that relationship?

With respect to the ongoing tensions between Turkey and Russia and the shooting down of a plane prior to Christmas which received global attention, was that discussed in any great detail at the summit? Is the Taoiseach confident that all diplomatic efforts are being made by the European Union to ease tensions?

In terms of our bank debt, which the then Tánaiste, Deputy Eamon Gilmore described in 2012 as being a game changer, will the Minister of State confirm that it is now the Government's position that there will be no retrospective relief on debt and that essentially this chapter is closed despite what the Ministers, Deputies Noonan and Howlin, and the Taoiseach said in 2012? We never really sought any debt relief and we have now closed the chapter in terms of seeking any debt relief in terms of Anglo Irish Bank, given that the European Union and the European Central Bank in particular were adamant that no bank should fail and that bondholders would not be burned. That is what happened when Jean-Claude Trichet told the Minister, Deputy Noonan, that a bomb would go off and that it would not be in Frankfurt but in Dublin. Is that chapter finally closed in terms of the debt issue?

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In regard to Ukraine, will the Minister of State explain why the conclusions of the summit are disturbingly silent and is a softly-softly approach now emerging in terms of the relationship with Russia, with Ukraine being left without any support?

Deputy Dara Murphy: The Deputy is correct in that the internal situation in Turkey is a matter of serious concern. As the Deputy will be aware, the conflict between the Turkish Government and the PKK restarted in July 2015 when 180 civilians were killed. We are aware there are some serious human rights concerns. Ireland strongly condemns the horrific suicide terrorist attacks, the bombings in Ankara in October which killed 102 people and bombings in Istanbul where 12 people were killed this month. The latest European Commission report on the accession process has noted a number of concerns, including with regard to significant shortcomings affecting the independence of the judiciary, as the Deputy mentioned, freedom of assembly, freedom of the press and freedom of expression. Ireland continues to raise concerns in this regard, including most recently at the Council of Europe in December and with our European partners, and there will be ongoing dialogue with Turkey.

The question with respect to Russia was briefly discussed at the European Council. My understanding is the Taoiseach did not contribute.

With respect to the Deputy's question on debt, I have attended this House over the past year and a half and the Deputy consistently seems to forget that the terms of the bailout that was negotiated by his party's Government, the promissory note being one example, would have cost many tens of billions of euro more than is currently the position with the renegotiation of the terms, the extension of the maturities, the extension of the terms of many of the loans and the reduction of interest rates. By any objective analysis, having regard to the work that was done with the troika programme given the disastrous economic position in which this country was left, it is clear that the Government, especially the Minister for Finance and the Taoiseach, worked very effectively with our European partners to identify ways for the fiscal position of this country to be where it is. As the Deputy will be aware, there is still a small gap of less than 3% between what this country collects in income and what we spend, but the Deputy will remember when that when his party was last in government this country economically was on its knees. When he brings up the issue of the fiscal position of this country at this stage at the end of the Government's term of office, he would do himself great credit to acknowledge the extraordinary journey this country has made over the past five years under the stewardship of the Taoiseach, Deputy Enda Kenny, the Minister, Deputy Michael Noonan, the Tánaiste, Deputy Joan Burton and others.

Deputy Micheál Martin: Will the Minister of State answer the question? Is the chapter closed?

Deputy Dara Murphy: The chapter, as the Deputy will well know, will read well for the Government and the previous chapters will continue to read horrendously badly for the stewardship of the Deputy's party in government.

Deputy Micheál Martin: I think the Minister of State needs a Garda escort again.

An Leas-Cheann Comhairle: Does Deputy Clare Daly wish to ask a further question?

Deputy Clare Daly: No.

An Leas-Cheann Comhairle: If the Minister of State wishes, he can wrap up the debate.

Deputy Dara Murphy: I remember being phoned by Deputy Niall Collins the day before that, but we will talk another day about that matter - the integrity of the Fianna Fáil Party.

I am very much pleased to wrap up this debate on the December European Council. Some areas were not touched on in the questions and answers. The Taoiseach said that I would focus on energy union and a forward-looking climate policy. As expected, the European Council discussions dealt with both the historic agreement reached in Paris on climate change and the legislative package needed to advance the energy union project, which had been endorsed by energy Ministers in November.

It is worth welcoming again in this House the new Paris agreement, which sets the framework for a truly global response to the enormous challenge of climate change. The December meeting of the European Council gave a clear endorsement of this achievement and rightly congratulated France in particular for its presiding role in COP21. The European Council agreed to request an assessment of COP21 and the next steps in light of the 2030 climate and energy framework in particular. The Commission, with the Council, will prepare this in advance of the European Council next March. There are 196 signatories to the Paris agreement. It is both ambitious and legally binding and puts all countries in a position to take significant action to cut greenhouse gas emissions and to build resilience. All actors and all stakeholders, from the private sector to citizens to civil society, can clearly see that governments are serious about the challenge of global warming and about taking the necessary steps to confront it together.

Collectively, we are now committed to keeping the rise in global temperature to well below 2° Celsius above pre-industrial levels, and also to keeping the more stringent target of below 1.5° Celsius in sight. The agreement strengthens the financial and technical supports necessary for the most vulnerable countries and, crucially, through its transparency mechanism, ensures that each country can have confidence in the others' progress.

We can be proud that Ireland played a key part within the EU's very effective negotiations in Paris. In the coming months, the EU will look at how each member state will contribute to achieving our collective obligation as set out in the EU climate and energy targets for the year 2030. I want to recall once again that Ireland has been clear and consistent in wanting a fair and achievable target that does not place a disproportionate burden on any one country but allows every country to play its part.

As expected, the December European Council encouraged swift implementation of the Commission's energy strategy as set out in the energy union package. The goal of this package is to achieve an energy resilient Union with a forward-looking climate policy. To achieve this, the energy union encompasses a wide range of policy areas, including climate, transport, industry, research, the digital economy and agriculture. We in Ireland strongly support energy union. As a poorly interconnected member state, it is critical for us that we diversify the routes and sources of our energy and put in place appropriate supporting infrastructure. Regional co-operation will assist us in achieving EU-wide market integration and will further contribute to unlocking the full potential of renewables.

In the discussions at the December European Council, several member states raised the proposed Nord Stream 2 gas pipeline which would create a second direct link from Russia to Germany. The Commission is considering the proposal and will give its opinion in due course. Under the energy union legislative framework, member states will be required to produce national energy and climate plans by 2019. By definition, these plans will be closely linked with

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work on achieving the EU's targets for 2030 under the climate and energy framework. In Ireland's case, the Climate Action and Low Carbon Development Act has set work in progress on the development of a national mitigation plan and a national adaptation plan. The launch of our new White Paper on energy sets the framework for Ireland's transition to a low carbon economy and society by 2050 and aligns fully with the principles set out in the energy union strategy. I thank Deputies for their contributions.

Topical Issue Debate

Schools Building Projects Status

Deputy Derek Keating: I thank the Ceann Comhairle for agreeing to my request to discuss St. Mary's girls' national school, Lucan, tonight in Dáil Éireann. I also thank the Minister for Education and Science, Deputy Jan O'Sullivan, for attending.

I have been living in Lucan for approximately 30 years, and in very close proximity to one of the finest schools in Ireland, namely, St. Mary's girls' national school, also known as Scoil Mhuire, which is in the process of being denied its promised and long overdue building refurbishment works that have been progressing through all the stages of the procedure for many years. When the school was finally included in the schools stimulus package 2013, there appeared to be some glimmer of light, and for a number of years St. Mary's navigated its way through the protracted planning process. When I met the school principal, Mrs. Mary McIvor, before Christmas, she was pleased to confirm to me that building was scheduled to begin in February 2016, just a few short weeks away, and to conclude in late autumn 2016.

Last Thursday the entire project and all of the works undertaken, such as the inclusion in the schools stimulus package and the steady progress through the planning process, was thrown up in the air. The principal was told by officials in the Department that it has emerged that there is a competition for resources between one school and another or others and that the promised funding may not now be forthcoming. That is nothing short of disgraceful. We have told the people that things are better and that we have the fastest growing economy in Europe, yet we deny our children the basics in this school. The children have been advised through their parents to wear warm clothes because much of the heating system is no longer working. The building is in an unacceptable level of maintenance. In addition to the heating system not working, prefabs are still in place, windows are leaking and new and more acceptable bathroom facilities are required with drying facilities. The new build will solve all those ills and bring an end to the altogether unacceptable working environment for the children and staff alike. The school has never even benefited from additional and necessary works. In spite of that and the best efforts of departmental officials to cause confusion if not deny the vital capital works, Scoil Mhuire, St. Mary's girls' national school in Lucan, continues to provide a wonderful educational experience for its 680 children.

When the school principal could not contain this alarming news and felt duty bound to advise the board of management and the parents' association, many of them contacted me last Thursday evening. I was inundated with e-mails, text messages and phone calls from concerned and, understandably in some cases, angry parents because a departmental official cast doubt over the building project and conveyed the message that funding for the proposed development may not

now be available. At this very late stage of the proceedings and in the simplest terms, that is unacceptable. As the local Deputy I am at one with the principal, the board of management, the teaching staff, the parents' association, the parents and the children - our future - in their anger and upset at setting at nought all of what the Government has said previously.

Tonight in Dáil Éireann, I ask the Minister to provide clarity and certainty on St. Mary's girls' national school, Scoil Mhuire, Lucan, to confirm that the funding is in fact in place for the long outstanding and, by now, very necessary works, and to say when the works on St. Mary's school will commence. I also thank the Minister for Justice and Equality, Deputy Frances Fitzgerald, for coming into the Dáil to support my representations and speech this evening.

Minister for Education and Skills (Deputy Jan O'Sullivan): I thank Deputy Keating for raising the matter as it provides me with the opportunity to clarify the current position on the major school building project for Scoil Mhuire girls' national school in Lucan.

The Deputy will be aware of the demographic challenge facing the education system in the coming years. Primary enrolments, which have already risen substantially in recent years, are projected to rise by an additional 25,000 pupils by 2017 and they are set to continue to rise, with a likely peak in 2019. To meet the needs of our growing population of school-going children, the Department must establish new schools as well as extending or replacing a number of existing schools in areas where demographic growth has been identified. The delivery of the new schools, together with extension projects to meet future demand, will be the main focus of the Department's budget for the coming years.

The Deputy will also be aware that significant capital funding will be invested in the education system through the Government's capital programme announced on 29 September last. Over the next six years, €3 billion in direct funding will be invested in the schools capital programme.

The building project at Scoil Mhuire was one of a number of projects included in the investing in infrastructure and jobs stimulus package which, as the Deputy has just said, was announced in June 2013. As part of this announcement, my Department committed to advancing these school projects, including Scoil Mhuire, to completion. The project will provide an extra three classrooms to enhance the school to a 24-classroom facility. Additionally, it will provide major refurbishment to the existing school. This refurbishment element of the project represents a significant and increased investment by the Department and will provide state-of-the-art facilities for close to 700 pupils. The project encountered a number of delays in the course of architectural planning. Scoil Mhuire and St. Joseph's college share the same site which, at 6.18 acres, is very tight. This resulted in the need for additional feasibility studies on the utilisation of the site ahead of the project. In addition, the project also endured the loss of a member of the design team who left the project, adding further delay. Notwithstanding these difficulties, the project was authorised to proceed through the tender process in the course of 2015. The design team's supplementary tender report was submitted to the Department in December 2015 and has been considered by my Department.

