

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 5, inclusive, answered orally.

Surveillance Operations

6. **Deputy Michael McNamara** asked the Minister for Justice and Equality if permission was granted for the telephone surveillance or phone tapping of any Member of the 31st Dáil Éireann during the lifetime of this Dáil Éireann; if so, of which Member or Members; and if she will make a statement on the matter. [3009/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): It is not the practice and it would be contrary to the public interest to disclose details of any authorisations to intercept. The Deputy will understand that this practice of long standing, which has been followed by my predecessors, arises for sound security reasons. The Deputy will appreciate that I am maintaining this practice of my predecessors, but I can assure him and the House that I have never exercised the legal powers I have to interfere in any way with the work of Members of the Oireachtas.

The Deputy will be aware that the legislative basis for carrying out of covert surveillance measures is the Criminal Justice (Surveillance) Act 2009 while the interception of telecommunications is provided for in the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993.

As Minister for Justice and Equality I have no role whatsoever in the operation of the provisions of the Criminal Justice (Surveillance) Act 2009. Under the 2009 Act, authorisations for intrusive surveillance are granted by a judge of the District Court on application by a superior officer of An Garda Síochána, the Revenue Commissioners, the Defence Forces or the Garda Síochána Ombudsman Commission in the circumstances which are set out in the Act.

However, I would point out that the 2009 Act was part of a series of measures which were a response to a number of difficulties being experienced where the investigation of serious offences was concerned and where the entire justice system was under serious threat. At that time, An Garda Síochána required additional powers to investigate and prosecute organised criminal gangs and it was incumbent upon the legislature to introduce the additional powers set out in the Criminal Justice (Surveillance) Act 2009.

In relation to interception, the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993 provides that an authorisation for interception may only be granted by Ministerial warrant on application from the Garda Commissioner, the Chief of Staff of the Defence Forces or the Chairperson of the Garda Síochána Ombudsman Commission and only

for the purposes of the investigation of serious crime or protecting the security of the State as set out in the 1993 Act.

I should emphasise that the provisions of both Acts are subject to independent judicial oversight by Judges of the High Court, designated by the Government for that purpose. In each case, the Designated Judge has complete and unrestricted access to all cases, documents, records, and personnel pertaining to the operation of the relevant legislation. In addition, each Designated Judge reports to the Taoiseach at least annually on the operation of the legislation. These reports are laid before the Houses of the Oireachtas.

Furthermore, both Acts provide for an independent complaints mechanism whereby an individual who believes that he or she has been subject to surveillance or whose communications have been intercepted may apply to the Complaints Referee, who is a Judge of the Circuit Court and who is appointed in accordance with the relevant Act, for an investigation into the matter.

Question No. 7 answered orally.

Garda Operations

8. **Deputy Seán Kyne** asked the Minister for Justice and Equality the progress of Operation Thor; if she has provided additional resources or sanction for the allocation of resources to facilitate it in fulfilling its objectives; and if she will make a statement on the matter. [3034/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): Operation Thor, which was launched on 2 November 2015, is a multi-strand national anti-crime and anti-burglary operation which has been facilitated by the very significant investments in Garda resources which have been made by this Government. Operation Thor entails a broad range of activities to tackle burglars, organised crime gangs and prolific offenders as well as working with communities to prevent crime.

Operation Thor delivers on increased investment in policing by this Government, and marks a significant step-up in the policing response to burglaries and related crime. In particular, the Government has ended the moratorium on Garda recruitment, with 1,150 Gardaí being recruited. €34 million has been invested in new Garda vehicles since 2012 with over 640 new vehicles coming onstream in 2015, ranging from more Garda patrol cars to high-powered vehicles for armed units. This will ensure Gardaí can be mobile, visible and responsive on the roads and in the community. The Government is also investing in airborne surveillance and enhanced technology and ICT systems.

In addition, a further allocation, in excess of €5 million, has being committed to support Operation Thor. This allocation, which includes funding for Garda overtime is supporting a combination of additional patrols, checkpoints, rapid armed response and public awareness measures.

While it will take some time to properly assess its impact on crime, the Garda authorities have reported very positive operational feedback since the launch of Operation Thor on 2 November. This is underlined by a significant series of arrests in various locations around the country as part of planned Garda operations, as well as charges being brought against numerous individuals. Operation Thor has led to the arrest of particular target suspects in relation to burglary, and arrests connected to crimes committed by mobile criminal groups, as well as handling stolen property, possession of firearms and drugs offences. Early operational feedback from the Garda authorities indicates that since its launch on 2 November, Operation Thor has made a significant impact on burglary rates with an estimated decrease in burglary of 34%

when compared to the same period the previous year. These figures will of course be subject to further analysis and verification by the CSO before the full official crime figures for 2015 are published.

The early successes under Operation Thor have been achieved by targeting key suspects, patrolling of crime 'hot spots' and creating a general public awareness of the need for crime prevention measures. There has been concentrated Garda activity including 10,120 anti-crime patrols and 13,020 targeted checkpoints nationwide, with 550 burglary related arrests.

I should also emphasise that Operation Thor will be further backed up by the anti-burglary new legislation which I recently commenced. The Criminal Justice (Burglary of Dwellings) Act 2015 is targeted at those repeat burglars who have previous convictions and who are charged with multiple offences of residential burglary. The new legislation requires the District Court to provide for consecutive jail sentences where a burglar is being sentenced for multiple offences. It also allows Courts to refuse bail for offenders who have a previous conviction for domestic burglary coupled with two or more pending charges. I made the enactment of this new legislation a priority so that it would be available when persons charged as part of Operation Thor come before the courts and this commitment has also now been delivered upon.

Question No. 9 answered orally.

Paramilitary Groups

10. **Deputy Helen McEntee** asked the Minister for Justice and Equality her efforts to combat criminality by paramilitary organisations in the Leinster and Ulster Border region, further to the agreement of A Fresh Start - The Stormont House Agreement and Implementation Plan; and if she will make a statement on the matter. [45028/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The talks leading to *A Fresh Start - The Stormont House Agreement and implementation Plan* included a focus on tackling cross-Border organised crime as part of the series of measures to support a culture of lawfulness and bring an end to paramilitarism in Northern Ireland.

The Agreement includes out a new structure to enhance and intensify North-South co-operation in tackling cross-Border organised crime, including that linked to paramilitarism. The Agreement establishes a Joint Agency Task Force to enhance efforts to tackle cross-Border organised crime and to facilitate the investigation and prosecution of those involved in it. The Joint Agency Task Force proposal was designed by the parties to the Agreement to build on the excellent North-South law enforcement co-operation that is taking place already.

A trilateral ministerial meeting was held on 21 December last to finalise the Joint Agency Task Force proposal. Along with the Minister for Foreign Affairs and Trade, I was happy to welcome the Secretary of State for Northern Ireland, Theresa Villiers MP, the Northern Ireland Justice Minister, David Ford MLA, the then First Minister, Peter Robinson MLA and deputy First Minister, Martin McGuinness MLA, to Dublin for the meeting. This trilateral meeting fulfilled the commitment under the Agreement to hold such a meeting of the Irish and British Governments and the Northern Ireland Executive. All Ministers were at one on the need to maintain a priority focus on tackling cross-Border organised crime between the jurisdictions.

The new Joint Agency Task Force will step up and intensify that co-operation at both the strategic and operational levels. Building on the current successes, I expect the agencies involved to further improve overall co-ordination in terms of strategic direction against the priority areas of organised crime identified and also in terms of the co-ordinated and joint deployment

of front line operations aimed at disrupting, prosecuting and reducing cross-border organised crime.

The Task Force will be led by the police and revenue services and will be jointly chaired at a very senior level by a Deputy Commissioner of An Garda Síochána and an Assistant Chief Constable of the PSNI. This is essential to providing strong strategic direction and oversight to the front-line operational side.

The Task Force will integrate representatives from not only the police and revenue services, but also from other law enforcement agencies, including the Criminal Assets Bureau and the UK National Crime Agency, who can bring a particular expert focus on targeting and seizing the assets of those involved in organised crime. We know from our experience that seizing the proceeds of crime is a key means of undermining organised crime. The relevant law enforcement agencies with a remit to tackle, for example, environmental crime, such as illegal waste dumping, or immigration offences such as human trafficking for forced labour will be integrated into the Task Force.

The Task Force will provide a report on its work to the Justice Ministers North and South at their six-monthly Ministerial meetings under the framework of the Inter-Governmental Agreement on co-operation on criminal justice matters. It is the intention that these reports will be made public.

The joint chairs of the Task Force have already had a scoping meeting and the arrangements are being made for a meeting of the full Strategic Oversight Group in the near future.

Question No. 11 answered orally.

Garda Reserve

12. **Deputy Niall Collins** asked the Minister for Justice and Equality how the Garda Síochána Reserve can be better utilised; and if she will make a statement on the matter. [3023/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Deputy will appreciate the Garda Commissioner is responsible for the distribution of personnel, including the Garda Reserve, among the Garda Regions, Divisions, and Districts. Garda management keeps this distribution under continual review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of all resources. I am informed by the Garda Commissioner that as of 31 December 2015, there were 953 Reserve members throughout the State. Recruitment to the Reserve is ongoing and I understand that the Commissioner intends to launch a fresh recruitment drive early this year.

The Garda Reserve was established in accordance with the Garda Síochána Act 2005 to enhance the links between An Garda Síochána and local communities and consists of voluntary unpaid members, drawn from the community, to support the work of An Garda Síochána. Reserve members make a real and tangible contribution to the policing of communities right across the country and I am fully supportive of the continued development of the Reserve. In particular, I welcome the recent conferring by the Commissioner of additional powers on reserve members under the Criminal Justice (Public Order) Act 1994 and also her decision that reserve members should carry out additional duties including the serving of summonses, and the issuing of Fixed Charged Penalty Notices where offences are detected. I also welcome the inclusion of a special stream for eligible reserve members in the 2016 recruitment campaign for full-time members of An Garda Síochána. Reserve members have undergone training in many of the skills required to be an effective full-time member and have front-line operational

experience. It is appropriate to that they be given due recognition.

The Report of the Garda Síochána Inspectorate “*Changing Policing in Ireland - Delivering a visible, accessible and responsive service*” which I published on 9 December makes a range of recommendations in relation to the effective use of human resources including reserve members, and recommends that An Garda Síochána develops a strategic plan for maximising the operational effectiveness and contribution of reserves. I have put in place a process to seek the views of the Garda Commissioner and other bodies to whom recommendations are directed and have requested them to respond within a reasonably short period of time, having regard to the size and scope of the report. I expect that this consultation process will be completed in March. The outcome will then inform the preparation of implementation proposals for consideration by Government. Further work on optimising the use of the Reserve will be progressed in this context.

Garda Investigations

13. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality to establish an independent inquiry into the actions of all relevant State agencies related to the circumstances surrounding the death of a person (details supplied); and if she is aware of the deep distress caused to the family of the person in its experience with the independent review mechanism. [3043/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The particular case to which the Deputy refers is amongst those considered under the mechanism established for the independent review of certain allegations of Garda misconduct, or inadequacies in the investigation of certain allegations, which have been made to me as Minister for Justice and Equality, or the Taoiseach, or other public representatives with a view to determining to what extent and in what manner further action may be required in each case.

The Panel established for that purpose has provided recommendations to me in all 320 cases submitted to them and has therefore largely concluded its work. The issuing of notification letters to complainants commenced on 29 June. To date, 307 complainants have been notified of the outcome of the review of their cases.

I have repeatedly emphasised that the Independent Review Mechanism was not established to act as a Commission of Inquiry or Investigation. Nor was it designed to make findings. Its purpose was to triage the allegations to see whether further action was needed and what that action would be.

I have previously assured Deputies that where further investigation has been recommended by the review then that will occur. However, I have also pointed out that in a large proportion of cases, counsel would be likely to recommend that no further action could reasonably be taken. This has proven to be the case.

In circumstances where individuals have genuine but necessarily subjective concerns about how their particular cases were originally handled, it is inevitable that many of those complainants who were informed that no further action was recommended, will be unhappy with that outcome. The crucial point, however, is that every case has been reviewed by independent counsel, who have made an objective recommendation.

The outcome of the review in the particular case referred to by the Deputy, issued last month. I should mention that my predecessor referred aspects of their particular case to the Garda Síochána Ombudsman Commission and I understand that investigation has not concluded.

The House will appreciate too that a civil action has been initiated against the State in respect of issues raised in the complaint and we must all appreciate the need not to prejudice in any way these proceedings.

Garda Deployment

14. **Deputy Seán Kyne** asked the Minister for Justice and Equality the assignment of new Garda Síochána recruits since the reopening of Templemore training college, by division; and if she will confirm the recruitment of suitable candidates for service in Gaeltacht communities. [3037/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): This Government is committed to ensuring that An Garda Síochána has the capacity to provide effective and visible policing throughout the country. A crucial element of the Government's strategy is ensuring ongoing seamless recruitment to renew An Garda Síochána. With this in mind Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of the Garda College in Templemore in September 2014. To date there have been six intakes of Garda Trainees to the Garda College, giving a total intake of 550 with a further intake provisionally scheduled for 11 April 2016. So far 296 of these new recruits have been fully attested and are undertaking Garda duties in communities nationwide.

An Garda Síochána is fully committed to fulfilling their obligations under the Official Languages Act. In this regard, candidates who are fluent Irish speakers, and who also fulfil all other eligibility criteria, are assessed under a specialist Irish language stream. Successful candidates from this stream are allocated to Gaeltacht areas for a period of time as determined by the Garda Commissioner. To date 29 applicants who applied under the specialist Irish language stream in the last competition were successful.

In order to fulfil the recruitment commitment for 2016 a new recruitment campaign was launched in last November. That campaign, which closed on 6 January, has attracted strong interest with in the region of 16,500 applications received by the Public Appointments Service which is organising the competition on behalf of the Garda Commissioner. I am informed by the Garda Commissioner that in the recruitment competition which closed on 6 January, a total of 685 applied through the specialist Irish language stream. Successful applicants from this campaign can expect to start entering the Garda College from mid-year onwards.

I set out in the following tabular statement the information sought by the Deputy in relation to assignments by Division.

Distribution of Probationer Gardaí 2015 by Division

Division	Assignments	Division	Assignments
DMR East	10	DMR North	20
DMR North Central	23	DMR South	19
DMR South Central	20	DMR West	30
Kildare	15	Laois/Offaly	9
Meath	5	Westmeath	5
Wicklow	10	Cavan/Monaghan	10
Donegal	10	Louth	10
Sligo/Leitrim	5	Kilkenny/Carlow	10
Tipperary	5	Waterford	14

Division	Assignments	Division	Assignments
Wexford	15	Cork City	7
Cork North	0	Cork West	5
Kerry	10	Limerick	9
Clare	10	Galway	5
Mayo	5	Roscommon/Longford	0

Refugee Numbers

15. **Deputy Thomas Pringle** asked the Minister for Justice and Equality her response to the low level of refugee applications to the State under the European Union's relocation plan; and if she will make a statement on the matter. [2998/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): This programme, which was agreed at European level in September 2015, provides for the transfer of 160,000 persons in clear need of international protection from Italy and Greece to other Member States where their applications for protection will be examined. The programme provides for the relocation of persons on a phased basis over a two year period.

Overall only a small percentage of persons have been relocated so far, which is fair to say has not progressed as fast as Member States had hoped. This is however the first time that the EU has embarked on a large-scale programme of this nature and therefore it is somewhat understandable, considering the significant logistical arrangements that needed to be put in place, that it would take time to get the programme properly up and running. There have been particular challenges with the establishment of 'hotspots' in Greece and Italy and the setting up of the relocation programmes in these countries. It is intended to establish a total of eleven hotspots (six in Italy and five in Greece) to enable Frontex, the European Asylum Support Office (EASO) and Europol to work on the ground with frontline Member States to identify, register and fingerprint migrants and to process applicants for relocation. Currently only two hotspots are operational in Italy while one is operational in Greece. I expect that when all the necessary arrangements are put in place we will see a swift acceleration in the numbers being relocated.

In response to the request from the Commission for Member States to respond quickly to the call for national experts to support the work of the 'hotspots', Ireland has appointed Liaison Officers to Italy and Greece and has also nominated two Irish experts to the European Asylum Support Office (EASO) to be deployed to the 'hotspot' in Greece. Their role will be to identify potential candidates for relocation, provide relevant information about the relocation procedure and refer all interested candidates to the regional Asylum Service. The first ten persons from Syria to be relocated to Ireland arrived on Friday 22 January from Greece. In addition we have indicated that we have twenty places immediately available for relocation from Italy.

The migration crisis is a highly challenging issue and has been central to discussions at EU level over the past year and this is expected to continue in the year ahead also. I will continue to work closely with my EU colleagues as part of the response to this humanitarian crisis.

Communications Surveillance

16. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality her plans to ensure that her proposed review of legislation will ensure the inclusion of independent judicial oversight over applications for data access or for ongoing surveillance by the relevant authorities, given that almost 62,000 applications for access to landline, mobile telephone and

Internet data were made to companies providing services to the public by State authorities over a five-year period. [3042/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): Access to communications data under the Communications (Retention of Data) Act 2011 may only be requested by a senior member of the relevant bodies empowered under the legislation, which includes An Garda Síochána and the Permanent Defence Forces, and then only for the purposes of the investigation of serious offences, the security of the State or the saving of human life.

The records which can be accessed under the 2011 Act concern the data identifying the registered owner of a device - ‘subscriber’ data - or the traffic and location data of a device - the when, where and for how long a phone was used, for example. The Act does not allow access to the content of a communication - this is expressly ruled out by section 2 of the Act.

I should emphasise that the Act is subject to independent judicial oversight by a Judge of the High Court, designated by the Government for that purpose. The Designated Judge has complete and unrestricted access to all cases, documents, records, and personnel pertaining to the operation of the relevant legislation. In addition, the Designated Judge reports to the Taoiseach at least annually on the operation of the legislation. These reports are laid before the Houses of the Oireachtas.

Access to these records is essential in the fight against serious crime and to keep us safe. The fact is that some of the most serious crimes committed in this country would not have been solved and the perpetrators brought to justice if these powers were not in place. Not having these powers would do a very grave disservice to the victims of crime.

These are targeted investigatory powers. They simply do not provide for indiscriminate surveillance of members of the public. That said, very genuine concerns have been raised recently as to the balance in our law between the important freedom of journalists to pursue legitimate matters of public interest and the basic rights of persons not to have their personal information improperly disclosed. It is essential to address those concerns.

I decided to have an independent examination of the law carried out in respect of access by statutory bodies to the communications records of journalists held by communications service providers, taking into account, the principle of protection of journalistic sources, the need for statutory bodies with investigative and/or prosecution powers to have access to data in order to prevent and detect serious crime, and current best international practice in this area.

The former Chief Justice, Judge John Murray, has agreed to carry out the review over the coming three months and he will bring recommendations to me. I think it is important to have an independent aspect to the review in order to bolster public confidence in the process. As I am sure the Deputy will understand, I would not wish to presuppose the outcome of Mr. Justice Murray’s review in any respect. The outcome of the review will be referred to the relevant Oireachtas Committee.

Garda Promotions

17. **Deputy Mick Wallace** asked the Minister for Justice and Equality if her reform programme has been successful to date; if she is satisfied with the manner in which promotions in An Garda Síochána are handled; and if she will make a statement on the matter. [3024/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): My focus and that of the Government over the past 20 months has been to put in place concrete measures to ensure and

enhance ongoing public confidence in policing in Ireland, while continuing to support the men and women of An Garda Síochána in their day-to-day work of keeping our communities and country safe. This means firstly overseeing reform of the administration, accountability and oversight of policing in Ireland; and secondly delivering on a programme of reform, modernisation and investment in An Garda Síochána particularly focusing on organisation, processes and systems.

The establishment of the Policing Authority on 1 January was a very important milestone and I am pleased to say that it will meet for the first time tomorrow. The Authority will provide a new, effective and independent forum for the public oversight of policing services in Ireland. Having worked closely with the Garda Commissioner and the Chairperson over the last several months, I know there is a strong commitment to promote a continuous improvement in policing and a determination to work together to achieve that.

Other important initiatives either completed or in train include:

- the appointment of the Commissioner and Deputy Commissioners following an open and independent selection process for the first time
- the extension of the FOI Act 2014 to An Garda Síochána
- the enactment of legislation to strengthen the role and remit of GSOC and the appointment of Judge Mary-Ellen Ring as Chairperson to that body last August
- the Protected Disclosures Act 2014 allows Garda members to make “protected disclosures” to GSOC in confidence relating to alleged Garda misconduct
- a Commission of Investigation, chaired by Justice O’Higgins, has been established and is currently examining matters arising from the report of May 2014 from Mr Sean Guerin, SC, to An Taoiseach concerning allegations made by Sergeant Maurice McCabe
- the Independent Review Mechanism, consisting of a panel of counsel, has reviewed 320 complaints containing allegations of Garda misconduct, or inadequacies in the investigation of certain allegations. Notification letters have issued to complainants in over 300 of these cases with the outstanding letters due to be issued imminently and a summary report of the process published
- following the publication of the Garda Professional Standards Unit (GPSU) report on the operation of the fixed charge processing system (penalty points) I appointed Judge Mathew Deery, former President of the Circuit Court, to the new position of Independent Oversight Authority for the fixed charge processing system
- significant work is continuing to implement the recommendations contained in the Garda Síochána Inspectorate’s 2014 report on Crime Investigation. This work will be boosted by the allocation of an additional €205 million in funding for critical Garda ICT infrastructure over the life time of the Government’s Capital Plan.

The most recent Inspectorate report “*Changing Policing in Ireland - Delivering a Visible, Accessible and Responsive Service*” which I published on 9 December last is another important contribution to the ongoing reform agenda that is under way in An Garda Síochána and across the wider justice sector. The Commissioner is also about to publish her 5 year Strategic Transformation Programme which I understand will address many of the issues raised in the Inspectorate Report.

On the matter of promotions within An Garda Síochána, the position is that promotions up

to and including Assistant Commissioner are covered by the Garda Síochána (Promotion) Regulations 2006. Those Regulations are under review at present and will be subject to amendment in order to facilitate the Policing Authority assuming its full functions in relation to appointments to the senior ranks of An Garda Síochána. Separately, as the Deputy will be aware, the Commission on Public Service Appointments (CPSA) recently published its audit of promotion practices to the rank of sergeant and inspector in An Garda Síochána. While broadly positive in relation to those practices overall, the CPSA does make a number of recommendations for improvements which are being considered by the Commissioner and which may require amendments to the Regulations in due course.

Finally, under the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015, the Policing Authority has a statutory responsibility to keep under review recruitment to An Garda Síochána.

Garda Station Closures

18. **Deputy Niall Collins** asked the Minister for Justice and Equality if she will reopen any of the Garda Síochána stations that were closed over the past five years; and if she will make a statement on the matter. [3022/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The formulation of proposals in relation to the opening and closing of Garda Stations is a matter, in the first instance, for the Garda Commissioner in conjunction with the newly established Policing Authority, in the context of annual policing plans, as provided for in section 20 of the Garda Síochána Act 2005, as amended.

The Garda District and Station Rationalisation Programme implemented in An Garda Síochána during 2012 and 2013 resulted in the closure of 39 Garda stations in 2012 and 100 Garda stations in 2013.

The Programme was based on a review of the Garda Station Network by Garda management which concluded in relation to certain stations, many of which were only open part-time and manned by a single Garda, that resources could be better deployed and more effectively used on the front line if those stations no longer had to be staffed and maintained. In reaching these conclusions, Garda management reviewed all aspects of the Garda Síochána policing model, including the deployment of personnel, the utilisation of modern technologies and the overall operation of Garda stations. The Programme supports the provision of a modern 21st century policing service for both urban and rural areas and allows front-line Gardaí to be managed and deployed with greater mobility, greater flexibility, and in a more focused fashion, particularly with regard to various targeted police operations. As a result of the Programme, communities have benefited from increased Garda visibility and increased patrolling hours which has enabled An Garda Síochána to deliver an improved policing service to the public.

It is understood from discussions with the Garda Commissioner that the current consolidation process is largely completed. There are no proposals to either reopen or close any Garda stations in the Policing Plan for 2016.

Garda Misconduct Allegations

19. **Deputy Clare Daly** asked the Minister for Justice and Equality the proposed actions of the independent review mechanism, with particular reference to the number of cases where

follow-on action was recommended; the nature of the follow-on action. [3015/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Deputy is referring to the mechanism established for the independent review of certain allegations of Garda misconduct, or inadequacies in the investigation of certain allegations, which have been made to me as Minister for Justice and Equality, or the Taoiseach.

I have repeatedly emphasised that the Independent Review Mechanism was not established to act as a Commission of Inquiry or Investigation. Nor was it designed to make findings. Its purpose was to triage the allegations to see whether further action was needed and what that action would be. It is also important to emphasise that the range of matters covered by the cases referred to the Panel was very wide. They included property disputes, probate issues, disputes between neighbours, dissatisfaction with the outcome of civil and criminal court actions as well as decisions of the DPP and GSOC. These are all matters in which I, as Minister, have no role. Nevertheless, they were considered by the Panel despite the fact that, at face value, they were outside the remit of the IRM.

The Panel has provided recommendations to me in all 320 cases submitted to them and has therefore largely concluded its work. The issuing of notification letters to complainants commenced on 29 June. To date, 307 complainants have been notified of the outcome of the review of their cases. Letters will continue to issue to all complainants until the process is completed.

I have previously assured Deputies that where further investigation is recommended by the review then that will occur. Where cases have resulted in recommendations for further action, I have accepted those recommendations. These include referral to the Garda Síochána Ombudsman Commission (GSOC), requesting a report from the Garda Commissioner in accordance with section 41(2) of the Garda Síochána Act 2005, establishment of an inquiry under section 42(1) of the Garda Síochána Act 2005, establishment of a non-statutory inquiry and appointment of a Legal Assessor. I have already indicated that where an inquiry is to be set up, I will consult the Attorney General about all the matters that need to be taken into account in this regard.

As I have stated before, I will make a comprehensive statement on all matters relating to the process once it is completed, including an overview of the outcomes of cases. I have also asked counsel to produce a general overview report on the issues and trends which featured in this process.

Prisoner Transfers

20. **Deputy Thomas Pringle** asked the Minister for Justice and Equality the status of an application for a transfer by a person (details supplied) detained in Maghaberry Prison in County Antrim; and if she will make a statement on the matter. [2999/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Prison Service that an application for repatriation, from the person referred to, has been received and is being dealt with accordingly. It is not possible to provide a precise timeline in respect of individual applications, due to the number of parties involved in the process.

The individual will be kept informed directly of any developments in his case as they arise.

The Deputy should be aware that the Council of Europe Convention on the Transfer of Sentenced Persons does not confer an automatic right for any prisoner to be transferred nor does it confer an obligation on any State to comply with a transfer request. In addition, the consent

of the three parties in the process is required prior to any transfer, i.e. the sentencing state, the receiving state and the sentenced person.

Military Aircraft Landings

21. **Deputy Mick Wallace** asked the Minister for Justice and Equality if she has had discussions with the Department of Foreign Affairs and Trade, the Department of Defence or the Department of Transport, Tourism and Sport in relation to any assessment of the risk to Ireland from a terrorist attack by the Islamic State of Iraq and Syria due to the continued use by the military of the United States of America of Shannon Airport; and if she will make a statement on the matter. [3028/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The current assessment of the threat to Ireland from international terrorism is that while an attack here is possible, it is unlikely and there is no specific information that an attack on Ireland is planned.

The level of threat from this source is kept under constant review by An Garda Síochána, particularly in the light of ongoing developments and the current international climate. In drawing up the threat assessment the Garda Commissioner has reference to wide range of issues and consults with the Chief of Staff of the Defence Forces.

There is a small number of people here whose activities are a cause for concern in terms of supporting terrorism and extremism. They will continue to be monitored and, where evidence is available of criminality, they will face the full rigours of the law.

I am aware of comments made previously to the effect that Ireland is a target because we permit US planes to refuel at Shannon Airport. However, permission to land in the State is subject to clear policy stipulations – that aircraft are unarmed, carry no arms, ammunition or explosives, do not engage in intelligence gathering and that the flights do not form part of military exercises or operations. These arrangements apply to all foreign military aircraft landing in Shannon. These arrangements are fully consistent with our policy of military neutrality.

I can assure the House that An Garda Síochána, supported where necessary by the Defence Forces, is taking all possible steps to deal with any threat to this State. The Deputy will understand that, of their nature, security measures should not be disclosed publicly.

There is, of course, ongoing interaction between my officials and those of all relevant Departments concerned with threats to national security. The Deputy will also wish to note that there is an Office of Emergency Planning situated in the Department of Defence and the Government's Task Force on Emergency Planning meets regularly to co-ordinate cross-Government planning arrangements for a whole range of emergencies, including those with a security dimension.

Stardust Fire

22. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the status of her investigations into the Stardust tragedy; and if she will make a statement on the matter. [2845/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy is aware, following my meeting with the Stardust Victims Committee last year I appointed an official in my Department to liaise with them in relation to matters about which they have expressed

concern.

A researcher associated with the Stardust Victims' Committee submitted material relating to these events to my Department and a meeting was held with them and another researcher associated with the Committee on 23 April last year. The official in my Department who liaises with the Committee undertook to examine this material and, following such an examination, a draft preliminary analysis was prepared in my Department and this draft was issued to the Committee in July of last year. The Committee was invited to examine this draft analysis and provide any commentary it wished to make on it. The Committee's response to this draft analysis was provided by way of a presentation made by researchers associated with the Committee; this presentation was made on 30 September 2015. The views and materials presented at that meeting were examined in my Department and on 30 November last further documentation was issued by my Department to the Committee in this connection.

Further material that the Committee wishes to be considered by my Department was received in recent weeks and this has been the subject of correspondence between the Committee and my Department.

Military Aircraft Landings

23. **Deputy Mick Wallace** asked the Minister for Justice and Equality if she has discussed carrying out of an assessment of the risk posed to Ireland by publicity surrounding the use by the military of the United States of America of Shannon Airport with the Garda Commissioner; if she supplied the results of any such assessment to the Tánaiste prior to her comments in the Dáil during Leader's Questions on 17 December 2015, when the Tánaiste asked this Deputy if he understood what the consequences of his statements in regard to US military use of Shannon might be in terms of the safety of people in Ireland; and if she will make a statement on the matter. [3026/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The assessment of the threat posed to Ireland by international terrorism is a matter for An Garda Síochána. The current assessment of the threat level from international terrorism is that although an attack on Ireland is possible it is considered unlikely. I keep the Government informed on a regular basis on security matters on the basis of the routine briefings I receive from the Garda Commissioner.

In relation to the specific issue raised by the Deputy, the comments of the Tánaiste were not based on a specific assessment of any sort provided. Rather the Tánaiste was making the absolutely reasonable point to the Deputy that Ireland is a militarily neutral state and that our Defence Forces pursue the State's long-standing involvement in peace-keeping and conflict prevention abroad. The Tánaiste also corrected the Deputy's fanciful assertion that Shannon Airport is a US military base and cautioned him to exercise some moderation in his use of language in order to ensure that such an incorrect impression would not create harm to Irish interests.

The arrangements under which permission is granted for foreign military aircraft to land at Irish airports are governed by strict conditions. These include stipulations that the aircraft must be unarmed, carry no arms, ammunition or explosives and must not engage in intelligence gathering, and that the flights in question must not form part of military exercises or operations.

Migrant Integration

24. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality to ensure the regularisation of undocumented migrants in the State through a fair and pragmatic system as outlined by the Migrant Rights Centre in a presentation to the Joint Committee on Justice, Defence and Equality in 2015. [3045/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am aware of the proposals regarding regularisation which have been put forward by the Migrant Rights Centre of Ireland and I have met with their representatives, as have my officials, on a non-committal basis, to give them the opportunity of elaborating their proposals at first hand. I also acknowledge that a good deal of thought has gone into the proposals.

However I have no plans to implement a regularisation programme of the type proposed. As highlighted in replies to previous parliamentary questions EU Member States have committed “to use only case-by-case regularisation, rather than generalised regularisation, under national law, for humanitarian or economic reasons”.

There is a clear obligation on anyone coming to live and work in the State to respect our laws. In this regard it remains the responsibility of all non-EEA nationals who are resident in the State to ensure that they have an appropriate permission from the Minister for Justice and Equality and the great majority of migrants fully comply with this condition. I am conscious that any significant departure from well established policies will invariably have implications for our immigration controls and the smooth functioning of the Common Travel Area with the United Kingdom.

It remains open to any foreign national, who finds him or herself in an undocumented situation, to return to their home country and apply to re-enter the State or, alternatively, to approaching the immigration authorities to seek permission to remain in the State. Such cases would be carefully considered, taking the all relevant circumstances into account, before any final decision was made. An important factor in any such consideration would be the circumstances in which the person concerned became undocumented. Following such a process it is reasonable for the State to expect that people will respect this decision.

Garda Misconduct Allegations

25. **Deputy Mick Wallace** asked the Minister for Justice and Equality the nature of the further investigations proposed into those cases selected from the independent review mechanism; and if she will make a statement on the matter. [3027/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Deputy is referring to the mechanism established for the independent review of certain allegations of Garda misconduct, or inadequacies in the investigation of certain allegations, which have been made to me as Minister for Justice and Equality, or the Taoiseach.

I have repeatedly emphasised that the Independent Review Mechanism was not established to act as a Commission of Inquiry or Investigation. Nor was it designed to make findings. Its purpose was to triage the allegations to see whether further action was needed and what that action would be. It is also important to emphasise that the range of matters covered by the cases referred to the Panel was very wide. They included property disputes, probate issues, disputes between neighbours, dissatisfaction with the outcome of civil and criminal court actions as well as decisions of the DPP and GSOC. These are all matters in which I, as Minister, have no role. Nevertheless, they were considered by the Panel despite the fact that, at face value, they were outside the remit of the IRM.

The Panel has provided recommendations to me in all 320 cases submitted to them and has therefore largely concluded its work. The issuing of notification letters to complainants commenced on 29 June. To date, 307 complainants have been notified of the outcome of the review of their cases. Letters will continue to issue to all complainants until the process is completed.

I have previously assured Deputies that where further investigation is recommended by the Review then that will occur. Where cases have resulted in recommendations for further action, I have accepted those recommendations. These include referral to the Garda Síochána Ombudsman Commission (GSOC), requesting a report from the Garda Commissioner in accordance with section 41(2) of the Garda Síochána Act 2005, establishment of an inquiry under section 42(1) of the Garda Síochána Act 2005, establishment of a non-statutory inquiry and appointment of a Legal Assessor. Where an inquiry is to be set up, I will consult the Attorney General about all the matters that need to be taken into account.

As I have stated before, I will make a comprehensive statement on all matters relating to the process once it is completed, including an overview of the outcomes of cases. I have also asked counsel to produce a general overview report on the issues and trends which featured in this process.

Legislative Programme

26. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality the status of legislation on community courts including progress to date and when she will introduce it; and if she will make a statement on the matter. [3003/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): My Department has led a Working Group of Justice Sector officials to consider options for moving forward on the proposal to establish a Community Court and the group met a number of times during 2015. Building on the recommendations of the Oireachtas Joint Committee on Justice, Defence and Equality, the Working Group has been working up proposals enhancing our approach to tackling low level offenders and effectively addressing their offending behaviour through a Community Justice Intervention type programme. This would be a diversion from the courts system and one that seeks to deal with low level offences while applying meaningful sanctions and focusing on the principles of restorative justice. It would build very specifically on the idea of a Community Court, and on some experiences from abroad, but without creating a new Court per se. Some of the key elements under consideration include the format of the initiative and the most appropriate model that would apply to the Irish system. It is important that, whatever model is decided upon, it adds value to interventions that are already available and that it will operate to deliver solutions in a fully integrated way. I expect proposals in this regard will be finalised over the coming weeks and they will identify the appropriate target audience, the necessary services and resources as well as setting out timelines and key performance indicators to define the success of the initiative.

Garda Strength

27. **Deputy Terence Flanagan** asked the Minister for Justice and Equality if she is concerned at the number of gardaí leaving An Garda Síochána compared to the number of new recruits; and if she will make a statement on the matter. [2846/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have been informed by the Garda Commissioner that the number of Gardaí who have departed from An Garda

Síochána owing to voluntary retirement, compulsory retirement, cost neutral early retirement, medical discharge, and resignation, was 281 in 2015.

This Government is committed to renewing An Garda Síochána to ensure that it has the capacity to deliver effective policing services throughout the country. To this end, since the Garda College reopened in September 2014 (following the lifting of the moratorium on recruitment), there have been six intakes of Garda Trainees, giving a total intake of 550. So far 296 have attested and are on the ground in communities nationwide. The increased budget allocation for An Garda Síochána this year provides for the recruitment of an additional 600 trainee Gardaí. It is expected that a further 395 will attest by the end of this year which, taking account of projected retirements, will bring Garda numbers to around the 13,000 mark. I expect recruitment to continue at or around the current levels for the next number of years having regard to factors such as the level of retirements in any one year. I can assure the Deputy that projected retirements are kept under continuing review and the level of recruitment adjusted as necessary.

Garda Misconduct Allegations

28. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality to facilitate an appeals process to the independent review mechanism that has examined allegations of malpractice by An Garda Síochána. [3041/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The mechanism referred to by the Deputy is that established for the independent review of certain allegations of Garda misconduct, or inadequacies in the investigation of certain allegations, which have been made to me as Minister for Justice and Equality, or the Taoiseach with a view to determining to what extent and in what manner further action may be required in each case. A panel consisting of two senior and five junior counsel was established for that purpose.

The Panel has provided recommendations to me in all 320 cases submitted to them and has therefore largely concluded its work. The issuing of notification letters to complainants commenced on 29 June. To date, 307 complainants have been notified of the outcome of the review of their cases. Letters will continue to issue to all complainants, until the process is completed which I expect will be very shortly as we are nearing the end of the process.

I have repeatedly emphasised that the Independent Review Mechanism was not established to act as a Commission of Inquiry or Investigation. Nor was it designed to make findings. Its purpose was to triage the allegations to see whether further action was needed and what that action would be. In these circumstances the matter of appeal does not arise.

I wish, however, to stress the independence of this process. The cases have all been considered by independent barristers, members of the Panel constituted to conduct this review. Following their reviews of the papers in each complaint, counsel made recommendation to me, as to whether or not further action should be carried out by me, and if so the nature of that action. I also decided to appoint a retired judge, Mr Justice Roderick Murphy, to advise on the preparation of letters notifying individuals as to the outcome of the review in their particular cases. I was concerned that these letters should not only set out the recommendation of counsel, but also outline as far as possible the reasons for the recommendation, subject to any legal constraints there may be. I made this appointment in order to provide complete reassurance on the probity and independence of this entire process, from start to finish.

I have previously assured Deputies that where further investigation has been recommended by the review then that will occur. However, I have also pointed out that in a large propor-

tion of cases, counsel would be likely to recommend that no further action could reasonably be taken. This has proven to be the case. One of the main reasons for this has been because a case has already been through due process even though the complainant remains unhappy with the outcome. The crucial point, however, is that every case has been reviewed by independent counsel, who have made an objective recommendation.

As I have stated before, I will make a comprehensive statement on all matters relating to the process once it is completed, including an overview of the outcomes of cases. I have also asked counsel to produce a general overview report on the issues and trends which featured in this process.

Garda Resources

29. Deputy Bernard J. Durkan asked the Minister for Justice and Equality her priorities for the expansion of recruitment to An Garda Síochána, the upgrading of the telecommunications equipment and training, and the provision of the necessary back-up in line with the requirements of a modern police force on par with the best in Europe, thus enabling An Garda Síochána to combat organised crime and possible terrorism; and if she will make a statement on the matter. [3016/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): This Government is committed to ensuring that An Garda Síochána has the capacity to provide effective and visible policing throughout the country. A crucial element of the Government's strategy is ensuring ongoing seamless recruitment to renew An Garda Síochána. With this in mind Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of the Garda College in Templemore in September 2014. To date there have been six intakes of Garda Trainees to the Garda College, giving a total intake of 550 with a further intake provisionally scheduled for 11 April 2016. So far 296 of these new recruits have been fully attested and are undertaking Garda duties in communities nationwide.

In order to fulfil the recruitment commitment for 2016 a new recruitment campaign was launched in last November. That campaign, which closed on 6 January, has attracted strong interest with in the region of 16,500 applications received by the Public Appointments Service which is organising the competition on behalf of the Garda Commissioner.

The 2016 Budget allocation of €1.5 billion for An Garda Síochána includes over €67 million in additional funding which will, in addition to the recruitment of new trainee Gardaí, also provide additional funding for Garda Surveillance, special operations and targeted, intelligence-led policing. This additional recruitment and budget allocation builds on the current high level of investment in Garda vehicles. We have invested over €34 million in new Garda vehicles since 2012 with over 640 new vehicles coming on stream since the start of 2015. The Government's Capital Plan 2016-2021 provides for a further €46 million of investment in vehicles as well as an additional €205 million for Information and Communications Technology which will allow An Garda Síochána to deploy the latest cutting edge technologies in the fight against crime. Taken together, this step-change in investment in policing demonstrates this Government's commitment to investing in 21st Century policing and will ensure that the Gardaí can be mobile, visible and responsive, on the roads and in the community to prevent and tackle crime.

Taking actions to counter the security threats facing the State is a priority for An Garda Síochána. The Garda Authorities have the appropriate resources available to them to tackle threats from these sources but given the evolving nature of the security threats the Garda Commis-

sioner is carrying out a review at present and will let me know of any additional requirements that may arise. In general terms, An Garda Síochána will take all possible steps to deal with any threat to this country, combining a strong intelligence base with a well-trained, armed special intervention and support capacity, and a range of other local and national policing and investigative resources dedicated to countering security threats whatever their origins. The use and exchange of good intelligence is increasingly important in tackling organised crime and terrorism. In this regard, as part of the major programme of investment in An Garda Síochána under the Government's Capital Plan there will be considerable investment in Garda information and communications technology, including connecting to the Schengen Information System, that will support crime investigation and enhance intelligence-led policing.

Garda Misconduct Allegations

30. **Deputy Richard Boyd Barrett** asked the Minister for Justice and Equality if it is acceptable that in the panel of a barrister's review of the case of a person (details supplied), the person was not interviewed; and if she will make a statement on the matter. [3039/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The particular case to which the Deputies refer was amongst those considered under the mechanism established for the independent review of certain allegations of Garda misconduct, or inadequacies in the investigation of certain allegations, which have been made to me as Minister for Justice and Equality, or the Taoiseach with a view to determining to what extent and in what manner further action may be required in each case. A panel consisting of two senior and five junior counsel was established for that purpose.

The Panel has provided recommendations to me in all 320 cases submitted to them and has therefore largely concluded its work. The issuing of notification letters to complainants commenced on 29 June. To date, 307 complainants have been notified of the outcome of the review of their cases. Letters will continue to issue to all complainants, until the process is completed which I expect will be very shortly as we are nearing the end of the process. The outcome of the review in this complainant's case issued last month.

I have repeatedly emphasised that the Independent Review Mechanism was not established to act as a Commission of Inquiry or Investigation. Nor was it designed to make findings. Its purpose was to triage the allegations to see whether further action was needed and what that action would be. The role of the panel has been to consider, based on a review of the papers in each complaint, the steps taken to resolve the complaints to date and what further action might be appropriate in the future rather than to actually resolve the complaints themselves. In these circumstances meetings with the complainants or full hearings of their complaints were not within the scope of the Review itself.

I wish to stress the independence of this process. The cases have all been considered by independent barristers, members of the Panel constituted to conduct this review. Following their reviews of the papers in each complaint, counsel made recommendations to me, as to whether or not further action should be carried out by me, and if so the nature of that action. I also appointed a retired judge, Mr Justice Roderick Murphy, to advise on the preparation of letters notifying individuals as to the outcome of the review in their particular cases. I was concerned that these letters should not only set out the recommendation of counsel, but also outline as far as possible the reasons for the recommendation, subject to any legal constraints there may be. I made this appointment in order to provide complete reassurance on the probity and independence of this entire process, from start to finish.

I have previously assured Deputies that where further investigation has been recommended by the review then that will occur. However, I have also pointed out that in a large proportion of cases, counsel would be likely to recommend that no further action could reasonably be taken. This has proven to be the case. The crucial point, however, is that every case has been reviewed by independent counsel, who have made an objective recommendation.

Garda Misconduct Allegations

31. **Deputy Mick Wallace** asked the Minister for Justice and Equality the recommendations of the independent review mechanism into historic cases of malpractice by An Garda Síochána, with particular reference to the number of cases where follow-on action was proposed; and if she will make a statement on the matter. [3025/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The mechanism referred to by the Deputy is that established for the independent review of certain allegations of Garda misconduct, or inadequacies in the investigation of certain allegations, which have been made to me as Minister for Justice and Equality, or the Taoiseach with a view to determining to what extent and in what manner further action may be required in each case. A panel consisting of two senior and five junior counsel was established for that purpose.

The Panel has provided recommendations to me in all 320 cases submitted to them and has therefore largely concluded its work. The issuing of notification letters to complainants commenced on 29 June. To date, 307 complainants have been notified of the outcome of the review of their cases. Letters will continue to issue to all complainants, until the process is completed which I expect will be very shortly as we are nearing the end of the process.