I became aware of the issues Deputy Keating refers to. I had a phone call from the Minister for Justice and Equality, Deputy Fitzgerald, and contact from Deputy Joanna Tuffy at the weekend. Deputy Keating was also in touch with my office. I am aware of the concerns in the local community. As the Deputy may be aware, in the management of a capital programme, it is necessary to review periodically the scheduling of construction projects within the overall

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programme. This is a standard procedure, especially at the beginning of the year of the programme. In this context, my Department is conducting an expenditure profiling exercise to determine when projects can advance to site. When the expenditure profiling is complete, the Department will be in contact with Scoil Mhuire on the further progression of the project. I want to alleviate any fear that there is some kind of competition going on between schools - that is not the case. This is a procedure with regard to expenditure profiling and as soon as it is done - it will not take long - we will be in contact with the school.

Deputy Derek Keating: I thank the Minister sincerely. The issue of schools within the capital programme competing on building was something that was conveyed to me. I have tremendous respect for the Minister. I had tremendous respect and an equally satisfactory working relationship with former Minister for Education and Skills, Deputy Ruairí Quinn. Anything I say is not personal. This is an extremely sensitive issue and, with the greatest of respect, I am unhappy with the Minister's reply. This had been included for the capital expenditure and many parents will now rightfully ask why, if money was allocated for this building, the money is not there. In recent days I have been chasing around a number of officials for precise information and details on this doubt. One senior official in the Minister's Department, knowing I had been trying to contact him in recent days so I could give information and some clarity to the school, told me in an e-mail very early this morning that he was out of the office on Department business with only limited access to email. He had sent me that e-mail from his phone. This is ridiculous and I see it as an exercise in fobbing off an elected Member.

Leaving that aside, I will ask two questions in the time I have remaining. When will this uncertainty be removed? Given the particular circumstances I have outlined, which the Minister and her Department are aware of because of the history associated with Scoil Mhuire, St Mary's girls' national school in Lucan, what measures will the Department take to ensure priority is given to the school in order that clarity and certainty can be given for these works to begin?

Deputy Jan O'Sullivan: We are absolutely committed to ensuring the project goes ahead. I assure Deputy Keating - I think he is aware of how the capital programmes work in education - that when something is announced, it is announced on the basis that the capital is provided. That was the case for schools announced in 2013 and it is the case for the schools I announced towards the end of 2015 for the next capital programme. We have a capital allocation for each year of that capital programme and nothing is announced unless the money is there for it. I want to make it quite clear that the money is there for the school. We do not announce unless the money is there. This is not just about one school. There is a profiling exercise carried out in the Department which applies to all schools designated for proceeding in 2016. Those schools will be told as soon as we carry out this exercise and they will be engaged with. We have not gone past the deadline for this particular school. The proposal is that it will go ahead. It is not that it should have gone ahead by now but rather it is to go ahead in the near future. We will be in touch with the school in the near future.

Deputy Derek Keating: The building was scheduled to start in February 2016, which is in a few weeks time. That was the point.

Special Educational Needs Service Provision

Deputy Jonathan O'Brien: The issue that I raise is one that is close to the Minister's heart. I will focus on the Cork region. I have said to the Minister before that there is a chronic

lack of spaces for students with autism in ASD special classes attached to mainstream post-primary schools in the Cork area. At present, there are five mainstream post-primary schools that provide special classes. Nagle community college has two classes catering for 12 students; Deerpark has six classes catering for 36 students, which will be reduced this year to four classes catering for only 24 students; North Monastery on the north side has three classes catering for 18 students; St. Vincent's has three classes catering for 18 students; and Ursuline secondary school has one class catering for six students. Unfortunately, as the Minister is aware, a place in each of these special classes only becomes available when an existing student graduates. This is inadequate to meet the current demand for available places. For example, Nagle community college's ASD programme steering committee will very shortly meet to decide upon their enrolment next year. It can only pick four students because only four of its students will graduate. Only four places will become available, yet it has a list of 15 students - 12 boys and three girls. This means 11 students who were in special classrooms at primary level will not be able to avail of that at post-primary level.

The sad thing is that the girls might possibly get a place in St. Vincent's or Ursuline's but for the 12 boys there is no other option because the remaining schools with ASD special classrooms at post-primary level will not enrol anyone next year. Deerpark and North Monastery will not take any students into their special classes next year. In 2016, there will only be four places in special classrooms and ASD classrooms in the whole of Cork city offered to boys with special needs. In 2017 - we know these figures - there will be no places available. In 2018, there will only be one place available. In the past, to try to address this, the local special educational needs officers, SENOs, have asked each of the post-primary schools to look at establishing a special ASD classroom.

7 o'clock

To date, only one school in the Cork region, namely, Ursuline secondary school, has taken up that request. No other school has taken up the recommendations from the local special educational needs organisers, SENOs.

There are 15 autism spectrum disorder-specific classes in Cork city but as I stated, two of them will cease this year, thereby reducing the number to 13. If one considers the number of students attending primary school who hope to graduate into post-primary education, there are 66 classes at primary level, which contain 396 students in total, but yet in the entire Cork region there are only 34 classes that cater for 204 places. As 396 students will never go into 204 places, there always will be a chronic shortfall.

Deputy Jan O'Sullivan: I thank the Deputy and I share his interest in this area. As he has just noted, the SENOs engage with schools and work with them to provide the necessary places. I first will outline the position with regard to children with autism. The Deputy is aware the Government is committed to ensuring that all children with special educational needs, including those with autism, can have access to an education appropriate to their needs, preferably in school settings through the primary and post-primary school network. Such placements facilitate access to individualised education programmes, which may draw from a range of appropriate educational interventions delivered by fully-qualified professional teachers with the

support of special needs assistants and the appropriate school curriculum. Children with autism spectrum disorder, ASD, who cannot be accommodated in mainstream education may be enrolled in special classes or special schools where more intensive and supportive interventions are provided. The Deputy also will be aware that the National Council for Special Education, NCSE, is responsible through its network of local SENOs for allocating resource teachers and special needs assistants to schools to support students with special educational needs, including autism. It also is the role of the NCSE to make appropriate arrangements to establish special classes in schools in communities where the need for such classes has been identified. SENOs engage with schools annually to plan for and to open new special classes each year to ensure there are sufficient special class placements available at primary and post-primary school level to meet demand in a given area. Special classes within mainstream schools are intended for children who, by virtue of their level of special educational needs, cannot reasonably be educated in a mainstream class setting but who can still attend their local school in a special class with a lower pupil-teacher ratio of 6:1.5 at post-primary level and with SNA support. I believe all Members are agreed this is a good option for them. Progress in developing this network has been significant and in addition to the special school placements, there are more than 1,000 special classes nationwide at primary and post-primary level, of which 762 are for children with autism. A total of 194 of these classes for children with autism are at post-primary level, which represents an increase of 27% on the previous school year. However, I acknowledge the issue raised by the Deputy pertains specifically to the post-primary area and to Cork. Nevertheless, progress has been made and the SENOs and the NCSE are engaging with schools on a regular basis to try to increase the willingness of schools to take on such special classes.

As for the requirement for post-primary school places for children with autism, the NCSE, through its network of local SENOs, will engage with schools for the 2016-17 school year to plan for and to open new special classes to ensure there are sufficient placements available to meet demand in an area. The NCSE also will allocate staffing resources to special schools to provide for the number of pupils enrolling for that year, while taking into account the disability categorisation of those pupils and in accordance with the criteria set out in my Department's Circular 0042/2011. Details of all of the special classes for children with special educational needs that are attached to mainstream schools are published each year on the NCSE website. I acknowledge there is a tight timeframe in respect of the forthcoming school year and that the Deputy is specifically raising the issue of post-primary provision in the Cork area. The SENOs are engaging regularly with schools and I recognise the Deputy is raising a fairly urgent issue.

Deputy Jonathan O'Brien: I thank the Minister. I recognise there has been a statewide increase of 27% in the provision of places but unfortunately quoting that figure does not reflect the reality on the ground in certain geographic areas and I have provided the Minister with the example of Cork. At present, the closure of two classes in the Cork region is anticipated although I have been unable to confirm why it is proposed to close those classes, which cater for 12 students. Incidentally, that is the exact number of students who will be left without a place in post-primary special classes. While I have been given reasons off the record, I have been unable to confirm them and it would not be right to put them on the record here. Perhaps the Minister can check this out with the school itself, namely, Deerpark Christian Brothers School in Cork city.

The other issue is while I would be first to state the SENOs are active in engaging with the post-primary schools in the Cork area in trying to convince them to open special classes, unfortunately, as I stated in my opening remarks, only one school in Cork city has actually done this,

namely, Ursuline secondary school. There appears to be an opt-out clause or position schools can take and despite the evidence stating additional classes are needed, schools are not taking that on board. I do not know the reasons behind this but surely, as Minister for Education and Skills, the Minister can speak to the schools or can make some form of directive. Alternatively, if this is a funding issue, perhaps the Minister can revert and tell me this is why schools are not giving consideration to additional special classes. However, one cannot have a situation whereby in the entire county of Cork, 396 sixth class students are finishing primary school and seek to get into special classes at post-primary level but only 204 places are available. Moreover, this is not to mention the students who may be in special schools at present but who, with the additional help at post-primary level, may be able to transition from special schools into special classes in a mainstream setting. This surely also should be the goal and it should not simply be about trying to maintain the *status quo*. I acknowledge the timeframe is short but I ask the Minister specifically to look into the reason two classes are being lost at Deerpark Christian Brothers School.

Deputy Jan O’Sullivan: In response to the Deputy, I do not believe it is a funding issue. While I certainly can clarify that, I do not believe it is a funding issue because funding is not an obstacle that is put in the way of providing such special classes. I certainly can revert to the NCSE and check on the specific details of the school raised by the Deputy. The Department and I encourage schools but cannot force them. We probably can use more leverage when new schools are being established in respect of the criteria and how the Department engages with the proposed patrons. However, the Department certainly can and does encourage schools. I also will take up this matter with the NCSE.

Road Projects Status

Acting Chairman (Deputy Bernard J. Durkan): The next matter has been raised by Deputy Kelleher.

Deputy Jan O’Sullivan: I should note I am taking this matter on behalf of the Minister, Deputy Donohoe. He had intended to be present but unfortunately something has come up.

Deputy Billy Kelleher: I note that were the north ring road and the M20 to be built, the Minister and I could meet a lot quicker to address other concerns.

At the outset, I raise this issue because it is a national priority and more importantly, in the context of the development of Cork, progress must be seen in respect of the north ring road itself, which will link the M8 to the proposed M20. When one considers Cork, its layout and its traffic infrastructure on the eastern side of the city, it is completely dependent on the tunnel in respect of traffic going from north to south. Were anything to happen to that tunnel, there would be no access across the River Lee for the volumes of traffic currently passing through the tunnel on a daily basis. It is proposed to spend sums of money in upgrading the Dunkettle roundabout to make it into a cloverleaf type of junction system, which is welcome. However, the north ring road itself also should be prioritised as that would address Cork’s current absolute dependence on the tunnel for its infrastructure and traffic movement. This project should not be shelved when the north side of the city is both underdeveloped and poorly developed in respect of infrastructure and what it supports in attracting further industry and opening up areas for development.