I have repeatedly emphasised that the Independent Review Mechanism was not established to act as a Commission of Inquiry or Investigation. Nor was it designed to make findings. Its purpose was to triage the allegations to see whether further action was needed and what that action would be. Where cases have resulted in recommendations for further action, I have accepted those recommendations. These include referral to the Garda Síochána Ombudsman Commission (GSOC), requesting a report from the Garda Commissioner in accordance with section 41(2) of the Garda Síochána Act 2005, establishment of an inquiry under section 42(1) of the Garda Síochána Act 2005, establishment of a non-statutory inquiry and appointment of a Legal Assessor. Where an inquiry is to be set up, I will consult the Attorney General about all the matters that need to be taken into account.

I should also point out, in cases where no further action by me has been recommended, that wherever it has been possible, counsel has highlighted informal actions that I can take to be of any assistance to the complainants. I have also arranged to have these carried out.

As I've stated before, I will make a comprehensive statement on all matters relating to the process once it is completed, including an overview of the outcomes of cases. I have also asked counsel to produce a general overview report on the issues and trends which featured in this process.

Crime Prevention

32. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which she continues, through An Garda Síochána, to combat gun crime, drug gangs, the intimidation of witnesses, people trafficking and other criminal activities; if she will provide

the necessary resources to An Garda Síochána; and if she will make a statement on the matter. [3017/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I can assure the Deputy that An Garda Síochána continue to confront and oppose all forms of crime, including those referred to. Crime trends are monitored by Garda management on an ongoing basis and the necessary crime prevention and investigation resources are allocated accordingly.

The Government is investing heavily in those policing resources. In particular, the Capital Plan 2016 - 2021 makes provision for the ongoing delivery of new Garda vehicles, as well as very significant investment in new technology and information systems for An Garda Síochána, amounting to an investment of €205m over the life of the Plan. In addition, the Government has ended the moratorium on Garda recruitment and Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of the Garda College in Templemore in September 2014.

It is unfortunately the case that gun crime has for some time been an inherent part of organised criminal activity in Ireland, as it is in other similar jurisdictions. Gardaí continue to tackle this type of crime through a range of targeted and intelligence based operations, often disrupting and preventing incidents, as well as detecting and prosecuting those involved. Heavy penalties are provided for weapons offences in our criminal law and mandatory minimum penalties have been introduced for certain firearms offences.

A series of strong legislative measures are also in place to underpin the State's response to organised crime and these are being fully utilised by the Gardaí. Ultimately, the only effective way to combat organised crime is by disrupting and prosecuting those involved in its operations, and especially the drugs trade which is at the heart of much of its profits. Therefore substantial efforts by An Garda Síochána and Customs are devoted to damaging this activity, and to bringing those involved before the Courts. In this regard any attempts to intimidate witnesses are taken extremely seriously and are fully investigated by An Garda Síochána, with prosecutions being pursued where appropriate.

The considerable powers already available to Gardaí to tackle serious crime have been supplemented further by the establishment last year of a DNA Database which has the capacity to link suspects to unsolved crimes using forensic evidence, and will greatly assist Gardaí in investigating a whole range serious offences.

In addition to these enforcement measures, An Garda Síochána also engage extensively with communities in a range of fora to address local concerns relating to crime and community safety, including the impact that organised crime can have at a community level.

In relation to human trafficking, there are strong legislative, administrative and operational measures in place in Ireland to combat and prevent trafficking in human beings. The Criminal Law (Human Trafficking) Act 2008, with penalties of up to life imprisonment for human trafficking, greatly strengthened the law in this area and this legislation was further bolstered in 2013 with other forms of exploitation, including forced begging and forced criminal activities, being addressed in law.

A dedicated Anti-Human Trafficking Unit was established in the Department of Justice and Equality with the purpose of ensuring that the State's response to human trafficking is coordinated and comprehensive. A new National Action Plan to Prevent and Combat Human Trafficking in Ireland is currently being finalised. For a number of years An Garda Síochána, in its Annual Policing Plan, has identified trafficking in human beings as one of its priorities with an increased focus given to prevention and detection of human trafficking. Specific detailed train-

ing is provided to Gardai with over 900 participants in the in-depth training course developed jointly by An Garda Síochána and the International Organisation for Migration (IOM), and which also includes participants from the PSNI.

In conclusion, I can assure the Deputy that all crime trends continue to be monitored and I remain in close contact with the Commissioner to ensure that we do all we can in terms of keeping legislation under review and providing the necessary policing resources to confront crime in all its forms and make our communities safer.

Departmental Staff Retirements

33. **Deputy Jack Wall** asked the Tánaiste and Minister for Social Protection her views on a submission (details supplied); if she will reply to the requests in tabular form; and if she will make a statement on the matter. [3293/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): There have been no cases made against my Department or bodies reporting to my Department by civil servants who objected on age grounds to being retired when they reached age 65.

Carer's Allowance Applications

34. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the status of an application by a person (details supplied) in County Cork under the carer's allowance scheme; and if she will make a statement on the matter. [3304/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I confirm that the department received an application for carer's allowance from the person concerned on 17 November 2015. The application is currently being processed and once completed, the person concerned will be notified directly of the outcome.

Departmental Staff Redeployment

35. **Deputy Robert Troy** asked the Tánaiste and Minister for Social Protection if she will ensure that a person (details supplied) in County Westmeath, who has been on a transfer list for over 12 years, is offered a transfer. [3316/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): In accordance with protocols agreed between the Civil, Public and Services Union (CPSU) and the Department of Public Expenditure and Reform, the names of Clerical Officers applying for a transfer to an alternative location are entered on the relevant transfer list in the order in which they are received and the Department has no discretion to deviate from the order of the transfer lists.

The person concerned was offered a transfer to my Department's Mullingar office in May 2010 but declined the offer. The staff member's name was removed from the transfer list, as is the agreed procedure. The staff member subsequently re-applied for inclusion on the transfer list in September 2010 and is currently no. 112 on the Mullingar transfer list. Should a vacancy fall to be filled by way of transfer, those ahead on the list, all of whom will have their own particular set of circumstances, would have to be considered before the staff member.

Illness Benefit Eligibility

36. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Social Protection the guidelines used by deciding officers and appeals officers when deciding claims and appeals, under the illness benefit scheme in general, and specifically. [3322/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The illness benefit scheme is based on legislative and medical requirements.

The operational guidelines in respect of the scheme are available in full on my Department's website at www.welfare.ie.

Appeals Officers are statutorily appointed by the Minister for Social Protection to act as independent administrative tribunals and are required to exercise their functions in a quasi-judicial manner. In determining an appeal an Appeals Officer does not have recourse to guidelines but rather considers an appellant's entitlement in accordance with the governing legislation.

An Appeals Officer must decide, taking account of all of the evidence presented, including medical evidence, on the impact of a person's illness/disability, on his/her capability for work; on whether a person is substantially restricted within the meaning of the Social Welfare Acts from taking up full time employment.

Farm Assist Scheme

37. **Deputy Éamon Ó Cuív** asked the Tánaiste and Minister for Social Protection if she is considering giving credits to farmers who were in receipt of farm assist and who until 2008 were precluded from paying self-employed contributions; and if she will make a statement on the matter. [3332/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The farm assist scheme was introduced in 1999 to provide income support for low income farmers. It replaced the former smallholders' unemployment assistance payment. In line with the then existing arrangements for unemployment assistance (including smallholders) and pre-retirement allowance, the income of farm assist recipients was exempt from class S PRSI for self-employed workers. Recipients of farm assist who had previously paid Class S social insurance had the option of paying voluntary contributions to maintain their social insurance record, provided they satisfied the qualifying conditions.

Since 1st January 2007, the exemption from class S PRSI has been removed and those receiving jobseeker's allowance and farm assist are subject to Class S PRSI as self-employed contributors on their self-employed income, provided their annual income is €5,000 or more.

Currently PRSI credited contributions (credits) are only awarded to former employees, to cover gaps in social insurance where they are not in a position to pay PRSI such as during periods of unemployment, illness, etc. Self-employed workers do not qualify for credits.

Any proposal to award retrospective credits to farm assist recipients would have to be considered in the context of access to credits for all other categories of the self-employed and in the wider Budgetary context.

Question No. 38 withdrawn.

Social Welfare Eligibility

39. **Deputy Finian McGrath** asked the Tánaiste and Minister for Social Protection to support a matter (details supplied) regarding social protection payments; and if she will make a statement on the matter. [3375/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Any application for any social welfare payment is considered on its own merits taking the full circumstances of the case into account.

There are different qualifying conditions for each social welfare scheme. These may include a means test, payment of a certain number of PRSI contributions, and/or satisfying the Habitual Residence Test. In all cases, decisions on individual cases are taken strictly on the basis of the evidence that the person does, or does not, satisfy the qualifying conditions.

In view of this it is not possible to make general statements regarding any particular nationality. In some cases, EU citizens will qualify for payment and in some cases they will not, depending on whether or not they satisfy the qualifying conditions of the particular scheme.

One of the qualifying conditions for child benefit and most social assistance payments is the habitual residence condition (HRC). Whether or not a person satisfies the HRC is assessed on the basis of objective considerations independent of nationality. However, under EU law there are some exemptions for EU workers, for example, in relation to family benefits such as child benefit and family income supplement. So workers from other EU countries (including Romania) would have more favourable treatment for these two payments than would people from outside the EEA. To qualify for this, the person would have to have achieved the status of “worker”. EU nationals who have never worked in Ireland do not have an automatic entitlement to any payment, but would have to satisfy the HRC and other conditions that apply to the relevant payment.

There are some situations where a non-EU worker could qualify for a payment where an EU citizen would not. These related mainly to contributory payments. For example, if a person from outside the EU is living legally in Ireland and has worked and paid sufficient contributions here, he or she may qualify for illness benefit in the event of being off work due to illness (subject to also meeting all of the other qualifying conditions). This would be regardless of nationality. On the other hand, an EEA citizen (even an Irish citizen) who has not worked and therefore has not paid sufficient contributions cannot qualify for illness benefit if they are ill.

In addition, the Department provides immediate and flexible assistance to people with insufficient means to meet their needs and those of their dependents through the Supplementary Welfare Allowance (SWA) scheme. The HRC does not apply to exceptional needs payments (ENP) or urgent needs payments (UNP) administered under SWA as by their nature these payments may be required to meet an immediate, unforeseen and once-off need.

State Pension (Contributory) Eligibility

40. **Deputy Finian McGrath** asked the Tánaiste and Minister for Social Protection to end discrimination of older women when applying for the State pension (details supplied); and if she will make a statement on the matter. [3376/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The State pension contributory is a very valuable benefit and is the bedrock of the Irish pension system. There-

fore, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives. To ensure that the individual can maximise their entitlement to a State pension, all contributions paid or credited over their working life from when they first enter insurable employment until pension age are taken into account when assessing their entitlement and the level of that entitlement. Since 1961, when contributory pensions were introduced, the average contributions test has been used in calculating pension entitlement. Once over 16 years of age, the date a person enters into insurable employment is the date used for averaging purposes. In this context, even if someone has only 10 years (520 weeks) of paid reckonable contributions between their 16th and 66th birthdays, they may qualify for a State pension (contributory), although the rate payable would vary depending on their circumstances.

The home-maker's scheme makes qualification for a higher rate of State pension (contributory) easier for those who take time out of the workforce for caring duties. The scheme, which was introduced in and took effect from 1994, allows up to 20 years spent caring for children under 12 years of age (or caring for incapacitated people over that age) to be disregarded when a person's social insurance record is being averaged for pension purposes, subject to the standard qualifying conditions for State pension contributory also being satisfied. This has the effect of increasing the yearly average of the pensioner, which is used to set the rate of their pension. The scheme does not involve the award of credits.

The 2007 Green Paper on Pensions estimated an annual cost of backdating the Home-maker's scheme, at that time, as €150 million (if to 1973) or €160 million (if to 1953). However it described those estimates as "extremely tentative" due to a number of factors, e.g., the fact that the cost would include, not just people resident in the State, but also many others resident in other countries, such as the UK. Given the cost that would be involved, the Green Paper did not propose that such backdating be introduced. Backdating the scheme now, for existing pensioners, could be expected to be significantly more expensive because (a) there are some 50% more contributory State pensioners now than there were in 2007, (b) the rate of the pension has increased since 2007 by 11%, and (c) the current cohort of people reaching pension includes more women who have had a significant level of insurable employment and would therefore be in a position to benefit from the home-maker's scheme. The cost would also be expected to increase each year in the coming years.

It is worth noting that the Actuarial Review of the Social Insurance Fund in 2012 confirmed that the Fund provides better value to female rather than male contributors. This is due to the distributive nature of the Fund. For example, those with a yearly average of only 20 contributions (38% of the maximum) may qualify for 85% of the maximum rate. The Review also examined the changes in the contribution rules and the associated rates of payment which were to be introduced in September 2012. The Review found that those with lower earnings and those with shorter contribution histories still obtain the best value from their contributions.

Where people who were unattached to the labour market during most of their adult lives may not qualify for a contributory pension in their own right as they have paid few or no contributions, or cannot qualify for a full rate as a result of an intermittent PRSI record, the social protection system provides alternative methods of supporting such pensioners in old age. Therefore, if their spouse has a contributory pension, they may qualify for an Increase for a Qualified Adult amounting up to 90% of a full rate pension, which by default is paid directly to them. Alternatively, they may qualify for a means-tested State Pension (non-contributory), amounting up to 95% of the maximum contributory pension rate.

41. **Deputy Finian McGrath** asked the Tánaiste and Minister for Social Protection to support a matter concerning invalidity pensions (details supplied) in Dublin 3; and if she will make a statement on the matter. [3377/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Invalidity pension is one of a range of income supports available to those who are unable to work due to illness or incapacity. While recipients of Disability Allowance and Invalidity Pension did not benefit from a weekly rate increase in Budget 2016, I was pleased to provide for improvements that impact on recipients of Invalidity Pension.

I provided for the 75% Christmas Bonus payment for all welfare recipients, including recipients of Invalidity Pension. A couple in receipt of Invalidity Pension with a qualified adult and two qualified children received a bonus payment of €293.40.

In addition, those eligible for the Fuel Allowance will gain from the increase in January of €2.50 per week, from €20 to €22.50 per week over the fuel season.

Funding for the Free Travel scheme, which benefits a large number of Invalidity Pension recipients, is being increased by €3 million, from €77 million to €80 million, to meet increased numbers eligible for the scheme and therefore fully protect entitlements under the scheme.

Invalidity Pension recipients with children will also benefit from the €5 increase in the monthly rate of Child Benefit.

The Respite Care Grant, now renamed the Carer's Support Grant to better reflect the usage of the grant, is being increased by €325, from €1,375 to €1,700 per annum. Furthermore, payment of Carer's Allowance will be extended by 6 weeks, from 6 weeks to 12 weeks, after the death of the care recipient. These measures will benefit the carers of those Invalidity Pension recipients who are relying on another person to provide full time care.

It should also be noted that as a result of Budget 2015, recipients of Invalidity Pension who live alone gained from the €1.30 increase in the weekly rate of the Living Alone Allowance.

There have also been other developments in relation to the employment of people with disabilities, most notably, the publication by Government in October 2015, of the Comprehensive Employment Strategy for People with Disabilities which provides for a ten year strategy to ensure that people with disabilities who are able to and want to work are supported and enabled to do so.

I have also (in 2012) introduced the Partial Capacity Benefit scheme, available to recipients of Invalidity Pension, which allows you to return to work or self-employment (if you have reduced capacity to work) and continue to receive a payment from the Department of Social Protection.

Carer's Allowance Applications

42. **Deputy Finian McGrath** asked the Tánaiste and Minister for Social Protection to support a matter (details supplied) regarding carer's allowance in Dublin 5; and if she will make a statement on the matter. [3378/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Carer's allowance (CA) is a means-tested social assistance payment, made to persons who are providing full-time care and attention to a person who has a disability such that they require that level of care.

The department informs me that it has not received an application for CA from the person concerned in respect of her brother. If the person in question wishes to make an application, she should complete and return the application form (CR1) that I have arranged to issue to him.

Carer's Allowance Appeals

43. **Deputy Clare Daly** asked the Tánaiste and Minister for Social Protection to examine the case of a person (details supplied) in County Dublin who was advised to maintain a carer's allowance. [3380/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Carer's Allowance (CA) is a means-tested social assistance payment, made to a person who is providing full-time care and attention to a person who has a disability such that they require that level of care. CA was in payment to the person concerned from 3 September 2009 in respect of her son.

The claim was referred to a local social welfare inspector (SWI) on 7 May 2015 to confirm that all the conditions for receipt of CA were continuing to be satisfied.

During this review, it was found that her son was a full-time resident in a care home since 22 December 2013.

CA may be payable for a maximum of 13 weeks where either the carer or care recipient is undergoing medical or other treatment of a temporary nature in an institution such as a hospital, convalescent, nursing or care home.

As her son became a permanent resident from 22 December 2013, CA was no longer payable.

Payment of CA was stopped from 28 May 2015 and an overpayment of €16,841.40 was assessed for the period from 26 December 2013 to 27 May 2015.

The person concerned was notified on 22 September 2015 of this decision, the reason for it and of her right of review and appeal.

The person concerned has appealed this decision to the independent Social Welfare Appeals Office (SWAO). The SWAO will be in contact directly with the person concerned in relation to the progress of the appeal.

Apprenticeship Programmes

44. **Deputy Noel Harrington** asked the Tánaiste and Minister for Social Protection the average cost of each additional apprenticeship, Springboard, and career traineeship place; and if she will make a statement on the matter. [3381/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): This is a matter for my colleague in the Department of Education.

Illness Benefit Applications

45. **Deputy Michael McCarthy** asked the Tánaiste and Minister for Social Protection the status of an application by a person (details supplied) in County Cork under the illness benefit

scheme, including why the payment did not issue; and if she will make a statement on the matter. [3393/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Social Welfare regulations prescribe that the time for making an Illness Benefit claim is 7 days from the date of commencement of illness. For claims received more than 7 days after commencement of illness, where good cause has been shown for the delay in making the claim, it may be admitted from an earlier date subject to the condition that no benefit may be paid for any period which is more than 6 months before the actual date on which the claim was received in the Department.

Under the Claims and Payments Regulations S.I. 102 of 2012, the period for which payment may be back-dated may be extended beyond 6 months in the following circumstances:

(a) where the failure to claim within the prescribed time arose as a result of information supplied by staff of this Department to the customer or to someone acting on their behalf.

(b) where the delay arose because a customer was so incapacitated by illness that they were not able to make the claim or instruct another person to act on their behalf.

The person concerned made a claim to illness benefit on 22 December 2015 in respect of the period from 3 March 2015 to 14 March 2015. The claim was outside the 6 months period and the reason given for not claiming within the prescribed time limit did not allow for the back dating of the claim.

The person concerned was informed of this decision on 7 January 2016 and also of the right of review and an appeal to the independent Appeals Office.

Social Welfare Appeals

46. **Deputy Michael Ring** asked the Tánaiste and Minister for Social Protection when she will finalise an appeal (details supplied) in County Mayo. [3401/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to disallow the appeal of the person concerned by way of a summary decision. The person concerned has been notified of the Appeals Officer's decision.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Carer's Allowance Applications

47. **Deputy Michael Creed** asked the Tánaiste and Minister for Social Protection if she will issue a decision on an application by a person (details supplied) in County Cork under the carer's allowance scheme; and if she will make a statement on the matter. [3423/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The application for carer's allowance in respect of the person concerned was awarded on 18 January 2016 and the first payment, including all arrears due, was credited to the person's nominated bank account on 21 January 2016.

The person concerned was notified of this on 18 January 2016.

Carer's Allowance Applications

48. **Deputy Michael Creed** asked the Tánaiste and Minister for Social Protection when she will issue a decision on an application by a person (details supplied) in County Cork under the carer's allowance scheme; and if she will make a statement on the matter. [3424/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The application for carer's allowance in respect of the person concerned was awarded on 20 January 2016 and the first payment, including all arrears due, will be credited to the person's nominated bank account on 28 January 2016.

The person concerned was notified of this on 20 January 2016.

Social Insurance

49. **Deputy Michael McCarthy** asked the Tánaiste and Minister for Social Protection if she is reviewing a matter (details supplied) including her efforts to resolve it; and if she will make a statement on the matter. [3461/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): A number of applications has been received from employees of the company referred to by the Deputy.

These applications are being processed by the Scope Section in the Department, which has responsibility for giving decisions and providing information on the insurability of employment on a case by case basis in accordance with the law.

Departmental Staff Retirements

50. **Deputy Jack Wall** asked the Minister for Finance his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3287/16]

Minister for Finance (Deputy Michael Noonan): I wish to inform the Deputy that in respect of my Department there have been no cases made by civil servants who objected to being retired when they reached the age of 65.

In respect of bodies under the aegis of my Department details are outlined below.

Body	Nil reply	Not Nil reply with table supplied	Comments
Appeals Commissioners	Nil		
C&AGs	Nil		
Central Bank	Nil		
Credit Reviewer Office	Nil		
Credit Union Advisory Council	Nil		
Credit Union Restructuring Board (ReBo)	Nil		

Questions - Written Answers

Body	Nil reply	Not Nil reply with table supplied	Comments
Disabled Drivers Medical Board of Appeal	Nil		
Financial Services Ombudsman Bureau	Not applicable		Does not apply to FSOB as staff are Public servants. However during this period the FSOB has not had any cases by any staff member made against the (FSOB) that objected on age grounds to being retired when they reached 65
Financial Services Ombudsman Council	Nil		
Investor Compensation Company Ltd	Nil		
Irish Bank Resolution Company	Not applicable		In special liquidation
Irish Financial Services Appeals Tribunal	Nil		
Irish Fiscal Advisory Council	Nil		
National Asset Management Agency	Nil		
National Treasury Management Agency	Nil		
Office of the Revenue Commissioners		See separate table below	
Social Finance Foundation	Nil		
Strategic Banking Corporation of Ireland	Nil		

Office of the Revenue Commissioners:

Year	Number of cases made against body by civil servants that objected on age grounds to being retired when they reached 65	Cases settled with compensation payment or re-employment	Cases heard or mediated by EET* that found for such retired civil servants and awards ordered	Number of such cases pending	Appeals taken to Labour Court or High Court and outcome of each appeal	Legal costs	Details of legal representatives used
2015	1	-	-	1	-	Pending	Revenue Solicitors plus outside Barrister
2014	-	-	-	-	-	-	-
2013	-	-	-	-	-	-	-
2012	-	-	-	-	-	-	-
Total	1	-	-	1	-		-

*EET is now the Workplace Relations Commission

Tax Code

51. **Deputy Terence Flanagan** asked the Minister for Finance if he will address a matter (details supplied) regarding tax individualisation; and if he will make a statement on the matter. [3298/16]

Minister for Finance (Deputy Michael Noonan): The system of individualisation has

been in the tax code since 1999. It is my view that individualisation has now bedded into the tax system to a degree where it cannot be changed easily. It was estimated last year that to complete or to reverse individualisation would cost in the region of €800 million.

The issue of tax individualisation was considered by the Commission on Taxation in 2009 and that body recommended that no change should be made to the current system. It concluded that the current system represents a balance between, on the one hand, acknowledging the choices families make in caring for children and, on the other, taking account of the need to encourage labour market participation.