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As the Minister is aware, Apple is located on the north side of the city. It is a huge employer and an international flagship company. We want to be able to capitalise on that type of company locating in the heart of the north side of the city but the only way we can advance industry and commerce in the area is by developing a proper traffic route. This requires the building of the north ring road from Killydonoghue on the eastern side to Poulavone in Ballincollig. Anything short of that undermines the capacity of the city to develop on the north side. There is an unequal balance between the two sides of the city in terms of investment. This is patently obvious any day of the week; one needs only drive across the city. There is an awful lot more development on the southern side than there is on the northern side in terms of both local authority investment and, as important, private investment. The obligation on the Government is to ensure this road is constructed and developed.

Linking our two great cities is the next piece of the jigsaw. We must put the M20 back firmly on the map. The north ring road in Cork and the M20 between Cork and Limerick are critical infrastructural developments. These two great cities could create a counter-weight. They would be two great cities coming together. We do it regularly in rugby and we could also do it in many other areas. We would have a corridor from Galway, south to Limerick and on to Cork. These are three university cities which have an exceptional quality of life and are linked by rail and road. There are deep water ports in Cork and Foynes and international airports in Shannon and Cork. There is a huge opportunity for counter-balance and to develop the west and south west, which is important. I do not want to be too parochial about it but we believe that there will be a retarding effect on growth and investment in the region if this infrastructure is not developed in the next number of years.

This infrastructure would open up the whole of the south west and west to investment opportunity in areas such as pharmaceuticals, as in Cork. As one moves up along that length of the country towards Galway, where the medical device industry is to be found, there is huge potential for symbiotic development and cross-fertilisation of capacities in the various cities.

The immediate step to be taken is the construction and development of the north ring road in order to ensure we are not dependent on the tunnel alone. Then the M20 needs to be put firmly back on track.

Deputy Jan O’Sullivan: While I share an interest in the Cork-Limerick road, I will confine my answer to the north ring road. As I said, I am taking this Topical Issue on behalf of the Minister for Transport, Tourism and Sport, Deputy Paschal Donohoe, who has responsibility for overall policy and funding for the national roads programme. The planning, design and implementation of individual national road projects is a matter for Transport Infrastructure Ireland, formerly known as the NRA, under the Roads Acts 1993 to 2015 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects such as the Cork north ring road is a matter in the first instance for Transport Infrastructure Ireland, in accordance with section 19 of the Roads Act. Ireland has just under 100,000 km of road in its network and the maintenance and improvement of national, regional and local roads places a substantial financial burden on local authorities and on the Exchequer. Given the national financial position, there have been large reductions in Exchequer funding available for roads expenditure over the past number of years. For this reason the focus has had to be on maintenance and renewal rather than major new improvement schemes. The northern ring road was one of a range of proposed road development projects which had to be deferred.

Thankfully, the economy is now recovering and the pressures we are now facing relate to renewed economic growth. The Government's capital plan reflects the need to maintain a prudent approach to expenditure, the balancing of investment needs and the long-term sustainability of the national finances. The transport element of the plan was framed by the conclusions reached in the Department's Strategic Investment Framework for Land Transport. This report highlighted the importance of maintenance and renewal of transport infrastructure together with targeted investments to address, in particular, bottlenecks and critical safety issues. The capital plan provides €6 billion for investment in the roads network in the period to 2022, with €4.4 billion earmarked for the maintenance and strengthening of the existing extensive network throughout the country and €1.6 billion for new projects.

While it will not be possible to address all the demands for improvement schemes over the next plan period, the plan does provide for the gradual build-up in capital funding for the road network towards the levels needed to support maintenance and improvement works. In this context a number of important projects in Cork are included in the plan, including the upgrade of the Dunkettle roundabout and the N22 road between Ballyvourney and Macroom. In addition, the plan also provides that the N28 upgrade scheme will also commence subject to planning permission.

Deputy Billy Kelleher: The Minister's honesty in the reply disappoints, given the object of my raising this particular issue. We have to emphasise that this is not a regional or local issue. It is a strategic issue in terms of the development of the second city. We talk about access to the port, which it is proposed to move further down the harbour in Ringaskiddy, the opening up of the north side of the city for investment and development and ensuring that the city and the critical infrastructure around it is not fully dependent on the tunnel. I can instance a few cases. For example, we have a massive pharmaceutical base in the lower harbour and the intermediary harbour area. We also have an airport in the south side of the city but most of its hinterland would be from the northern and eastern parts of the country. The dependence on the tunnel, in the event of anything happening, would mean the economic life of the Cork region could come to a standstill for a period of time were the tunnel closed for whatever reason, be it an accident, damage to the tunnel or some other event taking place.

If we had the north ring road linking the south link on the eastern side and moving across the north ridge to Killydonoghue on the M8, all these problems would be alleviated. It would also alleviate the difficulty we will have in the next couple of years in the context of the Dunkettle interchange upgrade. We will be piling more and more traffic into a system that simply cannot take it. Our south ring road is like a parking lot at certain times. If we had the north ring road, it would address all the challenges facing the city in terms of traffic movement and attracting investment and other commercial life and tourism into the city. I urge the Minister to reflect on and convey to the Minister, Deputy Donohoe, my deep concerns about the fact that this has fallen off the priority list. The land is there. All we need is the will and the commitment.

Deputy Jan O'Sullivan: As a former Minister of State, Deputy Kelleher will well know that governments have to plan their expenditure on the basis of the money available. We had a collapsed economy following the last Government's tenure. We have had to be prudent in terms of the economic recovery which has only just begun thanks to the efforts we have made in recent years. We cannot spend what we have not got. We have a capital budget which is prudent and will gradually improve as the economy recovers. We have done what we can. The Minister, Deputy Donohoe, and other Ministers have done what we can with the capital available to us. I will convey the Deputy's concerns but he has to accept the economic reality in which we

find ourselves, the need to be prudent and the need to ensure we maintain the recovery and do not place it in jeopardy.

Garda Síochána Ombudsman Commission

Deputy Clare Daly: Deputy Wallace and I are very glad that the issue of surveillance and intrusion into the lives of citizens is finally being addressed and a topic of conversation. We have consistently tried to raise it in this House but to the complete lack of interest of the media and political establishment. There is a certain double standard in the outcry over GSOC accessing of journalist phone records and the response has been entirely disproportionate. Citizens have had their telephone conversations from prison with their solicitors tapped into and intercepted. Gardaí have been involved in some activity which has also been largely unmonitored. It is important to say the information GSOC was seeking was part of a criminal investigation into alleged Garda criminal activity. We know that there has been a huge problem with gardaí giving information to the press, which is often not in the public interest and breaches the privacy of citizens. It is very common and there is no action or accountability when it happens. The Garda has to be accountable to somebody and, in this instance, GSOC is the body responsible. Its powers which are now in the public spotlight are powers which the Garda and other organisations also have. It is really important that we seize the opportunity, now that this information is coming into the public domain and somehow striking a chord in a way it never did before, to look at this issue because the right to privacy and other fundamental human rights are important. The Minister says she is to have a review, but it seems she is only reviewing the 2011 Act with regard to information on journalists. We need a review of the 2009 Surveillance Act and the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993. That review must be conducted in the interests of all citizens, not just journalists, because citizens' rights have been abused. I did not see too many journalists who were concerned about the issue up to now.

Deputy Mick Wallace: In December 2014 the Minister for Justice and Equality, Deputy Frances Fitzgerald, stated there was no question of mass surveillance being carried out in Ireland. She went on to say, when I raised the matter in the House, that the implications of the reports were that it was happening within the jurisdiction of the United Kingdom. However, she also said:

It is very clear that every country makes its own legal arrangements for lawful interception. I would expect [that any] such measures, if they were ever in operation, would have a proper legal basis and [that] the level of interference [would] be proportionate to the aims sought to be achieved, in any given country's legal approach.

In February 2015 the investigatory powers tribunal in the United Kingdom ruled that the large-scale interception and collection of the public's personal communications data by Government Communications Headquarters, GCHQ, in the United Kingdom and the National Security Agency, NSA, in the United States was illegal. Furthermore, it was illegal prior to Mr. Snowden's disclosure of the vast GCHQ and NSA mass surveillance programme. The two spying programmes under investigation were Prism and Upstream. Under the Upstream programme data were accessed in bulk using fibre-optic communications cables, including all major undersea cables carrying almost all communications between ordinary citizens in Ireland.

I asked the Minister multiple questions about this issue in January and June 2015 and she

repeatedly gave the same answer, suggesting these were just media reports and that nothing unlawful was going on. She said the Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, had received assurances from the United Kingdom that nothing was going on, even after GCHQ's oversight body had found it had been in breach of the law.

I, too, think that before GSOC can look at anyone's phone, it should have to go before a court. However, as we have argued before in this Chamber with the Minister and her predecessor, Deputy Alan Shatter, so too should the Garda. The idea that a garda can actually go to a superintendent or someone higher to obtain permission to interfere with someone's communications facilities is madness. It just does not work and the people of Ireland do not want it to happen. Journalists do not want it to happen and neither do citizens. We do not want our phones to be tapped and do not want to give anybody, including the Garda, the power to tap them without having to go before a court first. If there is criminal activity, it should be able to obtain a permit through the courts. The idea of a yearly review and rubber-stamping everything that went on is nonsense for everybody, including GSOC and the Garda.

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am sure all in this House will share my view that a free press plays an essential role in a democratic society in fostering full, free and informed debate on all issues of public concern. It is, therefore, of fundamental importance that journalists be able to carry out their legitimate work unhindered.

Concerns have been expressed in recent days on the question of access to the telephone records of journalists in the context of a criminal investigation being carried out by the Garda Síochána Ombudsman Commission, GSOC. Access to communications data is governed by the Communications (Data Retention) Act 2011. I must emphasise that I do not have any role, nor does my Department, in the process of requesting or authorising access to telephone records or logs under the 2011 Act; nor do I receive information on specific requests made in the course of those investigations. We have had many calls for strong, independent monitoring in various arenas and that is what we set up in GSOC. It would not be appropriate, in the context of the independent functions of bodies such as GSOC, for me to have that kind of information. It is an independent body which acts independently.

As the House will be aware, genuine concerns have, however, been raised about the balance in the current law between the important freedom journalists should rightly have to pursue legitimate matters of public interest and the basic right of persons not to have their personal information improperly disclosed. This raises very complex issues. We are talking about the various balances between, for example, criminal investigation, the public interest, protecting sources and the rights of victims. These are fundamental issues for any society and democracy to manage in the best possible way.

I went to the Government today and it agreed to my proposal to establish an independent review of the law in respect of access to the telephone records of journalists. The review will cover all bodies that can have access to records under the Data Retention Act, including GSOC, An Garda Síochána, the Revenue Commissioners and the Defence Forces. The 2011 Act which was introduced by the former Minister Mr. Dermot Ahern in 2011 provides all of these bodies with that authority. I am pleased that the distinguished former Chief Justice, Mr. Justice John Murray, who is also a former member of the European Court of Justice, has agreed to carry out the review. I express my appreciation for his immediate agreement to conduct the review, which I expect and anticipate will be completed in three months. It is about looking at the issue and getting a speedy report on the legislation.