In the recent Budget, the Government has continued the process of reducing the tax burden on low and middle income earners including, among other changes, a decrease in the three lowest rates of USC with effect from 1 January this year. In addition the home carer tax credit, which was introduced following the commencement of individualisation, was increased in value from €810 to €1,000. This credit is available where one spouse works primarily in the home caring for children, the aged or incapacitated persons.

I intend, subject to being returned to office and having the required fiscal space, to continue to reduce the tax burden on low and middle income earners in this manner in future budgets.

Coastal Protection

52. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform why so little money was allocated to the provision of coastal defence works at the Murrough in County Wicklow; if he is aware of the significant costs of the remedial works which are needed; and if he will make a statement on the matter. [3307/16]

53. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform with regard to the recent destruction of the Murrough site in County Wicklow, if he will review the events which led to the rapid erosion of the Murrough site in County Wicklow; and if he will make a statement on the matter. [3308/16]

54. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform to release emergency funds to deal with the rapid erosion of the Murrough in County Wicklow; and if he will make a statement on the matter. [3309/16]

55. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform if he will provide the timetable for the actions to repair the damage caused to the Murrough in County Wicklow in early January 2016; and if he will make a statement on the matter. [3310/16]

56. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform why the funding for the planned works in the Murrough in County Wicklow was released in November of 2015, which was too late for work to be carried out in 2015; and if he will make a statement on the matter. [3311/16]

57. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform if he has reviewed the Murrough in County Wicklow to ascertain if damage has been caused to the rail line; and if he will make a statement on the matter. [3312/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): I propose to take Questions Nos. 52 to 57, inclusive, together.

I am very aware of the issues at the Murrough in Wicklow and I have been in regular contact with the local community and Wicklow County Council in this regard.

The primary objective of policy on coastal protection is to ensure that in areas identified by local authorities as being at greatest risk of damage or loss to economic assets through coastal erosion or flooding, appropriate and sustainable measures are identified by the local authorities to protect those assets and, where intervention measures are economically justified on cost benefit grounds and compatible with all required environmental and other statutory requirements, they are implemented subject to the availability of resources.

It is open to local authorities to undertake any required remedial works using their own resources. Alternatively, if necessary, local authorities may apply for funding to carry out proposed works under the Office of Public Works (OPW) Minor Flood Mitigation Works and Coastal Protection Scheme.

It is a matter therefore for Wicklow County Council in the first instance to address coastal erosion problems at the Murrough site in Co. Wicklow and I have made it clear to the local authority of the options in relation to seeking funding from the OPW.

An application under the OPW Minor Works Scheme was received from Wicklow County Council in 2015 to fund repair works at the Murrough, Co Wicklow. The application was sent to OPW's Engineers to make an assessment of the technical merits of the proposal and to make a recommendation on the provision of funding.

The application was subsequently approved in early October 2015, after which the Council was notified that the OPW had approved €135,000 funding for the works.

The implementation of the works is a matter for the Council but it is understood that works have commenced.

It is also understood that the Council is to make a revised application for further funding to the OPW in the coming weeks to undertake urgent works on the Murrough site for some recent damage which occurred there, which will be duly assessed once received.

I will be ensuring this application is assessed as quickly as possible to try and assist with this issue.

It is also understood that Iarnród Éireann intend to develop proposals and undertake significant protection works over the next year or so in this area in order to protect the railway line. I met with the Chief Executive of Irish Rail in Wicklow Town recently and he assured me that he would liaise with the local authority on this matter.

I might also point out that the OPW provided a once-off allocation of funding to Wicklow County Council in September 2015 for coastal repair works the Council considered necessary following the severe storms which affected the country in early 2014.

It is a matter for the Council to prioritise which areas the funding might be used for.

Details of the OPW's Minor Works scheme are available on the OPW website at: <http://www.opw.ie/en/floodriskmanagement/floodriskmanagementoperations/minorfloodworkscoastalprotectionscheme/>).

Flood Relief Schemes Status

58. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the status of works required on a river (details supplied) in County Kerry; and if he will make a statement on the matter. [3426/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): The Office of Public Works (OPW) has responsibility for maintenance of the location referred to by the Deputy as part of the River Feale Catchment Drainage scheme.

The OPW will be carrying out the necessary maintenance works at this location during this year as part of its rolling annual arterial maintenance programme.

Departmental Staff Retirements

59. **Deputy Jack Wall** asked the Minister for Public Expenditure and Reform his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3292/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question there have been no cases made against my Department or the bodies under my aegis by civil servants that objected on age grounds to being retired when they reached 65.

Public Sector Staff Remuneration

60. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform if he plans to end the financial emergency measures in the public interest early; and if he will make a statement on the matter. [3306/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I refer to my reply to Question No. 69 of 19 January 2016. The position has not changed.

Ministerial Staff

61. **Deputy Olivia Mitchell** asked the Minister for Public Expenditure and Reform if a personal assistant to a Minister is eligible for the voluntary early retirement when Dáil Éireann is dissolved; and if he will make a statement on the matter. [3324/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Staff in Ministerial Offices are generally employed as unestablished civil servants. No voluntary early retirement scheme is currently sanctioned for civil servants.

With regard to severance arrangements, following the 2011 General Election my Department agreed that Personal Secretaries and Personal Assistants who had previous service under the Scheme for Secretarial Assistance could opt, as an alternative to the Ministerial Staff Severance of 4 weeks' pay per year (or part thereof), for the package paid out to the Staff of the Scheme for Secretarial Assistance. Any such payment would be dependent on the individual circumstance of the employee. The rate of pay under this calculation will be the rate the person would have reached had s/he remained in their previous grade of Secretarial Assistant/Parliamentary Assistant as appropriate and is inclusive of retirement lump sum but does not provide for early payment of pension. This payment will be made by the relevant Government Department but the HR Unit for the Houses of the Oireachtas is responsible for providing necessary service and salary details to Departments. Matters regarding termination dates, notice etc. will be notified to staff of officeholders by the relevant Government Department.

Public Sector Staff Remuneration

62. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform the timetable for restoration of all Civil Service and public service pension cuts and his views on a mechanism for future pension increases; and if he will make a statement on the matter. [3391/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Financial Emergency Measures in the Public Interest (FEMPI) Act 2015 is delivering significant boosts to the occupational pensions of most retired public servants. This is being done by way of a substantial part-reversal, or restoration, of the cuts imposed on those pensions since 2011 by the Public Service Pension Reduction (PSPR).

These effective pension increases are being delivered by changes to the applicable PSPR tables effective from 1 January 2016, 1 January 2017 and 1 January 2018. When fully rolled-out from 1 January 2018, these changes mean that all public service pensions with pre-PSPR values of up to €34,132 will be fully exempt from PSPR, while those pensioners not fully removed from the reach of PSPR will, in general, benefit by €1,680 per year. The cost of these changes is estimated at about €90 million on a full-year basis from 2018.

Looking beyond PSPR restoration, it will be necessary in due course to consider the question of how to adjust the post-award value of public service pensions in the medium term. I expect the Government will return to this issue at the appropriate time, as we move beyond the FEMPI era towards a more normal environment for pay and pension setting, all the while continuing to ensure the affordability of the cost of the public service over the long term.

Forestry Grants

63. **Deputy Michael Creed** asked the Minister for Public Expenditure and Reform if he has received a submission from the Department of Agriculture, Food and Marine about a matter (details supplied) regarding forestry; and if he will make a statement on the matter. [3405/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): An initial submission from the Department of Agriculture, Food and the Marine, on the establishment of a reconstitution scheme to assist forest owners whose forests were damaged by winter storms, was received by my Department. This matter is the subject of ongoing discussion between the two Departments.

Flood Prevention Measures

64. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform his proposals to carry out maintenance and drainage work on the Graddum river that flows from Graddum lake in Crosserlough parish, and which joins with the River Erne at Drumkilly in County Cavan; if he is aware of the concern of many residents in the general area whose properties are flooded, given that this flooding has become more severe over recent years; and if he will make a statement on the matter. [3425/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): The location referred to by the Deputy does not form part of any Arterial Drainage Scheme which would fall under the remit of the Office of Public Works (OPW) under the 1945 Arterial Drainage Act. The OPW therefore has no responsibility for the maintenance of

the channel, nor any authority to carry out any works there.

Investigation of flooding, in the first instance, is a matter for each local authority to investigate and address. Cavan County Council may carry out flood mitigation works using its own resources. The Council may also apply to the Office of Public Works (OPW) for funding of flood mitigation works under the Minor Flood Mitigation Works and Coastal Protection Scheme. The purpose of this scheme is to provide funding to local authorities to undertake minor works to address localised flooding and coastal protection problems within their administrative areas. Any application received will be considered in accordance with the scheme eligibility criteria and having regard to the overall availability of resources for flood risk management. Details are published on the OPW website www.opw.ie.

Public Sector Pensions

65. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform when increases in public service pensions will be linked to the consumer price index; and if he will make a statement on the matter. [3428/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Public Service Pensions (Single Scheme and Other Provisions) Act 2012 enabled the commencement on 1 January 2013 of the Single Public Service Pension Scheme for new entrants to public service employment. The Single Scheme rules stipulate that both in-career pension credits and awarded pensions should be increased in line with increases in the Consumer Price Index (CPI).

Section 47 of the 2012 Act provides for the possible extension of this CPI linkage to pensions paid by other pre-existing public service pension schemes subject to ratification of an order by both Houses of the Oireachtas. However, no order to this effect has been made to date.

Instead, and reflecting the realities of the fiscal crisis and the emerging recovery, I have acted to commence, with effect from 2016, the reversal of the unprecedented cuts to public service pension rates which have applied since 2011 by way of the Public Service Pension Reduction (PSPR) under the financial emergency legislation.

This part-reversal of pension cuts is provided for in the Financial Emergency Measures in the Public Interest Act 2015 (FEMPI), which is delivering effective pension increases through changes to the applicable PSPR tables from 1 January 2016, 1 January 2017 and 1 January 2018. When fully rolled-out from 1 January 2018, these changes mean that all public service pensions with pre-PSPR values of up to €34,132 will be fully exempt from PSPR, while those pensioners not fully removed from the reach of PSPR will, in general, benefit by €1,680 per year. The cost of these changes is estimated at about €90 million on a full-year basis from 2018.

Looking beyond PSPR restoration, it will be necessary in due course to consider the question of how to adjust the post-award value of public service pensions in the medium term. I expect the Government to return to this issue at the appropriate time, as we move beyond the FEMPI era towards a more normal environment for pay and pension setting, all the while continuing to ensure the affordability of the cost of the public service over the long term.

Departmental Staff Retirements

66. **Deputy Jack Wall** asked the Minister for Jobs, Enterprise and Innovation his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will

make a statement on the matter. [3290/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As a Government Department, the scope for retention beyond normal retiring age for staff of my Department is regulated by Department of Finance Circular 13/1975 which permits retention on certain limited grounds. These typically relate to grounds of hardship or public interest. In my Department, there have been no instances in recent years of cases being referred to third parties regarding retirement on age grounds. Five applications from individuals for retention on the grounds provided for in the above circular have been received in recent years and were referred for decision to the Department of Public Expenditure and Reform, as required.

Employment Rights

67. **Deputy Terence Flanagan** asked the Minister for Jobs, Enterprise and Innovation to deal with a matter (details supplied) regarding former workers of Clerys department store; and if he will make a statement on the matter. [3302/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The liquidation of OCS Operations Limited is currently in the hands of liquidators under the supervision of the High Court. The liquidators of OCS Operations Limited have confirmed that they have submitted a report to the ODCE in accordance with their statutory duties. The Director of Corporate Enforcement is independent in the exercise of his statutory functions.

On 14 January 2016, the Minister of State for Business and Employment, Deputy Ged Nash, and I announced a twin track examination of protections in law for employees and unsecured creditors, particularly to ensure limited liability or restructuring are not used to avoid a company's obligations to its employees and unsecured creditors. We have appointed two experts to examine the legal protections for workers, particularly where operations and assets may be moved to separate legal entities as part of a restructuring. This examination will specifically look at situations where valuable assets in a company are separated from the operating entity, and how the position of employees can be better protected in such situations. The experts have been asked to report by 11 March 2016.

As part of the twin track process, I have also requested the Company Law Review Group to examine legislation with a view to recommending ways company law could be amended to better safeguard employees and creditors.

Zero-hour Contracts

68. **Deputy Éamon Ó Cuív** asked the Minister for Jobs, Enterprise and Innovation the status of zero-hour workers, including if workers can be held in this status for ten years; if State agencies employ such workers; if these workers should get permanent part-time status after ten years with pay scales, guaranteed hours, sick pay schemes, and so on; if they should have received cuts as part of public service cuts and how this would be justified with such workers' current status; and if he will make a statement on the matter. [3390/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Statement of Government Priorities, July 2014 committed to conduct a study on the prevalence of zero hour contracts among Irish employers and their impact on employees and make policy recommendations to Government on foot of this. The University of Limerick was appointed in February 2015, following a competitive tendering process, to carry out a study into the prevalence of

zero hour contracts and low hour contracts in the Irish economy and their impact on employees.

The study had a broad scope, covering both the public and private sectors, with a particular focus on the retail, hospitality, education and health sectors. The study, published in November, 2015, found that zero hour contracts as defined within current Irish employment rights legislation are not extensively used in Ireland. It found low working hours can arise in different forms in employment contracts, such as regular part-time contracts with fixed hours or a contract with “If and when” hours only or a hybrid of the two. If and when contracts are contracts where workers are not contractually required to make themselves available for work.

The UL report made a range of recommendations relating to contracts, hours of work and notice, minimum hours, how contracted hours should be determined, collective agreements, data gathering and wider contextual issues.

It is important to point out that the UL study was an independent study and the conclusions drawn and the recommendations made in it are those of UL. Therefore, it was essential that the various stakeholders who contributed to the study and indeed other interested parties who may not have had an opportunity to engage with UL, were given an opportunity to consider and respond to the report.

To this end, my Department sought submissions from interested parties by way of a Public Consultation. A large number of submissions were received by 4 January 2016, the closing date for receipt of such submissions. The responses contain a variety of views both for and against the findings and recommendations as made by UL, which will require careful consideration by my Department over the coming period. This will inform the policy response to be considered by Government arising from the study.

Finally, I am informed by my colleague, the Minister for Public Expenditure and Reform, that reductions in the remuneration payable to public servants, including those employed in State agencies, were effected under the terms of the Financial Emergency Measures in the Public Interest Acts.

Departmental Agencies

69. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation if his officials, staff or advisers are informed on a regular basis of pending job announcements by the Industrial Development Agency Ireland and Enterprise Ireland; and if he will make a statement on the matter. [3453/16]

70. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation if he has protocols in place with Industrial Development Agency Ireland and Enterprise Ireland concerning pending job announcements, if these announcements have to get clearance from his office; and if he will make a statement on the matter. [3454/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 69 and 70 together.

While there are no formal protocols in place with the agencies, my office is informed on a regular basis of pending job announcements related to agency client companies. All press releases that contain Ministerial quotes require clearance from my office.

Job Creation

71. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation his views on reports from the Organisation for Economic Co-operation and Development and others that outline how job creation is not linked directly to Government; and if he will make a statement on the matter. [3455/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As the OECD has acknowledged, job creation “can be stimulated through a stable macro-economic framework” and also “structural policies which encourage innovation, skills and business development” (OECD, 2014). While this Government has always acknowledged that it is businesses, not Government, that create jobs, we understand that every Government Department has a role in improving the environment for job creation and this whole of Government effort has been integrated into the Action Plan for Jobs process to achieve our goal to replace all of the jobs lost during the economic crisis and deliver sustainable full employment by the end of 2020.

The OECD itself carried out a review of the Action Plan for Jobs process in 2014 and concluded that the Action Plan for Jobs was a “most welcome and important initiative when launched in February 2012”, remarking that its “focus on private sector-led, export oriented job creation by getting framework conditions right and continually upgrading the business environment is a sound approach”.

It also stated that the Action Plan for Jobs process marked “an important innovation in Irish governance” and that “The *APJ*’s most striking innovation in the Irish public policy context is a coordination mechanism that ensures high level political buy-in and oversight, whole-of-government engagement and the establishment of quarterly targets underpinned by a robust monitoring system. These are important steps towards addressing long-standing gaps that undermine successful policy implementation”.

This Government’s commitment to stabilising the macro-economic framework and introducing policies which encourage innovation, skills and business development, as embodied in the Action Plan for Jobs process, is working. Since the first Action Plan for Jobs was launched in Q1 2012, 135,800 more people are at work. In the first three quarters of 2015, 43,400 new jobs were created – the target for the year was 40,000. The unemployment rate has fallen below nine per cent for the first time since 2008, down from a high of 15.1 per cent in early 2012 to 8.8 per cent in December 2015.

Action Plan for Jobs 2016, the fifth Plan, was launched last week and marks the transition from the first phase of an economy recovering from the most severe recession when we set a target to get 100,000 people back to a new phase when we have doubled the jobs, target to 200,000 and the ambition to create a competitive, innovative, highly productive economy providing sustainable full employment for its people. It also marks the transition to the implementation of key Government policies that plan for medium term growth. *Enterprise 2025* is our ten year jobs and enterprise strategy, which sets out the roadmap to build a sustainable economy and have 2.18 million people at work by 2020, the highest in the history of the State.

Departmental Staff Retirements

72. **Deputy Jack Wall** asked the Minister for Agriculture, Food and the Marine his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3280/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department had no case of the type mentioned by the Deputy in the last four years.

The parallel information in respect of the State Bodies under the aegis of my Department is a matter for the Bodies themselves.

Basic Payment Scheme Appeals

73. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the outcome of an appeal under the 2015 basic payment scheme for a person (details supplied) in County Donegal; and if he will make a statement on the matter. [3297/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted an application under 2015 Basic Payment Scheme which was received in the Department on 13 July 2015. This application was deemed 100% late, and therefore no payment was due under the scheme. However, an application for the waiver of this penalty has been recently received under grounds of force majeure/exceptional circumstances. This appeal has been successful and payment will issue shortly to the nominated bank account of the person named.

Agri-Environment Options Scheme Payments

74. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a payment will issue to a person (details supplied) in County Kerry under the agri-environment options scheme; and if he will make a statement on the matter. [3299/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced their AEOS 3 contract on 1 May 2013 and has been paid for the 2013 and 2014 scheme years. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System must take place. These checks have now been completed and it is expected that payment will issue shortly.

Agriculture Scheme Payments

75. **Deputy John Perry** asked the Minister for Agriculture, Food and the Marine the status of a farm payment to a person (details supplied) in County Sligo including when it will be paid; and if he will make a statement on the matter. [3314/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2015 Basic Payment/Areas of Natural Constraint Schemes was received from the person named on 24 March 2015. Processing of the application under both schemes is complete and payments have issued to the nominated bank account of the person named.

Agriculture Scheme Payments

76. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Roscommon will receive payment under the young farmers scheme; the reason for the delay; and if he will make a statement on the matter. [3318/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person

named submitted applications under the 2015 National Reserve and the Young Farmers Scheme to my Department. Payments under the National Reserve and Young Farmers Scheme commenced in mid-December and as publicised at that time will continue into January/February. The applications received from the person named have been finalised and payment is due to issue shortly.

Agriculture Scheme Payments

77. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Roscommon will receive payment under the young farmers scheme; the reason for the delay; and if he will make a statement on the matter. [3319/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2015 Transfer of Entitlement Allocation Right and Reference Value application to my Department. All details relating to land parcel details for 2013 and 2015 and Single Payment entitlement values from 2014 had to be reconciled in order to process this application. This application has been fully processed and payment under the Basic Payment Scheme will issue shortly.

The person named also submitted an application under the Young Farmers Scheme to my Department. Once payment under the Basic Payment Scheme has been made, the application to the Young Farmers Scheme will be finalised with a view to payment issuing as soon as possible thereafter.

Fish Quotas

78. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine when the quota management advisory committee will meet; if he will request it to revise the catch limits for the months of February, March and April due to the adverse weather conditions of November 2015, December 2015 and January 2016, to rebalance landings and to bring them in line with the planned annual spread of quota uptake to ensure that the owners and crew of fishing vessels will be compensated; and if he will make a statement on the matter. [3321/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Each month I receive recommendations from industry representatives at the Quota Management Advisory Committee in relation to the periodic amounts, usually monthly for demersal stocks. Under the current arrangements, a formal Whitefish Quota Management Advisory Committee involving fishing industry representatives meets each month and as far as possible I take account of their recommendations for monthly regimes for particular stocks. Additional meetings are organised as required to discuss specific issues in particular fisheries that may arise, including in relation to pelagic stocks. The Committee is comprised of representatives from the Fish Producer Organisations, National Inshore Fishery Forum, Fishing Co-Operatives, The Irish Fish Producers and Exporters Association and meetings are attended by the Sea Fisheries Protection Authority and officials from my Department. In addition the Marine Institute and Board Iascaigh Mhara occasionally provide consultative support.

My officials brought the request made by the Deputy to the attention of the Whitefish Quota Management Advisory Committee this week and the request was considered by the committee when making recommendations for February. On receipt of the quota recommendation from the Committee together with the background information and recommendation from my Department I will make a decision on the whitefish regimes which will apply in February 2016.

Departmental Offices

79. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if it is intended to close the district veterinary office in County Galway; and if he will make a statement on the matter. [3331/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In 2009, in line with government policy, my Department began a process of restructuring its local office network which reduced the number of local offices from 58 to 16 enhanced Regional Offices. A follow-on review of the business processes and procedures and, in particular, the administrative support requirements, in those 16 offices resulted in the introduction of a number of significant changes to the procedures in relation to the implementation of controls in the TB eradication programme. As a consequence of these changes and having regard to the significant efficiencies resulting from investment made by the Department in IT in recent years, the number of staff required to deliver the service in the local offices has been considerably reduced.

Where staff surpluses have arisen due to these efficiencies, my Department has engaged with a number of public sector organisations and identified redeployment opportunities. Following the Government decision to locate one of the three Financial Shared Services Centres in Galway, this Department was requested to redeploy any surplus administrative staff in Galway to that Centre, which is located in the same building in Renmore. Arrangements are in train to commence the redeployment of the majority of our administrative staff to the shared services centre on a phased basis while the remaining staff will be retained in the Galway regional office.

My Department will continue to maintain a Regional Office, in Galway, having regard to current needs. The changes in administrative staffing levels in this office will not negatively impact upon local access and services for local customers. Department veterinary inspectors, technical officers and a small number of administrative staff will remain in place and front-line services will be fully maintained and public access for all of the Departments stakeholders will continue to be available.

Basic Payment Scheme Payments

80. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine why a person (details supplied) has not received payment under the basic payment scheme 2015; and if he will make a statement on the matter. [3337/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2015 Transfer of Entitlement Allocation Right and Reference Value application to my Department seeking the transfer of allocation rights and values to a Company by way of Change of Legal Entity. He also submitted a 2015 Private Contract Clause application seeking the transfer of land and entitlements by lease to the Company. All details relating to land parcel details for 2013 and 2015 and Single Payment entitlement values from 2014 have to be reconciled in order to process these applications. Processing of these applications is underway with a view to making payment under the Basic Payment Scheme as soon as possible.

Teagasc Rationalisation Programme

81. **Deputy Colm Keaveney** asked the Minister for Agriculture, Food and the Marine why he allowed Teagasc to lease more land to Dawn Meats and Dawn Farm Foods at Mellows cam-

pus in Athenry, County Galway; the purpose of this lease; the amount of land leased; the annual income for Teagasc from these arrangements; and if he will make a statement on the matter. [3341/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The development and operation of the Suckler Beef Demonstration farm in Athenry is an operational matter for Teagasc and its governing Authority, which is representative of the main stakeholder groups in the agri-food sector including the farm organisations.

The farm was developed to demonstrate a profitable suckler to beef system in terms of economic, environmental and animal welfare sustainability while setting new benchmarks for animal performance. It is similar to the Kilkenny Greenfield dairy demonstration farm, which annually attracts large numbers of farmers and discussion groups.

I am informed that Teagasc and the company in question operate the Suckler Beef Demonstration farm in Athenry under a shared farming agreement. Teagasc has not leased any land in Athenry to the company for the purposes of the demonstration farm. Teagasc's main role is to provide expert advice and to analyse and disseminate financial and animal performance with the aim of demonstrating to farmers, the profit that can be obtained from a well run suckler beef farm.

Teagasc is satisfied that this is a public good initiative, and the farm will provide very valuable information to all beef farmers and will be a major focal point for discussion groups. It is anticipated that the information will be of significant help to those producers who are planning a long term future in profitable, low-cost beef production.

Agriculture Scheme Payments

82. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the status of farm payments in respect of a person (details supplied) in County Mayo. [3347/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2015 Basic Payment/Areas of Natural Constraints (ANC) Schemes was received from the person named on 26 May, 2015. In relation to the ANC scheme, the application has been processed and payment has issued to the person named.

In relation to the Basic Payment Scheme, the person named submitted a 2015 Transfer of Allocation Right and Reference Value application to my Department seeking the transfer of allocation rights and values by gift. This application was processed and the person named received the first instalment of 70% of his Basic Payment Scheme payment on 20 October 2015 and the second instalment of 27% on 1 December 2015. The final 3% instalment will be issued in April 2016.

The person named also submitted applications under the 2015 National Reserve and the Young Farmers Scheme to my Department. These applications are currently being processed, which involves administrative checks and verification of land details submitted under the 2015 Basic Payment Scheme application. These checks are required under the EU Regulations pertaining to the scheme. Once these checks have been finalised the person named will be notified in writing of the outcome with a view to payment shortly thereafter.

Departmental Agencies Staff Recruitment

83. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when the term of the present chief executive officer of Horse Racing Ireland will be completed; if he is eligible for reappointment for a third term; and if he will make a statement on the matter. [3351/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The term of office of the present Chief Executive Officer of Horse Racing Ireland is due to expire in September 2016. The filling of this important post after that date is currently under consideration and is the subject of discussion with the Department of Public Expenditure and Reform.

Food Industry Development

84. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if he has made a submission to the European Union objecting to Cyprus's application for protected designated of origin in respect of Halloumi cheese, given the damage this application could do to the cheese industry here; and if he will make a statement on the matter. [3355/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The European Commission published Cyprus' application for Protected Designation of Origin (PDO) status for Halloumi/Hellim cheese on 28 July 2015. On the same day the President of the Commission and the two leaders in Cyprus reached a common understanding that an internationally accredited body would be appointed as the control body in both parts of Cyprus. The Commission also adopted a proposal to amend "the Green Line Regulation" (Regulation 866/2004) which controls movement across the border and aims to promote the Turkish-Cypriot economy.

I am supportive of EU Regulation 1151/2012 and a number of Irish products, supported by other Member States, benefit from the protections afforded by the regime. In relation to this particular application, the regulatory three month period for lodging a notice of opposition has already expired. Objections to the recognition of PDO's must be grounded on possible infringements of the Regulation's conditions, such as that the name has become generic, that is , the common name of a product in the Union.

I understand that the Commission has received a notice of opposition from the United Kingdom, where cheese described as Halloumi has been produced on a significant scale. The Commission will examine the objection and present its conclusions to the quality committee in due course, before taking a decision. Any such decision may be appealed to the European Court of Justice and upheld, or rejected. By way of example, objections to the approval of "Feta" as a PDO, were overruled by the Court on the basis that the term had not become generic.

Basic Payment Scheme Payments

85. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine why the payment to a person (details supplied) under the basic payment scheme 2016 was €1,200 less than the payment to the person under the single payment scheme 2014; and if he will make a statement on the matter. [3356/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The number of entitlements to be allocated to any one farmer under the Basic Payment Scheme in 2015 is based on the number of eligible hectares declared in 2013 or 2015, whichever is lesser.

The person named declared 32.48 hectares of eligible land in 2013 and in 2015 declared

32.44 hectares, therefore he has been allocated 32.44 entitlements in respect of 2015.

The 2015 value of entitlements is based on a fixed percentage of the total value of entitlements owned by the farmer in 2014 plus the value of any payment received under the Grassland Sheep Scheme in that year. The person named had an entitlement value of €8,956.22 in 2014.

Under EU Regulations governing the Basic Payment Scheme all entitlements are subject to the process of internal convergence whereby the value of entitlements for some farmers will increase over the period 2015-2019 while for others with a unit value above the national average will see a gradual reduction of the portion of the entitlement in excess of the national average.

In 2015 the person named has established 32.44 entitlements with a unit value of €181.05. As this unit value for the person named is above the National Average, his entitlements will be subject to a gradual reduction from 2015 to 2019. For 2015, the total value of his Basic Payment Scheme entitlements and greening is €8,467.22.

Payment of €5,767.34 including Basic Payment and Greening issued to the person named on the 19 October 2015 and the second instalment payment of €2,148.49, issued on the 1 of December 2015. The remaining 3% balancing payment will issue in April 2016.

An official from my Department will contact the Deputy directly to clarify the position in this case.

Harbour Authorities Properties

86. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine to support a matter concerning Howth Harbour (details supplied); and if he will make a statement on the matter. [3364/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Howth Fishery Harbour Centre is one of the six designated Fishery Harbour Centres which are owned, managed and maintained by my Department under Statute.

While first and foremost a working fishery harbour, Howth, similar to the other five Fishery Harbour Centres, has its own unique features, and is home to a broad range of diverse economic and social activities.

My Department is conscious of the importance of both fishing and non fishing activities in Howth and endeavours to facilitate and develop both. This involves day to day operational support by Harbour staff and management and development and repair of infrastructure subject to available financial resources.

I am happy to advise the Deputy that, notwithstanding the prevailing economic environment in which we operate, in excess of €5.9 million has been invested in maintenance, development and upgrading works at Howth FHC as part of my Department's Fishery Harbour and Coastal Infrastructure Development Programme from 2011 to 2015.

On the 11 January I announced funding of €1.45 million for the maintenance and development of Howth Fishery Harbour Centre during 2016. Significant works in this year's programme include the continued upgrading of the electrical system, provision of pontoons to west pier for ferry landings and traffic management works.

Of importance in the context of a possible future dredging project at Howth is the allocation of €100,000 for the preparation of a Dumping at Sea Licence which will be required before any

dredging project could commence. This follows on from the €150,000 I approved as part of the 2015 Capital Programme for site investigation works at Howth Fishery Harbour Centre, the report of which is due shortly, and will include vital information on the nature of the material to be dredged in any future dredging project. This information is necessary for the preparation of the Dumping at Sea licence.

The groundwork is being undertaken to facilitate a dredging project at Howth, subject to funding being available.

As the Deputy is aware, all developments in the six Fishery Harbour Centres, including a possible future dredging project at Howth Fishery Harbour Centre will be considered under future Capital Programmes on the basis of available exchequer funding and competing priorities.

TAMS Applications

87. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if a person (details supplied) in County Cork who has applied for grant aid under the nutrient management system can amend the application as the person has identified a mistake in the costings; and if he will make a statement on the matter. [3395/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The applicant in question has submitted a grant application under the Animal Welfare, Safety and Nutrient Storage Scheme in TAMS II. Once applications are submitted on the online system they cannot be amended on line by the applicants. Applications under this scheme are being currently processed and my Department officials will be in contact to address the issue directly with the applicant.

Animal Welfare

88. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he is aware of an horrific incidence of animal cruelty (details supplied) in County Carlow; the action he will take to ensure that those responsible are brought to justice; and his views that this is totally unacceptable [3398/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I understand that the incident to which the Deputy refers to has been reported to An Garda Síochána for investigation. Since these investigations are ongoing, I cannot comment any further on the matter.

Incidents of animal cruelty such as this are completely unacceptable. Sections 11 and 12 of the Animal Health & Welfare Act 2013, which I introduced, contain rules relating to the welfare of animals and outlawing cruelty. The Act also provides for increased levels of penalties. Under the Act, on summary conviction, a person can receive a fine of up to €5,000. For major cases taken on indictment, the maximum penalty is €250,000 and/or imprisonment up to 5 years.

Areas of Natural Constraint Scheme Applications

89. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine why a person did not receive payment under the areas of natural constraint scheme; if a person can appeal a decision; and if he will make a statement on the matter. [3402/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2015 Areas of Natural Constraints Scheme was received from the person named on 29 May, 2015. Payment has not issued to the person named as the holding concerned cannot be confirmed as satisfying the Scheme's minimum stocking density requirements. Under the 2015 Areas of Natural Constraints Scheme, eligible applicants are required to have met a minimum stocking density of 0.15 livestock units for a retention period of seven consecutive months and to maintain an annual average of 0.15 livestock units calculated over the twelve months of the scheme year. Section 3.6 of the ANC scheme Terms and Conditions advises that, while donkeys continue to be considered as a qualifying animal for inclusion in the stocking density calculations, only those donkeys registered in the name of the applicant and in accordance with EU Regulation 504/2008 will be considered eligible under the Areas of Natural Constraints Scheme.

Five donkey passports were received from the person named. Upon examination, three were deemed eligible and two deemed ineligible. EU Regulation 504/2008 requires all equines to be micro chipped and passports obtained by year end or within six months of birth, which ever date occurs later. The person named was notified in writing of these findings on 10 November 2015 and informed of the option to pursue the matter with the Agricultural Appeals Office.

Agriculture Scheme Payments

90. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Donegal will receive payment under the young farmer national reserve payment scheme; and if he will make a statement on the matter. [3404/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2015 Transfer of Entitlement Allocation Right and Reference Value application to my Department. An official from my Department has been in direct contact with the person named regarding land parcels omitted from the 2015 Basic Payment Scheme application form submitted on behalf of the person named. Once the issues regarding the land parcels have been resolved the application can be further processed with a view to making payment as soon as possible.

The person named also submitted applications under the National Reserve and the Young Farmers Scheme to my Department. Once payment under the Basic Payment Scheme has been made, the applications to the National Reserve and the Young Farmers Scheme will be finalised with a view to payment issuing as soon as possible thereafter.

Agriculture Scheme Payments

91. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of payment to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [3422/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2015 Private Contract Clause application to my Department seeking the transfer of land and entitlements by lease. This application has been processed and payment will issue shortly.

The person named also submitted applications under the National Reserve and the Young Farmers Scheme to my Department. Once payment under the Basic Payment Scheme has

been made, the applications to the National Reserve and the Young Farmers Scheme will be finalised with a view to payment issuing as soon as possible thereafter.

Agri-Environment Options Scheme Payments

92. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Galway under the agri-environment options scheme and the 2015 areas of natural constraint scheme; the reason for the delay; and if he will make a statement on the matter. [3429/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2015 Areas of Natural Constraint Schemes was received from the person named on 7 May 2015. Processing of this application is complete and payment has issued to the nominated bank account of the person named.

The person named joined AEOS 3 in May 2013 and has been paid for the 2013-2014 Scheme years. In relation to the payment in respect of 2015, under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System must take place. Once these checks have been successfully completed the payment can be processed.

Workplace Safety

93. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine if he will extend the deadline for persons to avail of training in the spraying of chemicals and pesticides; if he is aware that the short timeline causes particular difficulties for smaller companies where a number of employees may need to partake in a training course but due to work commitments cannot all train at the one time; and if he will make a statement on the matter. [3435/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Sustainable Use of Pesticides Directive establishes a framework for European Community action to achieve the sustainable use of pesticides by setting minimum rules to reduce the risks to human health and the environment that are associated with pesticide use. It also promotes the use of integrated pest management. The Directive is designed to further enhance the high level of protection achieved through the entire regulatory system for pesticides. Implementation of the Sustainable Use of Pesticides Directive relies heavily on the training of the various people involved at all levels of the industry, including Professional Users i.e. any individual who applies professional use Plant Protection Products.

The need for appropriate training must be viewed in the context of protecting both human health (operators, bystanders and consumers) and the environment and, in particular, maintaining the high quality of one of our most valuable resources, our water.

November 26, 2015, the date after which only a registered professional user can apply pesticides authorised for professional use, has been laid down in the Sustainable Use Directive of 2009 and also in S.I. 155 of 2012, which transposed the Directive into Irish law. This has given a substantial lead-in time for people to avail of appropriate training.

In practice, only those farmers who intended to apply plant protection products immediately after the 26 November date will have had to complete their training and registration by that date. The vast majority of farmers will not be applying plant protection products until the

spring/summer of 2016 and therefore will have some further time within which to be trained and registered but they must complete this requirement before they apply/spray professional plant protection products.

Farmers Charter of Rights

94. **Deputy Derek Nolan** asked the Minister for Agriculture, Food and the Marine the amount of money his Department has paid in salaries for the farmers charter review group and for the farmers charter monitoring committee from their inception to date; and if he will make a statement on the matter. [3449/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): A Farmers' Charter Review Group was set up in 2014 with a view to agreeing a new Farmers' Charter of Rights. The Farmers Charter Review Group was chaired by an Assistant Secretary General of the Department of Agriculture, Food and the Marine and comprised of senior Department officials and representatives of the main farmer representative organisations. Following on from positive engagement by all parties, negotiations between my Department and the main farming organisations on a new Farmers' Charter of Rights concluded on Thursday 11 June 2015 with consensus achieved on the Charter.

The new Charter will remain in place until 2020 coinciding with the lifetime of the current Pillar I and Pillar II schemes.

There were no additional salary costs to my Department in respect of the Farmers' Charter of Rights Review Group. Officials of my Department carried out work in relation to the Farmers' Charter of Rights Review Group as part of their day to day work.

A Farmers' Charter of Rights Monitoring Committee has now been established under an independent chair to monitor agreed targets and standards. This Committee is comprised of representatives of the farm organisations and staff of the Department of Agriculture, Food and the Marine.

Again there are no additional salary costs to my Department in respect of the Farmers' Charter of Rights Monitoring Committee. Officials of my Department carry out work in relation to the Farmers' Charter of Rights Monitoring Committee as part of their day to day work.

The Monitoring Committee has met on one occasion since its establishment and a fee of €377 was paid to the Chairman for his chairmanship of this Monitoring Committee meeting.

Farmers Charter of Rights

95. **Deputy Derek Nolan** asked the Minister for Agriculture, Food and the Marine if targets were met by the original charter of rights for farmers; and if he will make a statement on the matter. [3450/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I understand the Deputy is referring to the original Farmers' Charter of Rights which dates back to the mid 1990s. Statistics in relation to that Charter are not readily available. However, there have been a number of versions of the Charter since then. Throughout the years, targets set down in the various Farmers' Charters have been monitored by independently chaired Monitoring Committees comprising representatives of the main farm organisations as well as Department staff. The following table sets out the achievements in terms of targets met for the three most recent years

for which the information is available.

2011	2012	2013
Direct Payment Schemes 97% paid within targets	Direct Payment Schemes 97% paid within target	Direct Payment Schemes 96% paid within Charter
Other Schemes 70-100% paid within targets	Other Schemes 80-100% paid within targets	Other Schemes 84-100% paid within targets

Negotiations on the current Farmers' Charter of Rights took place during 2014 and the first half of 2015. Therefore, Monitoring Committee meetings did not take place during this period. Following on from the achievement of consensus on a new Charter in 2015, a Farmers' Charter of Rights Monitoring Committee has been established under an independent chair. This Committee is again comprised of representatives of the farm organisations and staff of my Department. This Committee, which had its first meeting in November 2015 and will meet again later this month, will monitor agreed targets and standards throughout the lifetime of this Charter.

Fish Farming

96. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Questions Nos. 479, 489 and 490 of 9 June 2015 regarding information on salmon farms operating outside their licensed areas and operating without the required warning lights or radar reflectors by site and by operators and given the level of non-compliance after warnings, if he will include the last element of the parliamentary questions; and the actions he plans to take to ensure his authorised officers are appropriately supported and the licensing conditions are met. [3457/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The primary responsibility for ensuring that aquaculture licence conditions are fully adhered to rests, in the first instance, with each licence holder. Where instances of non-compliance with the terms and conditions of an aquaculture licence are identified by my Department the matter is referred to the licence holder for corrective action. The efficient and effective regulation of aquaculture is a key operational priority for my Department and every effort is made to address pro-actively instances of non-compliance having regard to the legislative, scientific and technical complexities that are sometimes involved.

Fish Farming

97. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if stocking levels on Irish salmon farms are within their licensed tonnage; the details of breaches, by site and by operator; the actions he will take to bring operators under their licensed limits, given that he informed this Deputy on 9 June 2015 that this was a key operational priority. [3458/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department is currently examining possible overstocking in respect of four sites operated by one operator. Pending completion of this examination it would not be appropriate to comment further.

Sheep Technology Adoption Programme Payments

98. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine

the status of a payment to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [3460/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was a participant in the 2015 Sheep Technology Adoption Programme (STAP). As part of his commitment under that scheme he undertook to carry out a faecal egg count reduction test. Appendix III to the Terms and Conditions of the scheme sets out the instructions for this test, including the stipulation that re-sampling must take place 14 days after treatment. As this requirement has not been met, the person named is in breach of the Terms and Conditions of the Programme and accordingly does not qualify for payment.

Defence Forces Recruitment

99. **Deputy Áine Collins** asked the Minister for Defence when he will open applications for cadets to the Naval Service. [3400/16]

Minister for Defence (Deputy Simon Coveney): The Government is committed to maintaining the establishment of at least 9,500 in the Permanent Defence Force, comprising of 7,520 Army, 886 Air Corps and 1,094 Naval Service as stated in the 2015 White Paper on Defence. The manpower requirement of the Defence Forces is monitored on an ongoing basis in accordance with the operational requirements of each of the three services. As there is significant turnover of personnel in the Permanent Defence Force, targeted recruitment has been and is currently taking place so as to maintain the agreed strength levels.

The intake of Cadets into the Permanent Defence Force is normally carried out on an annual basis taking into consideration the operational requirements of the Defence Forces and the resource envelope allocated to Defence. 9 Naval Service Cadets were inducted on 22 September 2015 from the 2015 Cadetship competitions. The Military Authorities advise that a competition for Naval Service Cadetships will be advertised in Q1 2016.

With the support of the Chief of Staff and within the resources available, it is intended to retain the capacity of the Defence Forces to operate effectively across all roles and to undertake the tasks laid down by Government both at home and overseas.

Departmental Staff Retirements

100. **Deputy Jack Wall** asked the Minister for Defence his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3284/16]

Minister for Defence (Deputy Simon Coveney): I can confirm that no cases of the kind referred to by the Deputy were taken against my Department in the last four years.

Easter Rising Commemorations

101. **Deputy Éamon Ó Cuív** asked the Minister for Defence if in 2016 he will present a special medal to all living members of the Defence Forces, serving and retired, in recognition of their service and as a commemoration of the 1916 Rising; and if he will make a statement on the matter. [3354/16]

Minister for Defence (Deputy Simon Coveney): The State is undertaking a comprehensive programme of commemorations during 2016 which commenced on New Year's Day in Dublin Castle. Further details of the commemorations being held this year are available at www.ireland.ie. I am currently considering any further initiatives that may be introduced in this context.

Defence Forces Properties

102. **Deputy Robert Troy** asked the Minister for Defence to carry out a feasibility study and investigate possible future uses of this facility of Columb Military Barracks in Mullingar, County Westmeath. [3360/16]

Minister for Defence (Deputy Simon Coveney): As I mentioned to the Deputy yesterday Officials from the Department are scheduled to meet with the CEO of Westmeath County Council later this week to discuss the long-term future plans for the Barracks. I would hope that some progress can be made to determine the future direction for the Barracks. I would also be happy to discuss, with any interested group, any proposals they may have for the possible purchase and future development of the site for the benefit of the local community. This is in keeping with the Department's policy to dispose of surplus property no longer required for military purposes. While the Department supports the ongoing use of the Barracks by the local community, the current financial and administrative burden resulting from the retention of the Barracks cannot be sustained given that the Barracks is no longer required for military purposes.

Visa Applications

103. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality when an application for a visa by a person (details supplied) will be processed; and if she will make a statement on the matter. [3352/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that a visa application in respect of the person referred to by the Deputy was created on-line on 14 January, 2016. When the required supporting documentation is submitted by the applicant to the Visa Office in Dublin, the application will be processed and a decision issued.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Departmental Properties

104. **Deputy Seán Ó Fearghail** asked the Minister for Justice and Equality if the Office of Public Works will make the former Garda Síochána station at Ballitore, County Kildare available for community use; and if she will make a statement on the matter. [3359/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Garda Commissioner is responsible for the detailed allocation of resources and for the day to day manage-

ment of An Garda Síochána. The Garda District and Station Rationalisation Programme was implemented in An Garda Síochána during 2012 and 2013, resulted in the closure of 39 Garda stations in 2012 and 100 Garda stations in 2013. I am advised by An Garda Síochána that under the Policing Plan 2013 Garda Station Ballitore, Co. Kildare was closed and its future use is a matter for the Garda Authorities in conjunction with the Office of Public Works.

Departmental Staff Retirements

105. **Deputy Jack Wall** asked the Minister for Justice and Equality her views on a submission (details supplied); if she will reply to the requests in tabular form; and if she will make a statement on the matter. [3291/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The details requested by the Deputy for my Department are set out in the following table.

Year	Number of Cases	Number of Cases Settled	Employment Equality Tribunal	Mediation	Outcome	Legal Costs
2015	0	0	N/A	N/A	N/A	N/A
2014	1	1	Yes	Yes	Matter settled by agreement at Mediation. The outcome of mediation at the EAT is confidential.	No legal costs incurred
2013	0	0	N/A	N/A	N/A	N/A
2012	0	0	N/A	N/A	N/A	N/A

Garda Vetting Applications

106. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality when Garda Síochána clearance will issue to a person (details supplied); and if she will make a statement on the matter. [3333/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am informed by the Garda authorities that two vetting applications on behalf of the person referred to were received by the Garda Central Vetting Unit (GCVU) on 15 and 17 October 2015. The applications were processed and returned to the registered organisations concerned on 29 October 2015 and 11 November 2015 respectively. It would be advisable for the applicant to contact the relevant registered organisations to ascertain the current position.