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Mr. Justice Murray will be examining whether further safeguards are necessary. I have also asked him to look at the international situation. The draft terms of reference for the review are to examine the legislative framework in respect of access by statutory bodies to communications data of journalists held by communications service providers, taking into account the principle of protection of journalistic sources, the need for statutory bodies with investigative or prosecution powers to have access to data in order to prevent and detect serious crime, and current best international practice in this area. There must be clear criteria for accessing these records. It must be in respect of a serious offence which is punishable by a term of imprisonment of up to five years.

With regard to GSOC, in particular, while fully respecting the independence of the Ombudsman Commission, I was glad to meet this morning its chairperson, Ms Justice Mary Ellen Ring, who was appointed by the Government some months ago and is a judge of the High Court. She has assured me of the clear and strict procedures in place in GSOC in this area and that it is operating fully within the law. She emphasised to me that GSOC requests for access to telephone records were decided at the level of the chairperson. As the Deputies said, within An Garda Síochána there is a request from a superintendent which is decided at chief superintendent level.

I have assured Ms Justice Ring - I emphasise this point to the House - that there is no question whatsoever of the review of the law in this area reflecting any lack of confidence in GSOC. The review arises not from the facts of any particular case but from the genuine concerns raised about the overall balance of the law in this area. While I am sure Deputies share my view that statutory bodies investigating offences need to have the appropriate statutory powers available to them to carry out their duties which are very important, we need to examine the balance in respect of entirely legitimate journalistic activity being carried out in the public interest. That is what I envisage being done in the review.

Deputy Clare Daly: I have to say the Minister's response is completely inadequate and off the mark. The review of the 2011 Act in regard to journalists is not enough. All citizens deserve to have their privacy and human rights protected, and the rightful outcry in regard to journalists' phones being intercepted should be shared in regard to other citizens' rights. The Criminal Justice (Surveillance) Act 2009 allows the Garda to break into somebody's house, to plant devices, to carry out secret recordings and to put a tracking device on a person's car. Some of these activities can be done on the say-so of a superior officer without any oversight or scrutiny, or any definitive figures being produced afterwards. This is not good enough. Privacy and human rights are deserved by all. I appeal to the Minister to look at the situation regarding all of the surveillance legislation which is on our books, the use of that and the powers that rest with the Garda, the Revenue Commissioners, the Defence Forces and other State bodies which are not open to proper scrutiny or freedom of information requests. It is not just a matter for GSOC. If the Minister was serious about freedom of the press and citizens' human rights, those aspects would be examined as well.

Deputy Mick Wallace: I too have serious concerns about surveillance in Ireland. We have not had much assurance in the past couple of years. We do not measure up to international best practice and this is an excellent opportunity to address many of the issues and concerns people now have in this area.

I found it interesting that the Association of Garda Sergeants and Inspectors was so eager to jump all over GSOC again, and it is laughable how it reacts sometimes. I read a very good letter in *The Irish Times* this morning by Ray Leonard. He stated:

I would suggest that any journalist aggrieved by GSOC's actions should make a complaint under section 109 of the 2005 Act and seek a review of those actions by a High Court judge. I would be surprised if such a review found GSOC to have acted excessively but in the event that it did, then the public, the Garda Síochána (and the journalists) have a right to know and to ensure that such actions are corrected. This would also serve to assist GSOC in testing its processes and providing needed external quality control.

He has brought a bit of balance to the debate. I would again reinforce the need to protect the communication facilities of all citizens, not just journalists.

Deputy Frances Fitzgerald: As that letter pointed out, under the current legislation, a report is done every year by a judge who, I am satisfied, has access to all of the records he needs. In this instance, the most recent report was published in November 2015 by Judge Paul McDermott. As Deputy Wallace rightly points out, there is an opportunity, if one has a complaint, to take it up, and there is an identified judge, Judge Hanna of the Circuit Court, who deals with complaints which are made in regard to any such access to records, if an individual has a complaint in regard to it.

To take up Deputy Daly's point, the various bodies which are named in the 2011 Act will also be considered, as I have made very clear. This is not just about GSOC but also about the access that An Garda Síochána, the Revenue Commissioners and the Defence Forces have in regard to these powers. This is included in the term of reference.

It is important to again put on the record of the House that the purpose of the Communications (Retention of Data) Act 2011 is not to pry into the communications or privacy of individuals but to support the work of statutory agencies which are carrying out important work in investigating what have to be serious criminal offences - that is the criterion. This clearly is a key factor in determining whether the decision is agreed to give access to those records. I think most fair-minded people in this House would agree these powers are necessary; the question is what are the appropriate checks and balances. That is precisely what I have asked the judge to review because, of course, we must have the strongest checks and balances possible in view of the importance of these issues. There are balances, and I have mentioned the balance between privacy and criminal investigation, defending the public interest, the rights of victims and, of course, the rights of journalists to protect their sources. These are the issues that will be taken into account.

When we are considering the rights of journalists, I would make the point that we must also take into account the very legitimate rights of a person or their family not to have personal information put in the public arena. We have to realise how very distressing it can be for individuals and families when information is leaked.

As I said, this review will be carried out by the former Chief Justice, Mr. Justice Murray. I believe this is a measured and responsible response to the issues raised, rather than rushing headlong into a legislative amendment. We need to consider these very complex issues.

Confidence in Tánaiste and Minister for Social Protection: Motion [Private Members]

19 January 2016

Deputy John Halligan: I move:

“That Dáil Éireann has no confidence in the Tánaiste and Minister for Social Protection.”

I wish to share time with Deputies McGrath, Murphy and Healy, and there might be another Deputy Murphy.

Deputy Paul Murphy: Yes, there is.

Acting Chairman (Deputy Bernard J. Durkan): There are four speakers sharing time. Is that agreed? Agreed.

Deputy John Halligan: It does not give me any pleasure to put forward a motion of no confidence in any Minister or Member of the House - it is not what I am about. I speak regularly to the Tánaiste and she is very courteous to me, as I am to her. There is no animosity between the Tánaiste and myself. However, when they listen to what I have to say and to why I am angry and upset, many people may understand why this motion has been put forward.

The practice of Government Ministers appointing party favourites to State boards and quangos before a general election is a long-standing and established tradition. Fianna Fáil, which has been quick to condemn the Tánaiste in the wake of David Begg's appointment as chairman of the Pensions Authority, secured similar roles for 60 of its own supporters before it lost office in 2011, when Labour and Fine Gael promised us a new and very different type of politics that would challenge the political cronyism surrounding State board appointments.

The Tánaiste has always been a most vocal critic of political cronyism. Back in 2004, when she was the Labour Party spokesperson on finance, she said she would vigorously oppose some proposals in the new Public Service Management (Recruitment and Appointments) Bill. Addressing the Dáil, she said she was particularly concerned that special advisers may be able to circumvent the rules on open, competitive recruitment. She also said that public confidence must be maintained in the honesty and fairness of the public service recruitment system and she expressed grave concerns that political appointments would be made via the back-door route.

Ten years later, in the wake of the McNulty debacle, the Tánaiste was still speaking against political cronyism. She claimed to the Dáil that it was she who proposed a new process of appointments to State boards whereby Ministers choose from a short-list provided by the Public Appointments Service and she promised a system of appointments which would provide the best range and mix of people. However, there was no range of people under consideration when she bypassed the normal appointment procedures to offer personally David Begg the Pensions Authority post, a role he has admitted he had not wanted and for which he did not apply. Last week, on national radio, one of the Tánaiste's Labour Party Deputies asked why the rules are in place if we are not going to abide by them.

One of the most infuriating comments that has been made in recent days is the suggestion made by Mr. Begg that the €20,000 a year role is not lavishly paid. What an appalling insult. I could fill this Chamber a hundred times over with pensioners, people on invalidity payments, people on disability payments, low-paid workers and the unemployed, all of whom earn less than €20,000 a year. What about single mothers who would be glad of an additional income of €20,000? These people know the meaning of a pittance, but David Begg does not. These people are surviving on a pittance every week. The Tánaiste's behaviour in making this ap-

pointment, regardless of Mr. Begg's suitability for the post, flies in the face of all her promises of equity throughout her career. I have cited some of the points she has made.

At present, I am handling several cases of homelessness among young single mothers in Waterford. A major problem facing these young women and the issue driving them into homelessness is that the Government policy set down by the Tánaiste's Department delays the payment of a deposit for a property for weeks or even months. Even if these mothers could raise a deposit themselves, the current rent levels set by the Department for a single parent and child is €475, despite the average cost of a two-bedroomed house in Waterford being €700. Can we not understand why people are homeless and being driven out onto the streets?

These young mothers are shunted off to bed and breakfast accommodation indefinitely and expected to lead a normal life without a proper kitchen or laundry facilities. They have nowhere for their children to play and no hope of getting a home of their own. They have no fridge in their room to store milk, not to mind food for their children. They are living on sandwiches and takeaways and walking the town with their babies and toddlers each day in an effort to kill time as their children are not allowed to play outside their bedrooms. This is a hopeless and horrendous situation for any parent to be in. I estimate that my office has helped more homeless people in the past three months than in the entire first year I was in office. This is largely due to the policy the Tánaiste is standing over, while she appoints her buddies to comfy roles for what has been described as a pittance.

I am tired and worn out from meeting people in hopeless situations. These people have no money, no food and no clothes for their children. I work out of an office, part of which is used to provide breakfast to children each morning because they have no breakfast before going to school. How would that €20,000 fit with that family? How would it fit with the thousands of families in poverty in Ireland? The Tánaiste can see why I am angry and upset. Any Deputy in this House worth his or her salt must be experiencing the same problems of desperation, poverty and deprivation in this country. However, the Tánaiste has decided one of her buddies, who is retiring on a large pension, will be given more than what is given to an old age pensioner, somebody on social welfare, somebody on invalidity or somebody on disability, and he describes this as a pittance. Is it any wonder people are upset? The Tánaiste should listen to any of the radio programmes broadcast today and listen to what people are saying when they ring in to them.

Whether David Begg is suitable for the job of chairing the Pensions Authority is not the question here. What needs to be questioned is how the Tánaiste can hold her head high and claim she has shown equity in making this appointment. During her term as Minister for Social Protection, the rate of child homelessness has soared. The policies of her Department during her term have flown in the face of our obligation under the UN Convention on the Rights of the Child to guarantee every child a minimum standard of social protection. Allowing the Minister to continue in this role and to continue, unashamedly, to endorse political cronies shows the worst form of contempt for the thousands of children whose lives have been devastated by the very policies she stands over.

I started off this debate by making the point that I hold no animosity towards the Tánaiste. She is very courteous to me and is a very nice person. However, I live in the real world. I live in a city that has had the highest rate of unemployment and subsequently one of the highest rates of poverty, deprivation and child poverty. Therefore, I know what I am talking about. I do not come in here and speak lightly on this. I have never made a personal attack on any Minister or

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Member of the Dáil. However, I am furious now. People have come to me and said they do not understand this. Their social welfare or children's allowance or child benefit was cut and they cannot understand how we can give somebody who has a huge pension €20,000 on top, the equivalent of what they are not getting. This has resonated with people throughout the country today.

David Begg is not the issue. I do not know whether he is suitable for the appointment. The problem is that none of us knows because he did not have to go for interview or have to submit his portfolio to *stateboards.ie*. He did not do that. I am sorry to have to point this out. I am comfortable with putting forward this motion. This is not something I would choose to do, but I am doing it for the hundreds of thousands of people in need and the one child in ten who is going to school in the morning hungry and without proper clothing. I am doing it for the 750,000 people in this country who, as any organisation can confirm, are on the edges of poverty, below the poverty line or about to go into poverty. That is the reason for this motion.

Deputy Finian McGrath: I strongly support my colleague, Deputy Halligan. It is important to look at the wording of this motion, that Dáil Éireann has no confidence in the Tánaiste and Minister for Social Protection. I will discuss this key phrase, "social protection", later. Insiders have contaminated politics for many years. Politicians of all parties have grossly abused their power. I insist that they surrender the right to make political appointments. This demand includes the end of the practice of parties in government putting their favourites on the boards of State bodies, into the Judiciary, the top ranks of the Garda Síochána and the Central Bank Commission. Independent bodies must be set up to exclude all politicians from the ranks of those making such choices. Political patronage and cronyism must end. That is what this motion is about and these are the key issues in regard to the broader debate.

This debate is not just about one Minister, but includes the Government and other Ministers. In recent days, we have seen a blatant display of cronyism. This has contaminated politics. We need to end the practice of political appointments. We also need to focus on selecting people with ability based on merit. Ability and merit should be at the heart of all appointments. Political patronage should end. We have many highly talented people with expertise in our wider society. People selected for these boards should be selected on merit. The key words for this debate are merit and transparency. It is about merit and ability, without cronyism.

In the past 24 hours we have seen how three other Ministers or Ministers of State used this get-out clause to make appointments to top State posts. The Tánaiste bypassed the public process and the others involved are the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, and the Ministers of State, Deputies McHugh and Nash. The latter is here tonight. We are talking about transparency versus cronyism and people in broader society deserve better. We were promised a breath of fresh air and new politics in 2011. Many of us on the doorsteps gave such a commitment following the crash and the leaders in that campaign were Fine Gael and Labour. Where is this new type of politics? Even the Government backbenchers are extremely unhappy about this issue.

Not only are we saying we have no confidence in the Tánaiste, we are also challenging the insiders in this House and across society. We need to reinforce transparency by means of a proper and mandatory application and interview system, as is the case with every other job. In most parts of society, if a person is going for a job, he or she does an interview after sending in a CV. Independent experts usually supervise the allocation of the job, so why does it have to be different for people appointed by Ministers?

There are wider issues of social protection. Any vision from a Minister for Social Protection should contemplate protecting people, particularly the vulnerable in society. Only last night we heard about bed bugs, mice and cockroaches. There are 800 families in temporary accommodation. We heard about leaking water, mould and faulty electrics. This is not 1913 or the Lock-out. This is 2016 in Dublin and the Labour Party should face that reality. It is an absolute disgrace that young children are living in conditions like this when a Labour Minister is responsible for social protection. Where is the social protection for those children? Where is the support and care for those families? One child in three in this country is deprived of basic necessities. This fact was highlighted in the Growing Up in Ireland report in the context of the major inequality in Irish society. The Ombudsman for Children has indicated that approximately 138,000 children are living in poverty. Where is their social protection? Consistent poverty rates have increased from 6.8% to 11.7%. Where is the social protection in that? It is predicted that 37,000 children will live in poverty by 2020. Some 1,054 children are homeless at present and the rate is rising. I am not speaking about just one Minister but rather a Government and its ethos or vision. This is about the need for a radical vision that will bring real equality and rights for children. We need real social protection.

The European Anti-Poverty Network in Ireland stated in a recent report that 1.4 million people, or almost 31% of the population, suffered from deprivation. A quarter of the population cannot afford to heat their homes adequately and 37% of children suffer deprivation. The worst deprivation is felt by lone parents, the unemployed and people not at work because of illness or disability. I will return to the disability issue later. This is a stark reality but the Government wants to dip into people's pockets time and again. The numbers at risk of poverty, or those below 60% of median income, have fallen slightly, although they are still above the 2008 levels. The numbers experiencing consistent poverty have doubled since 2008 to 8.2%. The Government needs to remove almost 193,000 people from poverty and half the current number to meet its target of 4% for 2016. These are the facts.

The Government and mainstream political parties must ask where the money will be obtained and how services may be funded. According to the Department of Finance, the top 1% or 21,650 earners have an annual gross income of €8.7 billion, with the average earnings of €403,703 per year. That is more than ten times the average industrial wage. According to the Revenue Commissioners' latest available statistics, corporate profits are increasing, with gross trade profits increasing to €73.8 billion in 2011 from a previous figure of €70.8 billion. There is wealth in the country but there is a lack of emphasis in challenging those in possession of it.

A very important element of social protection is the health of people living in disadvantaged areas. We must target health policies and services in such disadvantaged communities. We must put these people first as they have a complex social and medical need. These people have higher rates of health-related problems and three times the mortality rates of more affluent patients. Males die 18 years sooner than those in more affluent groups. I raise that reality in the context of the broader motion. We need social protection for our people and particularly our children. We need social protection for the whole of society.

Acting Chairman (Deputy Bernard J. Durkan): I call Deputy Shane Ross.

Deputy Catherine Murphy: An error was made when the names were sent. Deputies Healy, Paul Murphy and I propose to take the remaining time in the slot.

Acting Chairman (Deputy Bernard J. Durkan): That is a matter for the Deputies. There

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are 20 minutes left in the slot. Is it agreed to divide the time among those Deputies? Agreed.

Deputy John Halligan: I apologise as I should have indicated that Deputy Catherine Murphy would speak.

Deputy Catherine Murphy: I will focus mainly on the Government counter-proposal, which describes the transformation of the Department of Social Protection. There is no doubt it has transformed but elements have not transformed for the better. I will draw attention to a few of them. The €70 million contract awarded to a UK company in respect of JobPath is absolutely outrageous. The jobs are being created for UK staff to run the process and deliver what was recognised as a failure in the UK. JobPath is already a wasteful disaster. Much of the process relating to it amounts to box-ticking. When the Minister announced JobPath she stated that it would provide intensive individual support, advice and coaching to all on the programme and that JobPath would also help participants to address social inclusion barriers, improve personal well-being and tackle personal difficulties such as problems with literacy, numeracy and addictions.

I can tell the Tánaiste that there is no advice or coaching being delivered. The group CV workshops are not supervised and there is no work to overcome social inclusion barriers. The only barrier I can see arises if somebody refuses to take on a training programme that is totally unsuitable. There is no context to skill experience. The provider has the brand new offices, signage and the €70 million for the contract. Each intervention with a jobseeker is charged to a contract and the jobseeker may often be forced into an unsuitable outcome. There is no initiative to identify skill gaps or to have a targeted approach to fill such gaps with appropriate training. For the life of me, I do not understand how when something has failed, we must persist with trying it again and seeing if it fails again.

There have also been changes to pension calculations that are grossly unfair.

8 o'clock

A woman came to my office last week who had paid in excess of 30 years worth of pension contributions and got a reduced pension. When one compares that in terms of fairness to someone who has never worked before the age of 55 and works continuously until pension age, one sees that they get a full pension. It is calculated on the basis of the very first payment a person makes. If a person starts off as a student, takes time out to go to college, takes time out to look after children or other caring responsibilities or even takes a couple of years abroad, they can put themselves in a perilous position because it is calculated over all of their working life. This is grossly unfair. Increasingly, I am coming across people who are furious about that. It is transformation alright but it is not transformation for the better.

The third area I wish to speak to is the approach to rent assistance. I began raising this with the Tánaiste more than three years ago because I could see what was happening. It was subsequently tweaked a bit but the problem that there would be an acceleration in the number of people who could not make up the difference and would end up homeless was evident. There were improvements, certainly in the past year, when section 38 was more extensively used. I used it a lot through my office. If there is a risk of homelessness and there are particular circumstances, a case can be made to the rents unit. This has now changed very significantly in places like Kildare where the HAP programme is being rolled out. While there are merits in

that programme, the section 38 element is being rowed back on. For example, a single adult who attempts to rent a property will be allowed €520 plus 20% over the cap. This is €624. Find me something for less than €1,200 in my area. If you can do it, you are a better person than me. We will accelerate the homelessness problem by virtue of this initiative that is rolled out as a solution when it will only cause even more problems. We saw the disgraceful programme last night on RTE. There is a price to be paid, not least the price for emergency accommodation and the damage that is being done to children. If one looks at the Dublin Region Homeless Executive, one will see that it does not go beyond Dublin. If a person ends up homeless in Kildare, there is no joined-up arrangement and they can end up without a social welfare payment in addition to being without a home. The person is told to go off and self-accommodate. I have begged some of the Dublin agencies to take Kildare families and they have generously done so. This is a disaster and its origin is in the Department of Social Protection and the arrangement around rent assistance.

At the end of every electoral term and just before the general election, there is a rush to appoint people to positions. Sometimes they are suitable but sometimes they are not. I hope we are not going to see that in the next week or two. In respect of finding a mechanism or way around appointing someone, someone for whom I have great regard and who I think has great abilities, those abilities are undermined by virtue of the fact that the system is bypassed for what is perceived to be an insider. It does not do politics or the Tánaiste any credit. I am sorry to say that I have no difficulty voting no confidence in her.

Deputy Seamus Healy: I rise in support of this Private Members' motion of no confidence in the Tánaiste. We were promised a democratic revolution after the last general election. Of course, this is certainly not the case as we have seen time and again since then. In the past week, we have seen that cronyism is alive and well and at the heart of Government and that a "get out" clause is being used not just by the Tánaiste but by other Ministers to appoint party members and cronies to State boards. We were told that we would have transparency and accountability, a democratic revolution, Dáil reform and appointments to State boards that would be fully transparent. In the case of Mr. Begg, Ms Mangan and others, we find that there was no advertising, *stateboards.ie* and the Public Appointments Service were not used and there was no short-listing of candidates. These were personal appointments by the particular Ministers.

Even if the advertising took place and *stateboards.ie* and the Public Appointments Service were used, it would be a smokescreen for cronyism because we know about the formula this Government is using in respect of appointments to State boards - two for Fine Gael and one for the Labour Party. We have seen this not just in this Government but in previous ones. We noticed that Fianna Fáil is criticising the Tánaiste in respect of this. This is like the pot calling the kettle black. Other speakers have said that coming up to the last election, Fianna Fáil made something like 60 appointments to State boards.

The appointment of Mr. Begg in particular has raised significant problems. He had the audacity and gall to suggest that €20,000 was not a crock of gold. I would have thought that as a former trade union chief, he would be well aware of the fact that 125,000 workers earn less than €20,000 per year. Surely he would be aware that a family of two adults and two children on social welfare exist on less than €20,000 per year. How dare he suggest that €20,000 is not a crock of gold. It may not be to him but to thousands upon thousands of part-time workers, low-paid workers and families on social welfare, it is effectively only an existence.

I believe that Mr. Begg is particularly unsuited to this job as chair of the Pensions Author-

ity. Mr. Begg was a member of the board of the Central Bank from 2003 to 2007. This board allowed the financial system as a whole to borrow 50% of GDP. We are not talking about individual banks. We are talking about the financial system as a whole. This board, including Mr. Begg, allowed that system to borrow 50% of GDP. Nobody called a halt, not even Mr. Begg. That level of borrowing was ruinous. The recently retired former Governor of the Central Bank, Professor Patrick Honohan, said that this level of borrowing was hitherto unprecedented. This level of borrowing led to austerity, the bust and the devastation of families across this country. I believe that Mr. Begg, who signed off on the financial stability reports of the Central Bank during those years, is particularly unsuited to and not qualified for this particular appointment.