Gambling Legislation

107. **Deputy Colm Keaveney** asked the Minister for Justice and Equality her plans, including the introduction of a gambling commission, to counter the epidemic of gambling, including gambling addiction, among amateur and professional sports persons given the consequences of such unregulated and unmonitored behaviour for persons and their families, interventions or supports in this area; and if she will make a statement on the matter. [3358/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The General Scheme of the Gambling Control Bill was published in July 2013 following approval by the Government. The Bill, as proposed, will update all existing laws on the regulation of gambling, including betting and gaming but excluding the National Lottery. It will provide for the licensing of all

forms of on-line gambling.

The Gambling Control Bill will, as set out in the General Scheme, confer responsibility for all regulatory matters on the Minister for Justice and Equality. The Minister's functions will include licensing, inspections and prosecutions, and it is envisaged that these functions will be carried out by a body located within my Department. The General Scheme also provides for a dedicated inspectorate to ensure compliance by licence holders with the terms of their licences and with the new legislation generally.

The proposed legislation will have consumer protection generally as one of its core principles, and it is envisaged that it will include several measures aimed at the protection of vulnerable persons, including children, from risks to their well-being arising from gambling. In particular, the Scheme of the Bill envisages the establishment of a Fund to promote socially responsible gambling and to assist in counteracting the ill-effects of irresponsible gambling. The purposes of the Fund may include public education and awareness programmes, research and treatment programmes. The current scarcity of information on the scale and impacts of gambling underlines the need for such measures.

While it would remain my intention, and that of my Cabinet colleagues, to proceed with this legislation at the earliest feasible opportunity, at this point in time I expect it will be a matter for renewed consideration in the preparation of a new legislation programme by the next Government.

Property Registration Authority

108. **Deputy Clare Daly** asked the Minister for Justice and Equality if the core business of the Property Registration Authority involves examining applications for title registrations; if the State, as custodian of the public interest, is bound to indemnify persons who suffer loss through a mistake made in the Land Registry; her understanding of the internal quality control measures used by the authority to guarantee that its technical determinations are not distorted or undermined when dealings are issued by solicitors. [3362/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I can inform the Deputy that the functions of the Property Registration Authority (PRA) are set out in Section 10 of the Registration of Deeds and Title Act 2006 and include the management and control of the Registry of Deeds and the Land Registry and to promote and extend the registration of ownership of land.

The vast majority of applications lodged in the Land Registry relate to applications where the title is already registered and include, for example, changes to existing ownerships, charges on property and cancellation of charges. Other more complex examples relate to unregistered titles and in such instances an examination of title is required.

Regardless of the application type and whether the application is lodged by a solicitor or by the applicant directly, the PRA will check each application for compliance with the prescribed statutes and Rules. To that end, the PRA has a very comprehensive set of Practice Directions and Legal Office Notices which are available on the PRA's website www.prai.ie.

The Registration of Title Act, 1964 (as amended) provides for rectification for errors in registration and makes provision for compensation in the event of error, forgery or fraud in relation to registration where an identifiable loss has been suffered.

The PRA also has an internal process assurance group and quality control measures in place

to ensure applications are processed to the required standard. Furthermore it is also subject to audit by the Controller and Auditor General and has an internal audit process as part of its governance process.

Northern Ireland Issues

109. **Deputy Finian McGrath** asked the Minister for Justice and Equality to support a matter (details supplied); and if she will make a statement on the matter. [3371/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The troubles on this island exacted a tragic human cost in terms of the lives lost, people injured and families bereaved. The impact of the many atrocities perpetrated over the course of the troubles lives long in our memory and is felt to this very day. Our thoughts are with the victims and their families.

As part and parcel of addressing the legacy of the troubles for victims, the Government established the Remembrance Commission. Over the lifetime of the Remembrance Commission from 2003 to 2008 €3.87 million in funding was made available to individual victims of the conflict in Northern Ireland resident in this jurisdiction to acknowledge their suffering, to address economic hardship and certain medical expenses. A significant amount of funding was also made available directly to Justice for the Forgotten, a group which supports many of the victims.

The exceptional payments element of the Remembrance Commission scheme provided for the possibility for payment of counselling expenses incurred prior to the establishment of the scheme, in the circumstances outlined in the scheme. Some ongoing counselling services were provided through Justice for the Forgotten.

Although it was not possible for my Department to continue funding Justice for the Forgotten, I am aware that the group was recently funding from the Department of Foreign Affairs and Trade under its Reconciliation and Anti-Sectarianism Funds to allow it to continue the important work it carries out for the victims it represents.

I might add that while it is not possible to extend the nature of the schemes administered by my Department's Victims of Crime Office, I can reiterate the assurances given previously that funding for certain ongoing medical needs of the people who sustained injuries in the bombings has been and will continue to be provided through my Department's Victims of Crime Office.

Garda Vetting of Personnel

110. **Deputy Finian McGrath** asked the Minister for Justice and Equality why voluntary workers need separate Garda Síochána vetting for each organisation in which they are involved, given the length of time it takes for vetting and increasing duplication of work for An Garda Síochána; if she will develop a more efficient and volunteer-friendly policy; and if she will make a statement on the matter. [3372/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will appreciate, the primary purpose of the Garda employment vetting service is to seek to ensure the safety of children and vulnerable adults. Accordingly, the vetting process demands rigorous procedures to safeguard its integrity and to maintain the highest level of confidence by the public and organisations availing of the service.

Full vetting checks are conducted by the Garda Central Vetting Unit (GCVU) for each new

vetting application received to ensure that the most recent data available is taken into account. This is because once there has been any significant lapse of time between one employment and another, the original Garda Vetting Disclosure must be reviewed to take account of any changes in information, such as more recent criminal convictions.

Furthermore, under the Data Protection Acts, any sensitive personal data which employers use in regard to their employees must be current, accurate and up-to-date. The general non-transferability and contemporaneous nature of the current process also protects against the risk of fraud or forgery. Such procedures are in line with best practice internationally.

There are, however, certain limited circumstances where organisations can share a single vetting disclosure where this is agreed to by the vetting applicant. For example, persons involved in voluntary work may be doing work with more than one voluntary organisation at the same time, and may agree with the vetting applicant to share a single vetting disclosure. Similar arrangements arise in the health sector in regard to persons working as locums, agency nurses or other temporary employees in a number of different organisations, or in the education sector where substitute teachers are on panels for substitute teaching in more than one school.

The current average processing time for vetting applications is four weeks. However, in some individual cases additional enquiries may be necessary and this may result in processing times in excess of the average. Any vetting process will take a certain minimum amount of time to complete and, taking into account the need to protect children and vulnerable adults while providing an effective and efficient service, I do not think that this time period is unreasonable.

Migrant Integration

111. **Deputy Richard Boyd Barrett** asked the Minister for Justice and Equality the number of refugees Ireland has accepted to date as part of its commitment to take 4,000 refugees; and if she will make a statement on the matter. [3413/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I assume the Deputy is referring to the Government's decision to establish the Irish Refugee Protection Programme (IRPP) on 10 September 2015 as a direct response to the EU migrant crisis. Ireland has agreed to accept 4,000 persons in total under resettlement and relocation programmes by the end of 2017. The figure of 4,000 includes approximately 2,600 asylum seekers to be taken in from migration hotspots in Italy and Greece under the new EU programme and 520 programme refugees from Lebanon and Jordan, which the Irish Government has committed to taking in by the end of 2016 under Ireland's Refugee Resettlement programme. The mechanism by which the balance of the 4,000 will be taken in, has yet to be decided by Government.

In relation to the Resettlement Programme, 176 programme refugees were brought into the State from camps in Jordan and Lebanon in 2015. Over half of those brought in last year have already completed language training and orientation and have been resettled within the wider community. A further 100 refugees are expected to have arrived in the State by the end of February this year. Additional numbers are expected to arrive over the course of 2016.

In relation to the EU relocation programme, 10 people have been taken in by the State to date thus far. This was a single Syrian family who were relocated from Greece last week. I also understand that in the past number of weeks Italy submitted a number of potential cases for relocation to Ireland and these are currently being evaluated by officials in my Department. The small number of relocations effected to-date reflects the fact that the EU relocation programme

has been slow in gathering momentum due to resource issues at migration ‘hotspots’ in Greece and Italy and the programme’s low rate of uptake among those arriving in the EU via Italy and Greece. The latest reports I have available to me indicate that these hotspots in both countries are becoming more operational as additional resources are allocated. Accordingly, numbers are expected to increase steadily over coming months but realistically it may be some time before substantial numbers arrive in Ireland under relocation measures.

Road Traffic Offences

112. **Deputy Robert Dowds** asked the Minister for Justice and Equality since 1 August 2015, the number of cyclists on a pedal cycle convicted of cycling without reasonable consideration, having no front lamp or rear lamp lit during lighting-up hours, and failing to stop for a school warden sign, proceeding into a pedestrianised street or area, past traffic lights when the red lamp is illuminated, past cycle traffic lights when the red lamp is lit, and beyond a stop line, barrier or half barrier at a railway level crossing, swing bridge or lifting bridge, when the red lamps are flashing. [3418/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The introduction of Fixed Charge Notices (FCNs) for cyclists came into effect on 31 July 2015 (Road Traffic (Fixed Charge Offences — Cyclists) Regulations 2015. S.I. No. 331 of 2015 refers.). FCNs can be issued to cyclists who commit any of the offences (for the purposes of section 103 of the Road Traffic Act 1961, as amended) listed hereunder, and the number of FCNs issued in respect of each offence listed are also detailed as follows:

Offences	Number of FCNs issued (since 31 July, 2015)
A cyclist riding a pedal cycle without reasonable consideration	70
No front lamp or rear lamp light lit up during lighting-up hours	125
A cyclist failing to stop for a School Warden sign	0
Cycling in pedestrianised street or area	35
A cyclist proceeding past traffic lights when the red lamp is illuminated	330
A cyclist proceeding past cycle traffic lights when red lamp is lit	16
A cyclist going past a stop line, barrier or half barrier at a railway level crossing, swing bridge or lifting bridge, when the red lamps are flashing	1

Garda Resources

113. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if adequate resources are available to An Garda Síochána to enable it to combat all aspects of modern crime; if extra resources are required in any sector; and if she will make a statement on the matter. [3436/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Deputy will appreciate the Garda Commissioner is responsible for the distribution of personnel among the Garda Regions, Divisions, and Districts. Garda management keep this distribution under continual review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of resources. I am informed by the Garda Commissioner that the overall number

of personnel available to An Garda Síochána at the end of December 2015 was close to 16,000 comprising 12,817 Gardaí, 953 Garda Reserve members and over 2,000 civilians.

This Government is committed to ensuring that An Garda Síochána has the capacity to provide effective and visible policing throughout the country. A crucial element of the Government's strategy is ensuring ongoing seamless recruitment to renew An Garda Síochána. With this in mind Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of the Garda College in Templemore in September 2014.

To date there have been six intakes of Garda Trainees to the Garda College, giving a total intake of 550 with a further intake provisionally scheduled for 11 April 2016. So far 296 of these new recruits have been fully attested and are undertaking Garda duties in communities nationwide. In order to fulfil the recruitment commitment for 2016 a new recruitment campaign was launched last November. That campaign, which closed on 6 January, has attracted strong interest with in the region of 16,500 applications received by the Public Appointments Service which is organising the competition on behalf of the Garda Commissioner.

The 2016 Budget allocation of €1.5 billion for An Garda Síochána includes over €67 million in additional funding which, in addition to the recruitment of new trainee Gardaí, also provides additional funding for Garda Surveillance, special operations and targeted, intelligence-led policing. This additional recruitment and budget allocation builds on the current high level of investment in Garda vehicles. We have invested over €34 million in new Garda vehicles since 2012 with over 640 new vehicles coming on stream since the start of 2015. The Government's Capital Plan 2016-2021 provides for a further €46 million of investment in vehicles as well as an additional €205 million for Information and Communications Technology which will allow An Garda Síochána to deploy the latest cutting edge technologies in the fight against crime. Taken together, this step-change in investment in policing demonstrates this Government's commitment to investing in 21st Century policing and will ensure that the Gardaí can be mobile, visible and responsive, on the roads and in the community to prevent and tackle crime.

Garda Strength

114. Deputy Bernard J. Durkan asked the Minister for Justice and Equality if the strength of An Garda Síochána will increase over the next five years; and if she will make a statement on the matter. [3437/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will appreciate the Garda Commissioner is responsible for the distribution of personnel among the Garda Regions, Divisions, and Districts. Garda management keep this distribution under continual review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of resources. I am informed by the Garda Commissioner that the overall number of personnel available to An Garda Síochána at the end of December 2015 was close to 16,000 comprising 12,817 Gardaí, 953 Garda Reserve members and over 2,000 civilians.

This Government is committed to ensuring that An Garda Síochána has the capacity to provide effective and visible policing throughout the country. A crucial element of the Government's strategy is ensuring ongoing seamless recruitment to renew An Garda Síochána. With this in mind Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of the Garda College in Templemore in September 2014. Budget 2016 has also provided funding for the recruitment of additional civilians, in particular to develop the Garda ICT investment

programme.

To date there have been six intakes of Garda Trainees to the Garda College, giving a total intake of 550 with a further intake provisionally scheduled for 11 April 2016. So far 296 of these new recruits have been fully attested and are undertaking Garda duties in communities nationwide. In order to fulfil the recruitment commitment for 2016 a new recruitment campaign was launched last November. That campaign, which closed on 6 January, has attracted strong interest with in the region of 16,500 applications received by the Public Appointments Service which is organising the competition on behalf of the Garda Commissioner.

It is expected that a further 395 will attest by the end of this year which, taking account of projected retirements, will bring Garda numbers to around the 13,000 mark. I expect recruitment to continue at or around the current levels for the next number of years having regard to factors such as the level of retirements in any one year.

Garda Resources

115. Deputy Bernard J. Durkan asked the Minister for Justice and Equality if An Garda Síochána has access to the most modern forensics to facilitate the fight against crime, including state-of-the-art telecommunications; and if she will make a statement on the matter. [3438/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): Under the Garda Síochána Act 2005 the Garda Commissioner is responsible for the day to day management of the Force and the distribution of available resources. This includes personnel, Garda vehicles and the various technologies utilised to support front-line Gardaí and intelligence-led operations against organised crime.

I am informed by the Garda authorities that they are continually looking to ensure that the latest information, communications and forensic technologies are sourced and deployed to achieve their strategic objectives as set out in the context of their annual policing plans, as provided for in section 22 of the 2005 Act. This policy is designed to ensure that the Garda Síochána will be properly resourced to meet the evolving needs of a modern effective police force and take advantage of proven up to date technological developments in crime detection and prevention as they occur.

In terms of existing technology, the Deputy will be aware that a considerable amount of new Garda ICT solutions has been delivered over the past number of years. These include the deployment of a secure national digital radio system (NDRS), the deployment and support of Garda and Community CCTV systems, an automated number plate recognition (ANPR) system, and the addition of many new functions to the PULSE system, which itself is further supported by a dedicated Garda data entry service in Castlebar. The substantial additional investment of €205 million in new technology and systems for An Garda Síochána provided under the Capital Plan 2016-2021 will facilitate progress on further important reforms arising from the Garda Inspectorate's report on Crime Investigation. Examples of the new systems to be developed through this investment include:

- new computer-aided dispatch to ensure responsive and coordinated deployment of Gardaí in the community;
- mobile technology to give the Gardaí secure mobile access to critical information when and where they need it;
- investigations management systems to ensure enhanced management of crime investiga-

tions; and

- upgrading the ANPR to enhance policing of road safety and compliance.

The 2016 Budget allocation of €1.5 billion for An Garda Síochána includes over €67 million in additional funding which, in addition to the recruitment of new trainee Gardaí, also provides additional funding for Garda Surveillance, special operations and targeted, intelligence-led policing. This additional recruitment and budget allocation builds on the current high level of investment in Garda vehicles. We have invested over €34 million in new Garda vehicles since 2012 with over 640 new vehicles coming on stream since the start of 2015. The Government's Capital Plan 2016-2021 provides for a further €46 million of investment in vehicles as well as an additional €205 million for Information and Communications Technology which will allow An Garda Síochána to deploy the latest cutting edge technologies in the fight against crime. Taken together, this step-change in investment in policing demonstrates this Government's commitment to investing in 21st Century policing and will ensure that the Gardaí can be mobile, visible and responsive, on the roads and in the community to prevent and tackle crime.

In the area of forensics, the Garda authorities currently employ highly sophisticated ICT - based fingerprint and ballistics identification systems which I am informed measure up to those used by police forces in other EU jurisdictions. I understand that the Irish National Accreditation Board will shortly be presenting a Certificate of Accreditation to the Garda Technical Bureau for attaining the ISO 17025: 2005 standard for laboratories.

The Garda Síochána are also supported by Forensic Science Ireland who provide state of the art services in the area of drug analysis, trace evidence. The Deputy will also be aware of the recent launch of the national DNA database which will greatly enhance the investigation of crime in Ireland.

These and other new technological solutions, as well as the investment in resources, will ensure that An Garda Síochána has the capacity to provide effective policing services in respond to the evolving challenges of modern day criminal activity.

Garda Strength

116. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the strength of An Garda Síochána as at 31 December in each of the past ten years; and if she will make a statement on the matter. [3439/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will appreciate the Garda Commissioner is responsible for the distribution of personnel among the Garda Regions, Divisions, and Districts. Garda management keep this distribution under continual review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of resources. I am informed by the Garda Commissioner that the overall number of personnel available to An Garda Síochána on the 31 December was close to 16,000 comprising 12,817 Gardaí, 953 Garda Reserve members and over 2,000 civilians. The number of Gardaí as of the 31 December 2005 to 31 December 2015 was as set out in the following table.

This Government is committed to ensuring that An Garda Síochána has the capacity to provide effective and visible policing throughout the country. A crucial element of the Government's strategy is ensuring ongoing seamless recruitment to renew An Garda Síochána. With this in mind Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of

the Garda College in Templemore in September 2014. Budget 2016 has also provided funding for the recruitment of additional civilians, in particular to develop the Garda ICT investment programme.

To date there have been six intakes of Garda Trainees to the Garda College, giving a total intake of 550 with a further intake provisionally scheduled for 11 April 2016. So far 296 of these new recruits have been fully attested and are undertaking Garda duties in communities nationwide. In order to fulfil the recruitment commitment for 2016 a new recruitment campaign was launched last November. That campaign, which closed on 6 January, has attracted strong interest with in the region of 16,500 applications received by the Public Appointments Service which is organising the competition on behalf of the Garda Commissioner.

Year	No. of Gardaí
31/12/2005	12,264
31/12/2006	12,954
31/12/2007	13,755
31/12/2008	14,412
31/12/2009	14,547
31/12/2010	14,377
31/12/2011	13,894
31/12/2012	13,424
31/12/2013	13,093
31/12/2014	12,799
31/12/2015	12,817

Organised Crime

117. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the number of members of criminal gangs apprehended, prosecuted and incarcerated in each of the past eight years; and if she will make a statement on the matter. [3440/16]

122. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if she has conducted studies into the structures, modus operandi, strength and arms available to and through criminal gangs; and if she will make a statement on the matter. [3445/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 117 and 122 together.

I am advised by the Garda authorities that organised criminal groups are fluid in nature and merge and split on a continuing basis, including through transnational links. In addition, offences committed by members of criminal gangs may or may not be connected with an individual's membership of such gangs. In this context, I hope the Deputy will appreciate that it is not feasible to provide accurate statistical information in the format requested.

However, I can assure the Deputy that addressing such criminality remains a key ongoing priority for both the Government and for An Garda Síochána. In this regard An Garda Síochána's Policing Plan sets out its continued commitment to pro-actively target groups and individuals engaged in criminal activity, including organised criminal activities. Gardai continue to utilise all available legislation, including the amendments to the Criminal Justice Act, 2006 introduced by the Oireachtas in 2009 to strengthen the range of measures available to combat organised crime groups.

An Garda Síochána also continues to develop and implement operations and strategies to

target, dismantle and disrupt criminal networks, utilising advanced analytical and intelligence methodologies. Multi-disciplinary approaches are utilised to ensure that the activities of individuals and groups involved in criminal enterprise are effectively targeted, including through the use of the Proceeds of Crimes legislation, money-laundering legislation and the powers of the Criminal Assets Bureau, as well as cooperation with Customs, other police forces, Europol and Interpol. Furthermore, An Garda Síochána proactively participate in international exchange of information on emerging crime trends and training facilitated by CEPOL, Europol and Interpol.

In recent years Garda operations have led to the seizure of a considerable volume of drugs as well as the arrest and prosecution of criminal gang members and the dismantling a number of organised crime groups who were operating in this jurisdiction.

In conclusion, I can assure the Deputy that I, and the Government, remain committed to doing all that we can to support An Garda Síochána in opposing organised crime in all its forms.

Criminal Assets Bureau

118. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if the Criminal Assets Bureau has successfully prosecuted and convicted various criminal elements over the past eight years; if funds have been recovered for the taxpayer; and if she will make a statement on the matter. [3441/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The statutory remit of the Criminal Assets Bureau is set out in the Criminal Assets Bureau Acts 1996 and 2005.

In summary, the Bureau's objectives are to identify the assets of persons which derive or are suspected to derive from criminal conduct and to deny or to deprive those persons of the assets or the benefits of such assets.

With regard to the prosecution of offences, as the Deputy will appreciate the prosecution of offences is a matter for the Director of Public Prosecutions. On occasion the Bureau does investigate criminal matters which may result in criminal prosecutions, although this is not its primary function.

In accordance with section 21 of the Criminal Assets Bureau Act 1996, an annual report on the activities of the Criminal Assets Bureau is prepared and laid before the Houses of the Oireachtas.

Included in these reports are details of all monies returned by the Bureau for the benefit of the Exchequer and the number of applications made by the Bureau under the provisions of the Proceeds of Crime Act, the Tax Code, the Social Welfare Code and the Criminal Code. I am further informed that in circumstances where criminal prosecutions have been taken the Bureau has endeavoured to outline such cases in its Annual Reports.

The Annual Reports of the Bureau are publicly available documents and are published on the Department's website at www.justice.ie.

Crime Levels

119. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if the number of crimes reported to An Garda Síochána has fluctuated over the past eight years; and if she will

make a statement on the matter. [3442/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose.

I have requested the CSO to provide the available statistical information setting out crime trends over the years in question directly to the Deputy and can assure him that all such trends are monitored on an ongoing basis by the Garda authorities, and that I am in regular contact with the Garda Commissioner in relation to the development of effective law enforcement responses accordingly.