Broken promises and the breaking and renegeing on commitments made in the course of a general election have also been part and parcel of this Government as of previous Governments. The Labour Party in particular has broken every promise and commitment it made during the course of the last general election. It was opposed to water charges but the Minister for the Environment, Community and Local Government, Deputy Kelly, is implementing water charges. Does the Tánaiste remember the “Tesco” advertisement? It said there would be no cuts to child benefit but there were cuts. The Department of Social Protection has been devastated by this Minister. I support the motion.

Deputy Paul Murphy: In the dark recesses of the Internet I found a great, aspirational document about how political cronyism can be dealt with. It is the Labour Party manifesto for the last general election, entitled “One Ireland: Jobs, Reform, Fairness”. Section 9 of that manifesto is entitled “Reforming Politics” and it states:

Time for change

Labour’s pledge is that Ireland will never again be vulnerable to the kinds of abuses of corporate and political power that have risked our country’s sovereignty. To restore confidence at home and abroad in public governance, Ireland must make significant changes in the culture and framework within which business is conducted...

The first steps

- End political cronyism by opening up positions on state boards to all qualified candidates, and require appointments to be scrutinised by the Dáil...

Ending political cronyism

Labour will end the system whereby appointments to state boards are used as a form of political patronage and for rewarding insiders. In future, appointment to boards must be based on a demonstrable capacity to do the job.

Deputy Gerald Nash: Correct.

Deputy Joan Burton: That is what was done.

Deputy Alex White: Absolutely correct.

Deputy Paul Murphy: That was then. A few months ago in respect of the McNulty controversy the Tánaiste said: “What I am determined to see is that we have procedures and processes which are clear to everybody.” Thanks to the Government we have procedures and processes which are absolutely clear to everybody. It is also clear to everybody that the Government and

the Tánaiste in particular, the leader of the Labour Party, chose to bypass those particularly clear processes.

The Tánaiste stands condemned by her own words and by the platform on which she and her party were elected. This is absolutely inexcusable but that has not stopped the Labour Party trying to find a way to excuse it. The excuse of choice as far as I can tell from the Labour Party is that articulated by the Minister for Public Expenditure and Reform, Deputy Howlin, saying it is not against the rules, which is what the Ministers opposite were trying to express a moment ago. Is that the best the bringers of the democratic revolution, the promisers of political reform, the slayers of cronyism in Irish political life, can do? It is the equivalent of the dog ate my homework. We know it is not against the rules. Nobody is saying it is against the rules. There is a problem with the rules but that is not the point. Is it right or wrong? Is it cronyism or not? Would the Tánaiste have appointed, in the manner in which she has appointed David Begg, someone of similar or the exact same qualifications who was not personally known to her and was not a political supporter of the Labour Party? The answer is obvious.

The second excuse of choice is that articulated by the Minister for Communications, Energy and Natural Resources, Deputy White, on the radio this morning, that nobody has credibly challenged David Begg's qualifications. I have no idea if David Begg is suitably qualified or not. I am not sure any of the Ministers opposite have any idea whether he is qualified but I am very strongly of the opinion that David Begg has not been appointed because of those qualifications, appropriate or not, but because he is known to the Tánaiste and because of his support for the Labour Party and what the Tánaiste previously referred to as services to the labour movement. For that, one can read services to the Labour Party in keeping a lid on the labour movement throughout the time the Labour Party has been in government and he has been general secretary of the Irish Congress of Trade Unions, ICTU, working to prevent his members protesting and striking against this Government.

We all know the Government has a big majority in this House. We hope that perhaps some Labour backbenchers will wrestle with their consciences, that their consciences may for once win out and they may not vote confidence in the Tánaiste. We know it is likely that tomorrow night, with the Government's big majority, the Tánaiste will get a resounding vote of confidence in the Dáil. That the Government can have such a poll here only speaks to how wildly out of touch are all the establishment parties. There is a poll running in the *TheJournal.ie* in which 80% of people say they have no confidence in the Tánaiste. If there are further revelations tomorrow about other appointments, that figure will rise. In five or six weeks' time people will have a chance to vote no confidence in this Government, the Labour Party, and the Tánaiste. They will have the chance to say "No" to broken promises and political cronyism and to demand a political revolution against the establishment parties, to clear them out and build a different type of politics and society.

Tánaiste and Minister for Social Protection(Deputy Joan Burton): I move amendment No. 1:

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

"has full confidence in the Tánaiste and Minister for Social Protection and commends her role in the Government's achievements including:

— a comprehensive package of reform implemented by this Government includ-

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ing restoring freedom of information, regulation of lobbying, protection of whistleblowers, extending the jurisdiction of the Ombudsman, reform of the Public Appointments Service system, open Government initiatives and notes that the Public Sector Standards Bill 2015 is currently before Dáil Éireann;

— the introduction of the landmark Action Plan for Jobs and Pathways to Work programmes to tackle the unprecedented jobs crisis;

— the decrease in the unemployment rate to 8.8%, down from the crisis peak of 15.1%;

— the creation of 135,800 extra jobs since the Action Plan for Jobs and Pathways to Work programmes have been launched, with every region experiencing jobs growth over that time;

— the increase in the minimum wage for the second time, meaning that, by the end of this Government's term, it will have increased by more than €3,000 a year;

— the transformation of the Department of Social Protection through the roll-out of the Intreo one-stop-shop employment and support service to support jobseekers getting back to work; and

— the turnaround in the Social Insurance Fund from a deficit of almost €2 billion to a projected surplus in 2016.”

I am pleased to have the opportunity to support the motion that the House has confidence in me as Tánaiste and Minister for Social Protection. I was appointed Minister in 2011. By then, Fianna Fáil had cut social welfare benefits in a succession of budgets by €16.30 a week. It got rid of the Christmas bonus, slashed jobseeker's payments, disability payments, payments to carers and more besides. In the programme for Government negotiations, my colleagues and I insisted there would be no reductions in core welfare payments on our watch. We also insisted that public servants would be protected as far as possible and that there would be no increase in income tax rates or reduction in tax credits.

Now, five years later, I am very proud to say that together with our coalition partners we have managed to end the worst recession in Ireland in living memory while remaining true to those core commitments. Core welfare rates have been retained and because this Government has driven recovery and returned the public finances to health, I was in a position over the past two budgets to make a series of targeted welfare increases. These included the 75% restoration of the Christmas bonus in December, and an increase in the State pension, although small, this year.

I was also in position to increase child benefit and restore the respite care grant in full, increase fuel allowances and the living alone allowance. During my time as Minister, I have had to deal with an unprecedented level of unemployment, the toxic inheritance of Fianna Fáil's reckless economic management. I was clear in my own mind from the start that I wanted the Department to go about its job in a different way, to move from being a passive provider of benefits to an active and engaged public employment service that served not just as a safety net when people fell, but as a trampoline to help them return to work, training and education.

To do this, we opened Intreo offices throughout the country where people can get personal

assistance in getting back to work, training and education. We expanded training and work experience schemes and introduced incentive schemes such as JobsPlus to help employers hire people who had been long-term unemployed. As a result, unemployment has fallen dramatically in all parts of the country and all sectors of the economy. The job is not yet done but we are well on the way.

In 2011, we were approaching half a million people unemployed. Now we are just a few years away from full employment. In 2011, we were bankrupt; we could not pay to keep the country running and we could not borrow. Now we have sent the troika home, our borrowing rates are hardly more than 1% and the budget is close to balance.

In 2011, we were in deep recession. Now we are the fastest growing economy in Europe. In 2011, the Social Insurance Fund, which pays for crucial benefits for workers, was in crisis, with its deficit peaking at €2.7 billion. This year, it will be in surplus to the tune of €217 million.

The Fianna Fáil-Green Party Government cut the minimum wage. This Government has increased it twice and put in place a mechanism which will allow for further increases in the future. The Fianna Fáil-Green Party Government imposed USC on all incomes over €4,000. This Government has taken half a million people out of the USC net and reduced the rates on low and middle incomes. The Fianna Fáil-Green Party Government savagely cut public servants' pay in 2009 and 2010. By contrast, the Haddington Road agreement reduced pay only for those earning more than €65,000 and we have already started the process of reversing the Fianna Fáil cuts. In short, we are in a much better place than five years ago.

I do not claim all of the credit for this for the Labour Party or for the Government but we have played our part - an important part in what has been a major national achievement. It is a national achievement that has seen people give immensely to get the country back on its feet.

Apparently, it is my appointment of David Begg which prompted Deputy Ross to place the original motion of no confidence. Perhaps I am not the best person to make this observation but I will make it nonetheless. In all my years in this House, I cannot remember a no confidence motion which was so threadbare, flimsy and insubstantial.

Deputy Alex White: Hear, hear.

Deputy Joan Burton: Even Deputy Ross accepts that the guidelines on appointments to State boards were fully complied with. Very few people quibble with David Begg's suitability for the role because he is eminently qualified. Unsurprisingly, Deputy Ross does not see it this way. I say unsurprisingly because Deputy Ross does not like trade unions and he does not have much time for David Begg. Even if we accept that, however, I still find it extraordinary that Deputy Ross and his supporters - some of whom apparently like to think they are left-wing - would use the procedures of this House to pursue what seems to be nothing more than a personal vendetta against a man who has given decades of service to Irish workers.

We can recall who Deputy Shane Ross championed for senior roles in Irish life. He was the boomer for the bankers during the boom, week after week. He championed Seán FitzPatrick, in particular, but to be fair to Deputy Ross, he was not alone in singing the praises of Anglo Irish Bank. In 2006, Fianna Fáil appointed another Anglo Irish Bank banker, Tiernan O'Mahoney, as chair of the Pensions Board but at least Deputy Ross is consistent, he was wrong then and he is wrong now.

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I selected David Begg because I believe he is the best person for the job. He has years of experience in working for employees' and workers' rights, including the right to an adequate pension that provides security of income in retirement. David Begg served in the Communication Workers' Union and later in the Irish Congress of Trade Unions. He has also had experience as an employer, as the CEO of a major international NGO, Concern Worldwide. He sat for many years on numerous boards and, in all of these roles, he developed expertise on a range of issues, including pensions.

As Minister for Social Protection, I was very grateful for David's help in resolving the pensions issue at Waterford Glass.

Deputy John Halligan: The Unite union did it.

Deputy Joan Burton: I must say that I regret Deputy Halligan's position, as outlined earlier.

Deputy John Halligan: It was the Unite union that solved the problem at Waterford Glass, not David Begg. The Unite union fought in Europe and fought in Ireland.

Acting Chairman (Deputy Olivia Mitchell): The Tánaiste has the floor. The Deputy is not allowed to interrupt the Tánaiste.

Deputy Joan Burton: This House will recall that Waterford Glass closed at a time when its pension fund was underfunded. Many workers were in danger of losing their life savings. It is thanks to David Begg and others in the trade union movement and the work of Kieran Mulvey, as mediator in the case, that the workers in Waterford Glass secured their rightful incomes into the future.

This House will be aware that I appointed David Begg in accordance with the guidelines for appointments to State boards, as agreed by the Government. The regulations provide that a Minister may appoint a chair of a board without asking for the help of the PAS in circumstances where an individual is "evidently and objectively highly qualified".