Garda Strength

120. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if she will provide the necessary resources to increase Garda Síochána strength at the various Garda Síochána stations including in County Kildare; and if she will make a statement on the matter. [3443/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will appreciate the Garda Commissioner is responsible for the distribution of personnel among the Garda Regions, Divisions, and Districts. Garda management keep this distribution under continual review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of resources. I am informed by the Garda Commissioner that the overall number of personnel available to An Garda Síochána at the end of December 2015 was close to 16,000 comprising 12,817 Gardaí, 953 Garda Reserve members and over 2,000 civilians.

This Government is committed to ensuring that An Garda Síochána has the capacity to provide effective and visible policing throughout the country. A crucial element of the Government's strategy is ensuring ongoing seamless recruitment to renew An Garda Síochána. With this in mind Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of the Garda College in Templemore in September 2014. Budget 2016 also made provision for the recruitment of additional civilians, in particular to develop the Garda ICT investment programme.

So far 296 of the new Garda recruits have been fully attested and are undertaking Garda duties in communities nationwide. I am assured by Garda management that the needs of all Garda Divisions are fully considered when determining the allocation of newly attested Gardaí and in this context I have been informed by the Commissioner that of these newly attested Probationer Gardaí, 15 have been assigned to the Kildare Garda Division.

I am very pleased that the 2016 recruitment campaign announced last November and which closed on 6 January has attracted strong interest with in the region of 16,500 applications received by the Public Appointments Service which is organising the competition on behalf of the Garda Commissioner.

Firearms Seizures

121. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the number of prosecutions for the illegal possession of guns in each of the past eight years to date; and if she will make a statement on the matter. [3444/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have asked the Garda Commissioner for a report in relation to this matter and I will write to the Deputy when I have further information.

Question No. 122 answered with Question No. 117.

Deportation Orders

123. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the status of a case pursuant to section 3(11) of the Immigration Act 1999, as amended (details supplied); and if she will make a statement on the matter. [3446/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to is the subject of a Deportation Order and therefore has no entitlement to residency in the State.

Representations were received asking that her Deportation Order be revoked, in accordance with the provisions of Section 3 (11) of the Immigration Act, 1999 (as amended). Following consideration of the information submitted, the Deportation Order was affirmed.

The person concerned has been evading deportation since 21 February, 2012 and, as such, is liable to arrest and detention for the purposes of having the Deportation Order enforced. The person concerned should, therefore, 'present' to the Garda National Immigration Bureau without further delay.

Queries in relation to the Status of individual immigration cases may be made directly to the INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Departmental Staff Retirements

124. **Deputy Jack Wall** asked the Minister for Children and Youth Affairs his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3282/16]

Minister for Children and Youth Affairs (Deputy James Reilly): No such cases have arisen in my Department. My officials have asked the bodies under the aegis of my Department to respond to the Deputy directly in relation to this question as this information is not readily available in my Department.

Children in Care

125. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs the measures he is taking to reduce the number of children who are in care but who have not yet received a written care plan, which according to the advocacy group, Empowering People in Care, currently stands at 604; and if he will make a statement on the matter. [3329/16]

Minister for Children and Youth Affairs (Deputy James Reilly): A care plan for each child who is received into care is required under the Child Care Regulations, 1995. The regulations stipulate that all care plans are to be reviewed and updated on a regular basis and sets out the frequency for these reviews to take place. A review of the care planned for a child under the Child Care Act 1991 is a process to monitor and review the progress of the plan and to update it if required. A key consideration for the social worker is to consult with the child, family members, foster carers, and other people involved with the child to ensure that his or her needs are being met and that the care being provided is optimal.

At the end of October 2015, there were 6,331 children in care in Ireland. The Child and Family Agency, Tusla, reported that over 90% (5,727) of these children had a written care plan with 604 (9.5%) of children in care without a care plan. This figure includes children waiting for their first official care plan to be agreed, and those children whose care plan has not been reviewed/signed off within the regulatory dates. Considerable progress has been made in decreasing the numbers of children in care without a care plan which stood at 855 (13.2%) at the end of January 2014.

It is known that outcomes for children in care are better when there is evidence of a careful assessment, thoughtful planning and proactive case management. Tusla is working to improve this figure and to ensure all children in care have a care plan. The increased budget for Tusla for 2016 should result in an increase in the number of written care plans.

Child and Family Agency Funding

126. **Deputy Michael P. Kitt** asked the Minister for Children and Youth Affairs if the European Union Directive 2004/18/EC will have consequences for funding for Tusla, the Child and Family Agency, given that proposals have been made to introduce a commissioning process which will introduce competition rather than co-operation between services; and if he will make a statement on the matter. [3343/16]

Minister for Children and Youth Affairs (Deputy James Reilly): Tusla, the Child and Family Agency, is developing a strategy for the future commissioning of services. The strategy will be based on a comprehensive needs analysis and review of current service provision. It will take account of the total resources available to the Agency, the statutory duties assigned under legislation and services that can best be provided by partner agencies and statutory organisations to support the continuum of care at local and national level.

I welcome the preparatory work which has been done to date by Tusla in this regard and the engagement with key stakeholders across different service delivery areas. Tusla will have regard to the provisions of the European Union Directive as it progresses this initiative. It is important that the approach adopted ensures the best possible use of resources, ensures that services commissioned in the future are aligned with the strategic objectives of the Agency, maximises outcomes for children and families and improves the users' experience of services. The approach adopted must also provide a platform for ensuring efficient, affordable services into the future.

Tusla intends to move from a traditional grant-giving approach to a more targeted commissioning of services. Through the commissioning approach Tusla will establish a contractual relationship with service providers, while aligning funding with its strategic priorities.

I understand the concerns of some service providers in regard to Tusla's plan to introduce commissioning. Tusla recognises that new approaches to commissioning need to be communi-

cated properly.

The approach being followed is one of partnership, and Tusla will engage with other statutory partners and respect the unique role of community and voluntary organisations, including small scale providers.

I have asked Tusla to provide me with regular updates on the Commissioning Strategy, including clarity on the pace of the proposed reforms and the associated communication strategy.

Family Resource Centres

127. **Deputy Michael P. Kitt** asked the Minister for Children and Youth Affairs if he is aware that family resource centres have stated that they have to raise funds to cover the cost of light, heat, rent and so on in addition to raising funds for programmes and services; if he will address this barrier to providing prevention and early intervention work; and if he will make a statement on the matter. [3344/16]

128. **Deputy Michael P. Kitt** asked the Minister for Children and Youth Affairs to ensure more funding for all projects under the family resource programme, so that each centre can employ three full-time equivalent staff; and if he will make a statement on the matter. [3345/16]

129. **Deputy Michael P. Kitt** asked the Minister for Children and Youth Affairs if his Department will retain the national aspect of the family resource centre programme; and if he will make a statement on the matter. [3346/16]

Minister for Children and Youth Affairs (Deputy James Reilly): I propose to take Questions Nos. 127 to 129, inclusive, together.

There are currently 109 communities supported through the Family Resource Centre Programme which is funded by Tusla, the Child and Family Agency. The Family Resource Centre Programme is a national programme with its own dedicated budget. Tusla provides core funding to Family Resource Centres to cover the employment of two to three members of staff and some overhead costs. In 2015, Tusla provided €13.09m in funding for the Family Resource Centre Programme.

Family Resource Centres (FRCs) are front-line services rooted in the communities they serve. Acting as a focal point within their communities, Family Resource Centres provide a holistic service of child, family and community support and advocacy to all children and families in their communities. While Family Resource Centres operate an open-door policy and provide many services and development opportunities at a universal level, they also proactively target specific cohorts within their communities.

Tusla fully appreciates the role that Family Resource Centres play in offering early intervention support to families in difficulty. Tusla has advised that it intends to build on the strengths of the FRC Programme in the years ahead in meeting its mandate for community-based early intervention and family support. The Agency recognises the benefits that additional funding can bring to an FRC. Tusla has also advised that it intends to review the funding and resource allocation model as it applies to Family Resource Centres this year. This review will take account of any significant resource pressures, should they arise.

As the Deputy will be aware, I announced a significant increase in the funding allocation to Tusla for this year. Tusla has available to it some €676 million in funding, representing an increase of €38 million over 2015. This increase in funding will allow Tusla to address critical

shortcomings such as the number of children and families awaiting services.

Following recent approval of the Tusla Business Plan for 2016, Tusla has advised that the precise level of funding to be provided to Family Support Centres will be communicated in the near future.

The Government, since its establishment, has attached particular priority to supporting vulnerable children and families and the significant increase in funding being made available to Tusla this year represents further evidence of our delivery on this ambition.

Child and Family Agency Staff Recruitment

130. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the number of new social workers Tusla, the Child and Family Agency, will recruit in 2016 further to its budget 2016 increase; the average cost of employing an entry grade social worker with the agency. [3420/16]

Minister for Children and Youth Affairs (Deputy James Reilly): I have allocated extra funding of €6.1m to Tusla to address risk associated with unallocated child protection and welfare cases. This funding will be used to recruit an additional 201 staff in 2016, 168 of which will be social workers. The remaining staff will be recruited to provide important related business support functions such as clerical and ICT supports. The cost for each additional entry grade social worker is estimated at €45,000 (whole year cost) which includes employers' PRSI.

Self-Harm Incidence

131. **Deputy Finian McGrath** asked the Minister for Health if he has major concerns regarding increased incidences of self-harming among young boys; and if he will make a statement on the matter. [3365/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): In 2014, the National Registry for Deliberate Self-Harm recorded 11,126 presentations to hospital due to self-harm nationally, involving 8,708 individuals. The self-harm rate, 200 per 100,000 of the population, was essentially unchanged from 2013. This levelling off follows three successive decreases in the rate of persons presenting to hospital following self-harm from 2011 – 2013. The only significant change in the rate of hospital-treated self-harm by age was among boys aged 10-14 years, where the self-harm rate increased by 44% from 34 to 49 per 100,000. Since 2007, the male rate has increased significantly, by 14%, whereas the female rate is less than 1% higher than in 2007.

The HSE Mental Health Division has a multifaceted response to people at risk of self-harm or who have had a self-harm episode including referral by GP to Community Mental Health Teams for the appropriate service; liaison psychiatry services onsite in Model 3 and 4 and acute hospitals; a comprehensive mental health on-call service in Emergency Departments in the acute hospitals for people presenting in crisis during the on-call period; self-harm clinical specialist nurses in a number of Emergency Departments; the Suicide Crisis Assessment Nurse (SCAN) Initiative by which GPs can refer directly to SCAN Nurses for assessment and advice on management of their patients who attend their surgeries with suicidal ideation. In each of these settings, a comprehensive biopsychosocial assessment is carried out together with an assessment of mental state and a risk assessment for suicide. On the basis of this, a care plan is drawn up and the next steps depend on the psychosocial stresses identified together with the

presence or absence of a mental illness such as depression.

Community Child & Adolescent Mental Health teams are the first line of specialist mental health services for children and young people. There are currently 67 Child and Adolescent Community Mental Health Teams and 3 liaison services nationally. The multidisciplinary team, under the clinical direction of a Consultant Child & Adolescent psychiatrist, includes junior medical staff, psychologists, social workers, nurses, speech & language therapist, occupational therapist and child care workers. The assessment and intervention provided by such teams is determined by the severity and complexity of the presenting problem(s). This range of disciplines and skills offer a care and treatment package geared to individual needs.

The upward trend in self-harm among young boys is concerning and highlights the on-going need for prevention and intervention programmes to be implemented at national level. In this regard, the HSE in its National Service Plan for 2016 commits to “Develop early intervention and prevention services, in collaboration with primary care and NGO providers, to ensure that children and young people can access assessments and interventions, including access to counselling and psychology, at the appropriate stage to prevent and reduce escalation to secondary care mental health service and as recommended in *Healthy Ireland* and *Connecting for Life*. “Funding is also being provided this year for the provision of three new Jigsaw youth mental health services in Cork, Dublin and Limerick.

The HSE’s National Office for Suicide Prevention (NOSP) helps to support a wide array of work in communities, in partnership with the voluntary sector, across the country that focus on promoting positive mental health and reducing suicide and self-harm by providing significant grant funding each year, as well as by assisting in coordinating and giving strategic direction to the work undertaken in this area. NOSP supports a range of services for teenagers and young people including Pieta House, SpunOut.ie ReachOut.com/Inspire Ireland, BeLongTo. The 24 hour call services provided by the Samaritans and Childline are available to any young person in distress and are also funded by the NOSP. In addition, the NOSP also worked closely with the Department of Education and Skills in the development of Guidelines for Mental Health Promotion and Well-Being in Primary and Post Primary Schools.

Departmental Staff Retirements

132. **Deputy Jack Wall** asked the Minister for Health his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3289/16]

Minister for Health (Deputy Leo Varadkar): There were no such cases made against the Department. I have asked the HSE to respond to the Deputy directly on this matter. If he has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up on the matter with them. In relation to Non-Commercial State Agencies under the remit of my Department, this information is being sought and will be forwarded to the Deputy when collated.

Health Services Allowances

133. **Deputy Robert Troy** asked the Minister for Health to expedite an application for a person (details supplied) in County Longford. [3301/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is

a service matter it has been referred to the Health Service Executive for direct reply. If the Deputy not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Hospital Beds Data

134. **Deputy Billy Kelleher** asked the Minister for Health the average number of acute hospital beds available in public hospitals for each of the years 2008 to 2015 by public, private and non-designated hospitals in tabular form. [3303/16]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow up the matter.

Hospital Waiting Lists

135. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied) in County Kerry; and if he will make a statement on the matter. [3305/16]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow up the matter.

Dental Services Provision

136. **Deputy Tom Fleming** asked the Minister for Health if he will expand on a very limited service whereby a child who has a painful tooth is only examined in respect of that tooth, while the remainder of the teeth and the gums are not inspected and remedied as required; and if he will make a statement on the matter. [3313/16]

149. **Deputy Tom Fleming** asked the Minister for Health if he will extend dental services to children in the 14 to 16 years age group; and if he will make a statement on the matter. [3382/16]

151. **Deputy Tom Fleming** asked the Minister for Health if he will re-introduce the procedure of fissure sealants for children which formally was applied before the end of second class but in latter years is only applied in sixth class which is excessively late; and if he will make a

statement on the matter. [3385/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 136, 149 and 151 together.

Dental services for children up to 16 years of age and persons of all ages with special needs are provided by the Public Dental Service of the HSE through its dental clinics. The budget for the Public Dental Service is approximately €60 million per year. The HSE prioritises services within the available budget taking account of legislation, policy and key developmental stages for children's teeth. Additional resources have been released in 2015 and into 2016 to improve dental services in areas where there have been difficulties.

Emergency care for the treatment of pain, sepsis and/or trauma for children up to 16 years of age and for special needs patients is provided. Patients attending for emergency dental visits will normally have only the specific offending condition treated at that time. Relevant secondary care referrals are also made. However, regardless of the presenting complaint clinicians are obliged to advise parents/guardians if other oral health problems exist and to pass on accurate clinical information so that the parent/guardian and/or patient can manage their personal dental health needs. This is in accordance with the requirements of the Dental Council.

A targeted fissure sealant programme is provided for children aged 6 to 8 and 11 to 13 (usually 2nd and 6th class). These are the optimum ages for the application of fissure sealants. In addition, a screening programme is provided for these age groups with necessary interventions for permanent teeth including fillings and extractions. Referrals for orthodontic or other treatments as required are also made at this time.

The provision of dental services for 2nd class and 6th class is monitored by the HSE using performance indicators collated on a monthly basis. This enables the HSE to target any additional resources appropriately. However, this information is not being returned in some areas on foot of a Union direction.

The HSE is commencing a pilot scheme in Community Health Organisation Area 4 to assess the dental health of 0-3 year old children and consider appropriate preventive intervention.

A National Oral Health Policy is currently being developed which will update the Dental Action Plan 1994 with a particular focus on vulnerable groups including very young children.

Health Services Staff

137. **Deputy Timmy Dooley** asked the Minister for Health if there is an audiologist for the adult clinic in the county clinic in Ennis, County Clare; when did the audiologist take leave; when will the audiologist return or be replaced; and if he will make a statement on the matter. [3317/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy. If he has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Services

138. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a decision by

the Health Service Executive for a person (details supplied) in County Kerry; and if he will make a statement on the matter. [3328/16]

Minister for Health (Deputy Leo Varadkar): The Deputy's question relates to service delivery matters and accordingly I have asked the HSE to respond directly to him.

If he has not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow up the matter with them.

Community Care Provision

139. **Deputy Billy Kelleher** asked the Minister for Health the number of community intervention teams in each community health care organisation; and the funding allocated for the teams in 2016. [3340/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): There are currently 11 Community Intervention Teams (CITs) in place in Dublin North, Dublin South, Cork, Galway, Mid-West (Limerick/Clare/Tipperary), Carlow/Kilkenny, Wicklow, Kildare, Louth, Meath & Waterford.

As the provision of funding for CITs is a service issue, it has been referred to the Health Service Executive for direct reply to the Deputy. If he has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with the Executive.

Cancer Services

140. **Deputy Michael Healy-Rae** asked the Minister for Health the status of cancer treatment (details supplied); and if he will make a statement on the matter. [3342/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Nursing Homes Support Scheme Review

141. **Deputy Éamon Ó Cuív** asked the Minister for Health if the interdepartmental agency working group set up to examine the nursing home subvention scheme is in operation; the number of meetings; if it will seek submissions from interested parties; if the Irish Farmers' Association will have an opportunity to make a presentation to it; and if he will make a statement on the matter. [3350/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Review of the Nursing Homes Support Scheme was published in July 2015. Submissions were sought,

in advance, from groups or bodies who wished to make a contribution to the Review, and the Irish Farmers' Association made a submission in this context on which they expanded at a subsequent meeting with officials of the Department of Health.

An Interdepartmental/Agency Working Group has been established to progress the recommendations contained in the Review, and this Group held its initial meeting on 1 December 2015. A further meeting took place on 26 January 2016. The Working Group is due to report on its progress to the Cabinet Committee on Health in June 2016.

This Group will consider the submission already made by the Irish Farmers' Association and will be briefed on the outcome of subsequent discussions with officials. When the Group reaches the point of considering the relevant issues in detail, the need for any further presentations will be considered by the Working Group itself.

Any significant changes ultimately deemed necessary to the Nursing Homes Support Scheme will require legislation and will accordingly be addressed together at the conclusion of the Review implementation process.

Hospital Waiting Lists

142. **Deputy Éamon Ó Cuív** asked the Minister for Health if he will provide further funding to the Health Service Executive to deal with the waiting list for scoliosis operations; if the present waiting lists are acceptable; and if he will make a statement on the matter. [3353/16]

Minister for Health (Deputy Leo Varadkar): Our Lady's Children's Hospital, Crumlin is the largest provider of scoliosis surgery for children and young people. Funding was allocated in 2015 for additional consultant posts including two consultant orthopaedic surgeons, anaesthetist and support staff at Crumlin while capital funding was also provided for a new theatre on site to expand theatre capacity further. The 2016 Service Plan specifically provides for support for the new theatre capacity and the continued development of paediatric scoliosis services to address ongoing capacity deficits.

In order to address waiting times in the interim, patients from Crumlin have been transferred to other hospitals where capacity is available and where that is clinically appropriate. These include Temple Street, Cappagh, Tallaght and the Blackrock Clinic. External capacity has also been identified at the Royal National Orthopaedic Hospital at Stanmore in the UK. The HSE is continuing to work with the Children's Hospital Group and the individual hospitals to identify all options to increase capacity further to improve access times for surgery.

As the specific issues raised are a service matter, I have asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow up the matter.

Health Services

143. **Deputy Brendan Griffin** asked the Minister for Health his views on a submission (details supplied) regarding support for arthritis; and if he will make a statement on the matter. [3363/16]

Minister for Health (Deputy Leo Varadkar): A model of care is being developed by the National Clinical Programme for Rheumatology and this will determine the service developments and associated personnel requirements which will best support the needs of patients

requiring Rheumatology treatments.

I met with Arthritis Ireland previously where the topic of Arthritis Champions was briefly discussed.

As the specific questions raised by the Deputy are matters for the Health Service Executive, I have therefore asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow up the matter.

Services for People with Disabilities

144. Deputy Finian McGrath asked the Minister for Health to support St. Joseph's Association for the Intellectually Disabled in Portrane, County Dublin, in its campaign against the chronic shortage of nursing staff; and if he will make a statement on the matter. [3367/16]

Minister for Health (Deputy Leo Varadkar): There is an international nursing and medical manpower shortage, leading to difficulties in recruiting nurses, doctors and consultants. This difficulty is being experienced by other English speaking countries including the UK, Australia, and Canada. Notwithstanding this, the HSE Census returns for the end of November 2015 show that we have over 880 more nurses employed in the public health services than a year ago.

Recruitment of additional nurses is the subject of considerable ongoing activity by the HSE and voluntary hospitals. Recruitment campaigns are underway in Ireland and abroad. This includes recent and ongoing national and local interviewing of General Nurses, Mental Health, Intellectual Disability, Registered Children's Nurses and Midwives.

A number of measures have been put in place to support recruitment of nurses from abroad. In 2015 the HSE initiated a targeted international recruitment drive. This focused initially on Irish trained nurses who left for the UK during the moratorium and has now been expanded to countries further afield. It also facilitated seven adaptation programmes and made 405 places available to the nursing home sector for overseas nurses. Further adaptation courses are being provided in 2016 for nurses who are required to complete a course prior to registration. The NMBI have approved, on a pilot basis until June 2016, a new aptitude test with the RCSI as an alternative method to assess candidates for registration. Nurses are currently being advised of the availability of this test. The first theory test for 22 people took place on the 5 December 2015 with the practice tests on the 12/13 December and repeats on the 7 January 2016. All candidates were successful between the 2 practical tests. Further tests are planned by RCSI in January, February and March, with 67 prospective nurses having expressed an interest in taking the test.

Consideration of pay rates for fourth year student nurses undertaking the 36 week clinical placement and whether the placement should attract incremental credit was provided for in a Chairman's Note to the Lansdowne Road Agreement. In the context of supporting recruitment and retention, the Department of Health and the HSE with the relevant nursing unions considered these issues at the Workplace Relations Commission on 14 December, 2015. Following further engagement between the relevant parties, a Joint Document encompassing proposals on the rate of pay for the placement and on granting incremental credit for the placement was finalised on 23 December. The Joint Document was submitted to my Department for consideration. Any changes to the rate of pay and the treatment of the placement as regards incremental credit will also be subject to the approval of the Department of Public Expenditure and Reform.

All of the measures mentioned above will facilitate the recruitment and retention of nursing

staff at all grades and disciplines within the Irish health service.