In the past few days, I have heard suggestions that this provision is a get-out clause or some kind of aberration. It is nothing of the kind. It is a provision agreed by Government to provide for exactly the sort of circumstances which apply here. The chair of a State board must be a person of integrity. He or she must be someone with expertise and experience in the issues which the board has to deal with.

David Begg is all of these things. He is a totally trustworthy man, a person of great ability and experience, with years of public service. I wanted and expected someone with those qualities as chair of the Pensions Authority. I confess I wanted someone who has years of experience of dealing with pensions from the perspective of workers but who also understands the bigger picture. I am extremely confident that David Begg will work closely with the Pensions Authority and other members of the board to build on the pension reforms made in recent years.

As we seek to improve levels of pension provision, the role of the authority will be key in the reform and simplification of the pensions landscape, in ensuring schemes operate efficiently and effectively and in providing a regulatory structure which gives pension savers confidence in the system. We need to improve awareness of the private and occupational pensions system, both to ensure that those with pensions know exactly how their pensions will work for them

and to increase pensions coverage among those who currently have none. Mr. Begg will bring a strong focus on the needs of consumers, pension scheme members, pensioners and trustees.

Ministers are responsible to the House for their actions and David Begg's suitability for this role means I am more than happy to do so in this case. In addition, the individual concerned must appear before the relevant Dáil committee and I expect that David Begg will do so later this month.

It seems very odd that somebody like Deputy Halligan, who, generally, I have found to be a decent person and who came to me and privately championed a resolution for the Waterford Glass pension crisis which left thousands of workers in the company without their pensions, would not acknowledge that David Begg worked day and night to get a solution for Waterford and the work that was done with other people in the trade union movement in Waterford city.

Deputy John Halligan: I did not criticise David Begg. I made no comment on what he did.

Acting Chairman (Deputy Olivia Mitchell): The Tánaiste has the floor, Deputy.

Deputy Joan Burton: I must say that is deeply disappointing.

Deputy John Halligan: I never criticised David Begg. I criticised the way he was appointed.

Acting Chairman (Deputy Olivia Mitchell): Deputy Halligan has had his opportunity. He is not allowed to make a contribution during the Tánaiste's time.

The Taoiseach: I welcome the opportunity to express my full confidence in Deputy Joan Burton as Tánaiste in the Fine Gael-Labour Party partnership Government and indeed in her nominee to the position of chair of the Pensions Authority. I also express confidence in the plan we have implemented to bring the country back from the brink of economic catastrophe.

Fine Gael and Labour put these plans together at a time of very deep crisis as we entered office: our banks were on the brink of collapse, our public finances were in chaos, our international reputation was destroyed and our people were both out of hope and out of work. The previous Fianna Fáil-led Government's reckless mismanagement of the country's economy saw Ireland excluded from being able to borrow on the international markets and the humiliating troika bailout of our country that made headlines around the world.

On this day five years ago the country was gripped by an economic crisis. The public finances were out of control and jobs were being lost at an alarming rate. On entering office, we set out a plan and, working with the people, we have worked our way back towards recovery. Today we see the early results because today Ireland is the fastest-growing economy in Europe. Government borrowing has fallen from 11% of GDP in 2010 to less than 2% last year. Since the low point of 2012, some 135,000 new jobs have been added to the economy. Unemployment is down from a peak of over 15% to 8.8% and will continue to fall in the time ahead.

However, there would be little point in creating new jobs if those on the dole queues could not fill them. The reform of our welfare system under the Tánaiste, Deputy Joan Burton, remains an essential part of our long-term economic plan to reach full employment and keep this recovery going. The Tánaiste has driven this reform agenda over the past five years as Minister for Social Protection. The reforms she has introduced were absolutely necessary considering the unprecedented unemployment challenge we inherited from the previous Fianna Fáil-led

Government.

What was worse than the 15% unemployment was that many people and entire families were abandoned on the dole queues by a passive welfare system. Fianna Fáil's disastrous hands-off approach to social welfare policy that avoided taking any decisions or implementing any difficult reforms led directly to families - parents and their children - being trapped in cycles of joblessness, poverty and welfare dependency.

Instead of investing in job-support services and helping to get people who were long-term unemployed back into the world of work, the Fianna Fáil Party just hiked welfare payments without reform which ensured that even during the so-called boom years Ireland suffered from one of the highest rates of jobless households in Europe. Our commitment to everyone is that we will not go back to that style of government. I want to see people independent in work and not dependent on welfare. We believe that a job is the best route out of poverty, that work should pay and that people should not be abandoned on the dole queues. This Fine Gael-Labour Government will break that endless cycle of poverty by getting people off those welfare queues and into jobs.

The first Pathways to Work strategy has been successful in reducing by almost 40% the numbers of people unemployed since 2012. The establishment of the Intreo offices throughout the country and new activation programmes and supports such as JobBridge, JobsPlus, Springboard courses, MOMENTUM courses, the new housing assistance payment and the Youth Guarantee are all engaging with unemployed people every day to bring them back into work.

I saw this in opening a number of Intreo offices with the Tánaiste. We spoke to the group leaders who meet groups of people who are unemployed. They deal individually with people who might have a particular motivation, incentive or aspiration to follow an upskilling or training course, learn a language, computer skills or whatever to get into the world of work. These developments have also contributed to decreases in long-term unemployment from 9.5% to 5% and in youth unemployment from 33% to 19.2%. While we have made progress, we recognise that this rate is still too high. We are determined that nobody will be left behind by the economic recovery now under way in the country.

Changing the perception of and culture in the new Intreo welfare offices has changed the way that employers look at lists of people who sign on because they see them as people with the potential to fill very responsible positions in their own areas of employment. We have first-hand evidence of multinationals committing to take X number of people from the live register of unemployed people because their CVs are such that they can be upskilled or retrained and given opportunities to fill very responsible positions.

The Government is not yet finished the job. We are determined to keep this recovery going through a simple long-term plan based on three fundamental steps: more jobs spread right across the country, making work pay and as a consequence sensible investment in public services. The employment of teachers, nurses, gardaí, resource teachers and special needs assistants is vital in making people's lives that much better. More people in work creates the resources to cut taxes for working people and to invest in better services, creating a virtuous circle of rising employment and improving living standards and people's lifestyles.

Yesterday in Naas we launched the national plan for jobs. Our aim is to create a further 200,000 jobs by 2020. As part of that we will bring back 70,000 people who have left Ireland

for whatever reason and are now working abroad. By making work pay through tax and welfare reform we can boost the economy, create more jobs and secure the recovery for everybody.

We have begun to tackle the marginal tax rates on middle-income earners and have reduced the marginal rate of tax to below 50% for all earners under €70,000. It is our intention to continue to phase out the USC in future budgets, while also reforming the income tax system to cap the benefits for the highest earners and to keep the income tax system broad. While making these necessary changes to the tax system we want to protect the progress made in restoring the public finances thereby allowing us to invest sensibly in public services in terms of gardaí, teachers, nurses and so on.

In the future the Government has set out to cap public spending increases to below the underlying growth rate of the economy to ensure we never slip back to the days of boom and bust. As a Government we aim to eliminate the budget deficit entirely in 2017.

The Government that I am proud to lead and work with the Tánaiste as leader of the Labour Party has a clear plan to keep this economy going to build on the progress we have made as a nation. Since her appointment as Tánaiste, Deputy Burton, and I have worked very closely in the delivery and management of the Government's work. The Tánaiste and I have a shared determination to continue to work to secure the economic recovery of this country and to see that the benefits of a strong economy are used to improve the daily lives of all the people. We are both fully committed to asking the people, in due course, to re-elect this Fine Gael-Labour Party Government, so we can finish the job we started in 2011, having been given the mandate by the people to fix our public finances and put our country back to work.

When I listened to the contributions from Deputies opposite, I saw no vision nor did I hear any plan. I listened to opportunism and gamesmanship on a whole raft of issues. We will not take any lectures from my good friend over there, Deputy Ross. He has judged character before when making comments from that very seat. I recall when he was the cheerleader for some of the people in Anglo Irish Bank who used the facility of the Fourth Estate - Deputy Ross's other professional capacity - to put pressure on other banks to appoint dynamic bankers with stellar careers from Anglo Irish Bank into senior positions. That record is there for all to see in black and white, which I am sure Deputy Ross understands.

This Government stands by its record of jobs, stability, growth and recovery. Accordingly, I am very happy to support the Tánaiste, Deputy Burton, as deputy leader of the Government, and to commend her continued success to the House.

Deputy Sean Fleming: I am pleased to speak on this motion of no confidence in the Tánaiste. The timing is remarkably fitting. We have come to the end of five shameful years of a Labour Party in government which has left many people worse off than they were even in the difficult times when it took over.

On the State board's appointment issue, which brought about this motion, I have a press release from 25 November 2014, entitled, Howlin Publishes State Board Guidelines. It stated:

Speaking after Cabinet, the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, commented:

These guidelines set out clearly how the new appointments process for State Boards will work in practice. They will assist all Departments to engage effectively with the Public Ap-

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pointments Service to draw up clear specifications of board roles. These can then be openly advertised so that the expressions of interest can be sought from the widest possible pool. The Public Appointments Service will then assemble a shortlist of suitable candidates for the Minister to select from.

The Minister added:

This new process will improve corporate governance on our State Boards, widen the pool from which members of State Boards are drawn, and ensure that the process around appointments to State Boards is [wait for it] transparent. I would urge anyone interested in serving on a State Board to visit *stateboards.ie* and express an interest. [Unless one is on the inside track with the Labour Party or other Ministers.]

The note for editors accompanying this press release stated:

The guidelines published will secure a high degree of transparency in the selection of candidates for appointment by the relevant Minister. ... Under the new arrangements assessment of the suitability of a candidate for a board position will be performed by Public Appointments Service.

That was 100% good spin. Many people probably bought it and thought it sounded good. Many people would have said the Government was genuine in its efforts to reform appointments to State boards.

On 26 November 2014, I issued a press release entitled, *Howlin Blows Chance to Reform State Appointment Process*. Despite the PR and the spin, it was clear to me Ministers had a back door available to them to allow them sidestep the legislation in its entirety. In that press release, I stated:

Minister Brendan Howlin announced a new model for dealing with these matters. He introduced guidelines which he would request Ministers to implement. [He was only going to request Ministers and even if they accepted the guidelines, they were still only guidelines and not statutory.] I believe these voluntary guidelines will not be satisfactory and the public require a clear statutory process that they can be satisfied will be implemented in full.

That is why on 26 November 2014, I introduced the *State Boards (Appointments) Bill 2014* in the Dáil. I stated at the time:

The essential difference between this legislation and the Government's proposals is that Fianna Fáil believes that this matter needs to be dealt with on a statutory basis and not by way of guidelines, merely drawn up to assist Ministers. If the Government is serious about political reform and commitment to real openness and transparency it will accept this legislation.

From day one, the Government was pulling a fast one. It fooled many of the people on that occasion but not all the people. At this stage, I do not believe the Government has fooled anyone because the public has actually seen through it. The Minister for Public Expenditure and Reform, Deputy Howlin, or Minister Howlin, as he refers to himself in his own press releases, did a snow job on the public and the media, trying to convince them with what he was doing with appointments to State boards. However, the substance was always known to the members of the Cabinet. These were only guidelines which they could ignore if they liked and they could

carry on in their merry way, as we have seen them doing.

Deputy Shane Ross: Hear, hear.

Deputy Sean Fleming: It was a sham from the very beginning.

I listened with incredulity when the Tánaiste spoke earlier. She demonstrated why she is at the end of the road after five years. When one is five years in government, one becomes detached and removed. One starts to believe one's own publicity. The Tánaiste probably believes those press releases by the Minister for Public Expenditure and Reform, Deputy Howlin, to some extent, as well as her own ones.

This evening, the Tánaiste said that five years later, she was very proud that she and her coalition partners managed to end the worst recession in Ireland in living memory. Talk about conceit and arrogance. Nobody is worried whether she feels proud or not. The Tánaiste did not end it. In fact, she made the recovery worse, making it a two-tier one, dividing society in the process. She claimed she and Fine Gael solved the economic crisis when it was the people who did and suffered in the process. She said the people should be grateful to her for solving the economic crisis. I advise her to continue to say that every day for the next six weeks because she will get her answer then. If she goes around telling the people how wonderful she is and how proud she is for solving the economic crisis, she will get her answer. If she keeps up that level of arrogance, the people of Ireland will show her their way of dealing with such arrogance.

She also told another big lie this evening. She knows that when she came into government, there was a troika agreement in place. It was a three-year agreement with a date by which the troika was to leave Ireland. This was set out in an international binding agreement before the Tánaiste ever came into office. However, she told us that the Government sent the troika home. The Government had no say in it whatsoever as there was an international binding agreement with a date for the troika's exit written in stone with which the Government complied in full. The troika left on the appointed day, as set out on the first day it arrived. For her to be so arrogant and actually to believe she sent the troika home speaks for the level of self-delusion in this Government.

With respect to matters at national level over which the Government has control, this is where it will come a cropper with the public. Many things on the international sphere have gone well for Ireland and people are happy to see an improvement in the international and national finances but people are not feeling it in their households. I would look to areas, including housing, and now we have the housing crisis, over which Labour Party Ministers have had control. The Labour Party Minister for the Environment, Community and Local Government, Deputy Alan Kelly, is responsible for housing. The Minister, Deputy John Burton - or I suppose she believes she should be called "Tánaiste" all the time - is responsible for social welfare and social protection payments. Those two Labour Party Ministers between them have created a homelessness situation that has never existed in Ireland to the extent we have seen it in recent times.

We were accused of building too many houses when we were in government, and it is took some turnabout for this Government to turn a surplus of houses into a homelessness crisis in a short period of five years. There are two reasons this has happened. One is that the Government allowed NAMA to sell off many houses at knockdown prices to vulture funds from America, Canada and China. Furthermore, the local councils were not given the money to take up

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the houses that NAMA was offering them. Between the way the Government has run NAMA and the way it funded the local authorities, we now have a ridiculous situation where the Minister with responsibility for housing, rather than spending €30,000 repairing and refurbishing a vacant council house to provide a permanent home for people to live in, would prefer to spend €190,000 on a temporary prefab house. They are nicer looking than the old prefabs that we had years ago but that is what they are. They are fabricated off site; they are simply put together. The Government would rather spend €190,000 on a prefab temporary structure than €30,000 to refurbish a vacant house and there are 3,000 such vacant houses throughout the country. The Government prefers to do the photocall for these wonderful houses. I will not talk about who got the contracts for that housing but most people will know that one does not have to look too far from the friends of Fine Gael in Government on this issue.

Why have we a housing crisis and why are people on the housing waiting list finding it difficult to get a house? The reason is that the Minister, Deputy Burton, has refused to deal adequately with the rental supplement during the past few years. When rents were increasing, she refused to do it. She has bought into the Fine Gael mantra that one cannot interfere with the market. That is what the Minister for Finance, Deputy Michael Noonan, says about the banks, that one cannot interfere with them. That is why an Irish-owned bank, AIB, is paying three times the interest on deposit rates to depositors in Germany than it will pay to Irish people who are living in Ireland. Perhaps it is the Taoiseach's way of saying "Thank you" to Angela Merkel. He is probably heading off to Davos tomorrow or the next day for a little tap on the head from some of these wonderful big bankers in Germany.

Deputy Joan Burton: Is the Deputy going?

Deputy Sean Fleming: Not at all.

Deputy Joan Burton: The Deputy seems to know a lot more about it than I do.

Deputy Sean Fleming: The Taoiseach will get a tap on the head from Angela Merkel and a few of the big financial institutions in Germany-----

Deputy Joan Burton: It sounds like the Deputy wants to be out on the piste.

Deputy Sean Fleming: -----as they say "Thank you" for the extra interest rate he is giving them and as they say the poor people in Ireland can afford to pay them back because did they not stand by us.

Deputy Joan Burton: The Deputy is very fond of the piste.

Deputy Sean Fleming: They did in their hats stand by us.

This leads to the issue of being under control. There are 130,000 people on the housing list. I listened to Members talk about the television programme they saw last night. I had three different groups in my office this morning in connection with housing before I left for Dublin. One person was a woman whose husband is paralysed and in a wheelchair and they have five children. All she wants is for a shower to be installed in her house, but the Government is cutting back on its expenditure in that area. There was another couple who have children and they were promised a house, but it was taken from them because they were told they did not have the funds to purchase the house that they had hoped to buy. The third case involved a young fellow who was in the care of the State but on reaching the age of 18 there was not a proper

plan in place for him. He is 21 years of age now and he has been living in a stable in County Laois for the last three months. Unscrupulous landlords are renting stables. Three stables are being rented and none of them has a toilet or a water supply; there is a shared facility for the three of them. However, the Minister, Deputy Joan Burton, sees it fit to pay rent supplement on that substandard accommodation. If the Minister examined what she was doing in terms of the rental supplement, she would pay for proper accommodation that is available and not force people to live in a stable.

Those three groups were in my office at 9 o'clock this morning. We as Deputies are picking up the legacy of the homelessness situation created by the Labour Party Minister, Deputy Alan Kelly, who is not getting his act together to deal with the housing issue, and the Minister for Social Protection who is responsible for the rental supplement. What did the Minister for Public Expenditure and Reform, Deputy Howlin, say today? He said that is a matter for the next Government, that it will be a priority for the next Government, but it is a priority for the people here and now. We have the homelessness situation and the lack of house building over which the Government has stood idly by during the past five years when it could have used good funds instead of paying higher interest rates to German people to put money into AIB. It would have been better off investing money in housing in Ireland.

I would also point to the addressing the jobs issue, which the Government promised, but every time those in Government talk about it they ignore the fact that one of the reasons the number of those in receipt of jobseeker's allowance has reduced is because the Government has ensured that most of them had to take a one way ticket to Sydney, Perth or to other countries. It has a policy of forcing young people to leave the country.

Deputy Kevin Humphreys: The Deputy should stop talking nonsense.

Deputy Sean Fleming: With respect to the Minister's record in the next six weeks, I look forward to her meeting the people and talking about the two-tier recovery. There is a two-tier recovery and the Labour Party should be, and is, ashamed of the fact that it stood by Fine Gael giving tax cuts to the wealthy while it made people on low incomes suffer. The Government has had five regressive budgets, documented by the ESRI, Fr. Sean Healy and everyone else, and the poor people have suffered most under the Labour Party's reign. I will not even go into its broken promises, about which another former Minister from the Labour Party said that is what one does in a election. Deputy Rurará Quinn said there would no increase in third level fees. The Labour Party broke every promise. It has no credibility and its Ministers should be ashamed of themselves. They should go now and not even wait until next month.

Acting Chairman (Deputy Olivia Mitchell): Is Deputy O'Brien speaking instead of Deputy McDonald tonight?

Deputy Jonathan O'Brien: Yes. The Tánaiste, as everyone else, understands the nature of politics. Motions of confidence are put down and the Government will praise her. The Government will vote in favour of the motion and the Opposition will outline all of the Tánaiste's flaws and failings and we will vote against the motion. That is sometimes part of the theatre that goes on in here. However, underneath the theatre there are genuine reasons Opposition Members have no confidence not only in the Tánaiste but also in this Government. We see these reasons, as I am sure Government party members see them every day in their work in their constituencies.

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The Tánaiste can argue all she likes that a recovery is under way but the reality is that the recovery is a two-tier one. I am sure if she goes into her constituency - I say the same to the Minister of State in the Department of Social Protection, Deputy Kevin Humphreys - they will see the two-tier recovery. They will see those who are benefiting and those who are worse off than they were five years ago.

I find it hard to stomach some of the Fianna Fáil rhetoric, even from the previous speaker, Deputy Sean Fleming, about public appointments, when in the dying days of the previous Fianna Fáil-led Government in December 2010, 90 appointments were made to State boards, including the Pensions Authority. Fianna Fáil introduced a Bill to implement statutory recommendations rather than the guidelines that were introduced by the Minister for Public Expenditure and Reform, Deputy Howlin, yet the party did nothing when it was in government. I take everything Fianna Fáil says on these issues with a pinch of salt.

The reality is that the Tánaiste, as the deputy Head of Government, and as the leader of the Labour Party, must bear responsibility for what is happening in society. There is huge suffering. We have touched on homelessness.

9 o'clock

We have touched on issues that affect terminally ill children and those with medical cards, as well as involve cuts for carers, in child benefit and the death grant. These are all choices the Government has made and which the Tánaiste has stood over. Many of the cuts were made by her Department, including those to the back-to-school clothing allowance.

Before I came into the Chamber I spoke to an individual who said I could read his e-mail, but I will not name him. His case is an example of what I have outlined. He is living in Cork and was in private rented accommodation. He has a partner and two children, both of whom are under the age of four years. Unfortunately, they have been living in a hotel for the past four months. Following the announcement of the impending legislation their then landlord put up their rent. Following advice, they sought help from the Department, the local welfare officer and Threshold, but, unfortunately, they could not continue to rent the property. They have been on the local authority housing list for five years and ended up becoming homeless. They were in such desperation, living in a hotel room, that on 28 December the young man in question tried to take his own life. Thankfully, he was found in time by his father-in-law who had to kick in the bathroom door. Because he was unconscious, paramedics were called who said he was probably two to three minutes away from death. Thankfully, he has come out of that situation with a real determination to get his life back on track. However, he is not getting any help. He has been to the local authorities and the local welfare officer, but under the existing guidelines and the limits in place, he cannot find a property to rent in Cork city. That is the reality.

Until the Government recognises that housing is a huge issue, those who must continue to live in hotels will, unfortunately in some cases, see no way out and no light at the end of the tunnel. People are losing their lives which, sadly, is a legacy of the Government. Members of the Government parties can talk about the improvements made, but they must also recognise that the Government got things wrong. I do not take issue with anyone who puts up his or her hands and says, "I got it wrong." I will finish on this point. In fairness to the then Minister for

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Education and Skills, Deputy Ruairí Quinn, when he tried to cut funding for DEIS, he put up his hands and said, “I got it wrong. I am going to reverse it.” There have been too many arrogant Labour Party Ministers, including, in particular, the Minister for the Environment, Community and Local Government, Deputy Alan Kelly. There is no love lost between us. Unfortunately, he will not put up his hands and say, for example, to the individual about whom I have just spoken, “I got this wrong. We are going to reverse it and to try to find some credible solutions.”.

Debate adjourned.

The Dáil adjourned at 9.05 p.m. until 9.30 a.m. on Wednesday, 20 January 2016.