Health Services Staff Recruitment

145. **Deputy Finian McGrath** asked the Minister for Health if he will address matters (details supplied) regarding the health service; and if he will make a statement on the matter. [3368/16]

Minister for Health (Deputy Leo Varadkar): The Government is committed to ensuring that patients throughout the country continue to have access to GP services. It is imperative that services meet patients' needs and standards for general practice service provision and in that context that existing GP services are retained and that general practice remains an attractive career option for newly qualified GPs. The HSE, the Department of Health and the Irish Medical Organisation are currently engaged in a review of the General Medical Services contract and other publicly funded health sector contracts involving GPs. This review is taking place within the context of the Framework Agreement which was signed by the above named parties in June 2014 and the Memorandum of Understanding which was signed in February 2015. Among the many topics comprehended by this review process is the issue of supports for General Practice to ensure retention of doctors in remote rural and deprived urban areas.

The number of consultants has grown significantly in recent years to 2,725 WTEs. This includes an increase of 330 in the last five years, notwithstanding the economic crisis, and the Government is committed to further growth. The number of NCHDs has also increased significantly in recent years, by over a 1,000 since March 2011, and now exceeds 5,500. This increase will help to address service needs and also progression of EWTD compliance, thereby improving the working conditions of doctors.

The ability of the HSE and the health service to attract and retain high quality frontline staff shapes the extent to which the HSE can maintain and develop the range of health services required. The MacCraith Group, established in 2013 to carry out a strategic review of medical training and career structures, made a series of recommendations aimed at improving the retention of medical graduates in the public health system and planning for future needs. The implementation of the Group's recommendations is being actively pursued and monitored. On foot of the Group's recommendation on new entrant consultants pay, improved rates incorporating incremental credit for relevant experience and qualifications have been agreed and are being implemented.

According to the most recent figures on waiting lists published at www.ntpf.ie, the waiting list for IP/DC Dermatology patients is 501 with 15 patients waiting over 1 year. For outpatients 29,504 are waiting for an appointment, with 3,451 (11.6%) waiting over 1 year.

The latest NTPF Waiting List data, published on 8 January 2016, shows that progress has been made to reduce the numbers of patients on waiting lists by end December 2015, with improvements across all waiting list categories. These figures continue to show the positive trend which was seen in November 2015. HSE figures for the end of December 2015 show progress against the 15 months maximum wait. For In-patient and Day Case waiting lists, overall performance equates to 95% achievement of the 15 month maximum permissible wait time. For outpatient waiting lists, overall performance equates to 93% achievement of the 15 month maximum permissible wait time. It should also be noted that a number of patients who have not yet had appointments have been scheduled for treatments or appointments in the coming weeks.

Medical Card Administration

146. **Deputy Finian McGrath** asked the Minister for Health if he will address a matter (details supplied) regarding a medical card; and if he will make a statement on the matter. [3369/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Primary Care Centre Provision

147. **Deputy Finian McGrath** asked the Minister for Health to support a matter regarding the provision of a new primary care unit (details supplied) in Dublin 5; and if he will make a statement on the matter. [3370/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The HSE has responsibility for the provision, maintenance and operation of Primary Care Centres. Therefore, this matter has been referred to the HSE for attention and direct reply to the Deputy. If he has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Services for People with Disabilities

148. **Deputy Finian McGrath** asked the Minister for Health to support funding for a person (details supplied) with a disability; and if he will make a statement on the matter. [3379/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

Question No. 149 answered with Question No. 136.

Dental Services Provision

150. **Deputy Tom Fleming** asked the Minister for Health if he will reopen the dental clinics in Caherciveen, Daingean Uí Chúis and Listowel and extend the Killorglin part-time clinic to a full-time clinic as a matter of urgency; and if he will make a statement on the matter. [3383/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy. If he has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Question No. 151 answered with Question No. 136.

Dental Services

152. **Deputy Áine Collins** asked the Minister for Health why dental hygienists cannot practise on their own but only as part of a dental practice, given that dental hygiene is a separate profession. [3407/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Section 53 of the Dentists Act 1985 provides that the Dental Council, with the consent of the Minister, may make schemes establishing classes of auxiliary dental workers. Such schemes shall provide for registration of the class of worker, determine the training and qualifications necessary and the nature of the dental work and the conditions under which such work may be undertaken. Dental hygienists are among the auxiliary dental workers for whom a scheme has been made.

Section 54 of the Act provides that dental work carried out by an auxiliary dental worker in accordance with a scheme shall be carried out under the supervision of a registered dentist and only after the registered dentist has examined the patient and indicated to the auxiliary dental worker the course of treatment to be provided. The only exception to this allows clinical dental technicians to fit, insert or fix artificial teeth for persons of 18 years or over, provided it does not include work on natural teeth or living tissue.

The Department of Health has begun the preparation of new dental legislation and the issue of independent practice will be considered in that context.

Hospital Appointment Status

153. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the status of an appointment for surgery in Cappagh hospital in Finglas, Dublin 11, for a person (details supplied). [3414/16]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow up the matter.

Hospital Appointment Status

154. **Deputy Barry Cowen** asked the Minister for Health the status of a case, including when the person (details supplied) in County Offaly will receive an appointment in the Midland Regional Hospital in Tullamore, County Offaly. [3416/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy. If he has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Services Provision

155. **Deputy Barry Cowen** asked the Minister for Health the status of a case, including when the person (details supplied) in County Offaly will receive therapy through Health Service Executive in the midlands. [3417/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the particular issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy. If he has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Services Provision

156. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an application for early intervention and occupational therapy by a person (details supplied) in County Cork; and if he will make a statement on the matter. [3430/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the particular issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy. If he has not received a reply from the HSE within 15 working days, he should please contact my Private Office and they will follow up the matter with him.

Health Services Funding

157. **Deputy Michelle Mulherin** asked the Minister for Health the changes to the funding of Western Care by the Health Service Executive for 2016; and if he will make a statement on the matter. [3434/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government will provide funding of €1.56 billion to the Disability Services Programme in 2016. The quantum of service to be provided with that funding, and the key service deliverables and priorities for the Disability Services Programme, are outlined in the HSE's National Service Plan for 2016. The HSE is committed to protecting frontline services for people with disabilities to the greatest possible extent, and to maintaining a consistent level of service to that provided in 2015.

As the Deputy's question relates to service matters, I have arranged for the question to be

referred to the Health Service Executive (HSE) for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, she can contact my Private Office and they will follow the matter up with the HSE.

Zero-hour Contracts

158. **Deputy Micheál Martin** asked the Minister for Health if he is aware of the concerns of the Health Service Executive regarding banning zero-hour contracts because of cost implications; and if he will make a statement on the matter. [3452/16]

Minister for Health (Deputy Leo Varadkar): I understand that Minister of State Ged Nash is currently considering proposals and recommendations as outlined in a University of Limerick study on the prevalence of zero hours contracts among Irish employers and their impact on employees. The study found that zero hours contracts within the meaning of the Organisation of Working Time Act 1997 are not extensive in Ireland and are not evident in the health sector.

Employing staff working on zero hours contracts is not a policy of my Department. In 2014, a home help annualised contract was introduced for HSE employees in conjunction with staff unions which, as well as matching the actual workforce to the changing needs of the service, gives certainty to employees by way of guaranteed weekly minimum paid hours.

The HSE provide services on a 24 hour a day, 365 days a year basis, particularly in acute hospitals and community care residential settings for the elderly and persons with an intellectual disability. The HSE have advised that they have staff working on 'if and when' contracts which provide flexibility where hours of work may fluctuate in accordance with service needs. Staff in medical, nursing and support grades are contracted to provide their contracted hours at any time over a 24 hour period in accordance with accepted norms with regard to rostering arrangements.

Hospital Waiting Lists

159. **Deputy Mick Wallace** asked the Minister for Health the status of an operation at Waterford University Hospital for a person (details supplied) in County Wexford, including the person's place on the waiting list; if the case is considered to be high priority, as was recommended by a physiotherapist; and if he will make a statement on the matter. [3456/16]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working

days he should please contact my Private Office and my officials will follow the matter up.

Departmental Staff Retirements

160. **Deputy Jack Wall** asked the Minister for Foreign Affairs and Trade his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3288/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): No such cases were taken against my Department.

Overseas Development Aid Oversight

161. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the checks in place to ensure that development aid funds are not used for the supply of military equipment; and if he will give a categorical guarantee that no such funds have been used for this purpose. [3315/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Ireland does not finance the supply of any military equipment to partner country Governments using development assistance funds. Under OECD rules, it is not permitted to finance the supply of military equipment using development assistance funds. The OECD Statistical Reporting Directive states that the financing of military equipment or services is generally excluded from the reporting of what counts as Official Development Assistance (ODA) and that this exclusion covers grants, official loans or credits. Ireland supports and fully complies with the OECD Directive.

Human Rights Issues

162. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade to support a matter concerning the case of a person (details supplied); and if he will make a statement on the matter. [3366/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I am aware of the case raised by the Deputy. My concerns regarding this case are twofold: firstly, this person has been convicted for activities that would be widely regarded here as the peaceful exercise of his right to freedom of opinion and expression, and, secondly, due to the nature of the sentence, which included corporal punishment. Concerns about this case have been raised by the European Union on behalf of its Member States, including Ireland, with the Saudi authorities. They have also been conveyed directly to representatives of the Embassy of Saudi Arabia in Ireland by officials of my Department on a number of occasions.

The spokesperson of EU High Representative Mogherini issued a statement on this case in January 2015. This called on the Saudi authorities to suspend the flogging of this individual, a call which was echoed later in January by the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein.

I have repeatedly expressed my hope that the Saudi Authorities will answer the High Commissioner's call for this individual to be pardoned and for this harsh form of punishment to be urgently reviewed.

Departmental Staff Retirements

163. **Deputy Jack Wall** asked the Minister for Education and Skills to outline her views on a submission (details supplied); if she will reply to the requests in tabular form; and if she will make a statement on the matter. [3285/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): There were no such cases taken to the Employment Equality Tribunal by employees of my Department or by civil servants employed at the bodies under its aegis in the last four years. As such, the other aspects of the Deputy’s question do not arise.

School Accommodation

164. **Deputy Shane Ross** asked the Minister for Education and Skills further to Parliamentary Question No. 147 of 20 January 2016 in respect of a date for sanctioning an extension to a school (details supplied) in County Dublin, if the project will be given the go-ahead by next month or as soon as possible for the completion of the expenditure profiling exercise and if the subsequent final permission will be given as soon as possible for the project to advance to site and commence construction works; if she will fund the school for any loss of income caused by the ongoing delay, given that the school has acted in good faith and is already paying moneys to a neighbouring school for the temporary transfer of pupils during construction, as was deemed necessary; and if she will make a statement on the matter. [3323/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): The work undertaken by my Department to profile expenditure for the year has now been completed. In relation to the specific project in the school to which the Deputy refers this now allows the Letter of Acceptance to issue from the school to the contractor for this project. As the Board of Management is the client, my Department has written to the school authorising it to issue the Letter of Acceptance. My officials responded to the school principal last week to confirm that my Department will cover the cost of the rented temporary accommodation in the neighbouring school for the duration of the construction period.

Emergency Works Scheme Applications

165. **Deputy Robert Troy** asked the Minister for Education and Skills to urgently expedite and grant an application for emergency works for a school (details supplied) in County Westmeath which was submitted in June 2015. [3325/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): The school to which the Deputy refers recently submitted additional information relating to works at the school in the context of an emergency works grant application. This information is currently being examined and the school will be notified of the outcome as soon as a decision has been made.

School Transport Eligibility

166. **Deputy Timmy Dooley** asked the Minister for Education and Skills why a child (details supplied) in County Clare has been refused school transport given that the school the child is attending is closer to the child’s residence than the schools identified by Bus Éireann; if she will provide the detailed maps supporting this decision to refuse school transport; and if she will

make a statement on the matter. [3326/16]

Minister of State at the Department of Education and Skills (Deputy Damien English): Under the terms of my Department's Post Primary School Transport Scheme children are eligible for transport where they reside not less than 4.8 km from and are attending their nearest education centre/school as determined by my Department/Bus Éireann, having regard to ethos and language. Distance eligibility is determined by Bus Éireann by measuring the shortest traversable route from a child's home to the relevant education centre; it may be either a pedestrian or vehicular route, and it is not necessarily the route that the school bus takes.

In cases where distance eligibility is marginal or in dispute, vehicles fitted with calibrated measuring devices which measure the distance down to the nearest metre may be used to establish the exact distance and/or the nearest appropriate education centre to the child's home. In this regard, Bus Éireann has confirmed that the child in question is not attending her nearest school and is therefore not eligible for school transport.

The terms of the Post Primary School Transport Scheme are applied equitably on a national basis.

Schools Building Projects Status

167. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills to outline the progress in providing permanent accommodation for the Educate Together school in Claregalway in County Galway; and if she will make a statement on the matter. [3334/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): My Department has confirmed the need for a new school building to be provided for the school referred to by the Deputy and in that regard a Major Capital Building Project for the school has been included in the 6 Year Construction Programme. I can advise that officials in the Department are currently working closely with officials from Galway County Council in relation to the acquisition of a suitable site to facilitate the provision of a new school building for the school in question. I can also confirm that the site acquisition process is ongoing. However due to the commercially sensitive nature of site acquisitions generally, my Department is not in a position to provide any further details at this time.

Schools Building Projects Status

168. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills when construction will commence on the replacement building for a school (details supplied) in County Galway; if the contract has been awarded to a builder; the reason for the delay with the project; and if she will make a statement on the matter. [3335/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): The school to which the Deputy refers is at an advanced stage of the tender process. The letter of intent issued to the preferred tenderer in late November 2015. My Department is currently awaiting the return of the completed supplementary tender report and when this is received and considered my Department will revert directly to the school regarding progression of the project to construction stage.

169. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Oideachais agus Scileanna cén fáth nach bhfuil tuarastal á íoc le múinteoir (sonraí tugtha) don tréimhse 27/8/15 go 17/11/15; céard a chaithfear a dhéanamh chun go n-íocfar an tuarastal don tréimhse sin; agus an ndéanfaidh sí ráiteas ina thaobh. [3336/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): Déanfar an tuarastal atá gan íoc don duine dá dtagraíonn an Teachta ó thús na scoilbhliana 01/09/2015 go dtí 16/11/2015 a eisiúint chuig an múinteoir ar 11/02/2016.

Summer Works Scheme Eligibility

170. **Deputy Dara Calleary** asked the Minister for Education and Skills if she received and if she will look favourably upon an application from a school (details supplied) in County Mayo under the summer works scheme given the health and safety grounds; when she will make a decision; and if she will make a statement on the matter. [3361/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): I wish to advise the Deputy that my Department has no record of receiving an application from the school to which he refers under the Summer Works Scheme (SWS) 2016 and 2017. While the school did not apply for any works under the recent SWS, it will be open to the school, if it so decides, to make an application under a future scheme. The Circular Letter (0055/2015) relating to the terms and conditions of the scheme, is available on my Department's website www.education.ie.

Summer Works Scheme Eligibility

171. **Deputy Noel Harrington** asked the Minister for Education and Skills the funds that may be available to a school (details supplied) in County Cork to carry out remedial work to the driveway of a special needs unit within the school; and if she will make a statement on the matter. [3403/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): My Department's Planning and Building Unit has no record of receiving an application for funding from the school to which the Deputy refers. The appropriate funding mechanism for the type of works concerned is the Summer Works Scheme. It is a condition of that Scheme that schools apply for the most urgent works needed at their school. Under the Summer Scheme for 2016/17, the school applied for works to its ceilings.

It is otherwise open to the school to use its Minor Works Grant, which was paid to the school last November, to carry out the works in full or in part as that grant permits.

Special Educational Needs Service Provision

172. **Deputy Brendan Griffin** asked the Minister for Education and Skills her views on a matter regarding support for pupils with autism (details supplied); and if she will make a statement on the matter. [3406/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): I can confirm that the school referred to by the Deputy, a special school, has submitted an application to my Department for capital funding for additional school accommodation. The application is currently being considered and my Department will be in contact with the school in question in the matter shortly.

Education Schemes

173. **Deputy Dara Calleary** asked the Minister for Education and Skills why Delivering Equality of Opportunity in Schools status has still not been reinstated for a school (details supplied) in County Mayo; if she will process this application; and if she will make a statement on the matter. [3421/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): I would like to point out that an extensive identification process to select schools for inclusion in DEIS was conducted in 2005. In spite of a number of reminders issued by my Department, a completed survey form was not received at that time from the school in question. Furthermore, the school did not participate in a follow-up appeal process to address the concerns of schools that did not qualify for DEIS status. As the Deputy is aware, a process for the review of the DEIS Programme which I announced in 2015, is currently underway in my Department. While this process is underway, I do not intend to make any changes to the current programme, including the addition of any further schools.

Schools Building Projects Status

174. **Deputy Paul Murphy** asked the Minister for Education and Skills the status of the building of a permanent school for Gaelscoil Chnoc Liamhna in Knocklyon, Dublin 16; and if she will make a statement on the matter. [3427/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): Officials in my Department are working closely with officials from South Dublin County Council to secure the permanent site for Gaelscoil Chnoc Liamhna.

As the Deputy is aware, a building project for the school is included in the 6 Year Construction Programme that I announced on 17 November last. Once a site has been secured, the project will be progressed into the architectural planning process.

Third Level Institutions

175. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent of legal action current or pending initiated by the Institute of Technology in Tallaght, Dublin 24 whether on behalf of management or at the instigation of staff members as a group or as individuals; the nature and basis for any such action; if the subject matter or matters have or were referred for mediation; if legal costs arising will impact on the taxpayer or on the individual instigators; and if she will make a statement on the matter. [3448/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): Third level institutions, including Institute of Technology Tallaght (ITT), are autonomous institutions and my Department does not have any function in their day to day operational affairs, for which the Governing Bodies and the management staff of the institutions are responsible.

However, I understand from enquiries made by the Higher Education Authority of ITT, that there are sensitive individual HR issues being addressed by the Institute, with the advice of their legal advisors, ITT has not initiated any legal action against any of its employees. The cost of any such legal advice taken is a matter for the Institute. I also understand that where possible HR matters that arise at ITT are referred for mediation.

School Transport Eligibility

176. **Deputy Áine Collins** asked the Minister for Education and Skills the status of a school (details supplied) in County Cork. [3459/16]

Minister of State at the Department of Education and Skills (Deputy Damien English): Changes to my Department's Primary School Transport Scheme were announced in December 2010 by the then Government as part of measures contained in Budget 2011 and derived from recommendations contained in the Value for Money review of the scheme.

The changes announced covered the uniform application of the distance eligibility criterion, the cessation of the Closed/Central School Rule (CSR), an increase from seven to ten in the minimum number of eligible children required to establish or retain a service and the introduction of charges for eligible primary children.

Children who had an eligibility for school transport prior to the introduction of the changes retained this eligibility for the duration of their education at that school provided there was no change in their circumstances.

Siblings of these children and other children who are not eligible for school transport, may apply for transport on a concessionary basis only in accordance with the terms of the School Transport Scheme.

The changes to school transport provision are applied uniformly and equitably on a national basis.

Children who applied for enrolment in their nearest school but who did not secure a place may have their school transport eligibility considered by reference to the distance they reside from their next nearest school. This consideration will only apply where the Department is satisfied that the child's nearest school does not have the capacity to enrol additional children.

While it is the prerogative of parents to send their children to the school of their choice, eligibility for school transport is to the nearest school.

Departmental Staff Retirements

177. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3286/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): In the last four years there have been no cases taken against my Department by civil servants objecting to a requirement to retire at the age of 65.

My Department does not have information relating to any such cases in respect of public servants employed by bodies under the Department's aegis; this is a matter for the organisations concerned.

Leader Programmes Administration

178. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the number of plans received to deliver the Leader programme 2014 to 2020;

the number of these that relate to areas where there is only one bidder after the first round of the process; when it is expected that companies or local action groups will be approved to proceed to deliver the programme; the number expected to have final approval in the next month; and if he will make a statement on the matter. [3330/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan): The submission and evaluation of LEADER strategies is progressing well. To date, 19 LEADER strategies have been submitted in respect of 18 areas, with two or more strategies submitted for only one area so far. Two strategies were approved in December, subject to some minor additional work required on both, and I anticipate that we will be in a position to sign contracts with these Local Action Groups shortly. A further 5 strategies will be evaluated by the Independent Selection Committee this week and, subject to any additional work required from the Groups, I expect them to be approved in February.

My Department is continuing to work with the Groups, Pobal and the Independent Selection Committee to ensure that LEADER strategies are submitted, evaluated and approved as quickly as possible. Ultimately, the number of strategies that will be approved in the coming months will depend largely on the quality of strategies submitted and the work required to meet standard required under the LEADER programme.

Wastewater Treatment

179. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government the process for a group of residents in a private development to receive grant assistance for upgrading a communal septic tank to a modern wastewater facility; and if he will make a statement on the matter. [3338/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): During 2015, my Department established a working group involving key stakeholders in the rural water sector to address the development of the rural water sector within the overall water sector reform programme to ensure that the programme responds effectively to current and future needs. Local authorities, the Water Services Transition Office, Irish Water, the National Federation of Group Water Schemes as well as my Department are represented on the working group. One of the tasks of the group is to develop a multi-annual approach to targeting funding to meet priority needs of the sector.

The working group is also considering a number of areas where there are potential boundary issues with Irish Water or legacy issues which need to be addressed and new approaches in this area will be informed by a number of demonstration projects or pilot schemes, including ones relating to the provision of new group sewerage schemes by communities.

Earlier this month, my Department wrote to local authorities advising them of the new approach to the funding of group water and sewerage schemes for 2016 and beyond. This will ultimately lead to the development of appropriate prioritised lists of schemes for funding and a series of demonstration projects which will assist in further evolving the programme of investment. Details of the new multi-annual programme are available on my Department's website at

<http://www.environ.ie/en/Environment/Water/WaterServices/RuralWaterProgramme/>.

It is now a matter for local authorities to decide on the prioritised list of group water and sewerage schemes to be funded in their respective areas and to submit their funding applications for the period 2016 to 2018 to my Department by 29 January 2016. Allocations for funding under the new multi-annual programme will be provided to local authorities in due course

and following consideration of authorities' bids for funding.

In addition, my Department, as part of a wider overhaul of the taking in charge process, has sought to determine the number of residential developments with developer-provided stand-alone wastewater treatment plants and/or water treatment systems which are not connected to public water or waste water networks. Many of the developments in question have not yet been taken in charge by the relevant local authority because they are unfinished. In some cases the developments may be completed but not to the standards required under the planning permissions granted.

A pilot project was undertaken to identify the extent of problems arising from developer-provided water services infrastructure nationally, and to identify a range of possible solutions and the potential costs involved. The recommendations made by the pilot project's Steering Group are currently informing the development, by my Department, of future policy in this area, including funding options, to address the problems arising from developer-provided water services infrastructure in order to remove impediments to the taking in charge of associated housing estates and, where appropriate, the transfer of such infrastructure to Irish Water.

Drainage Schemes

180. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government the status of the removal of gravel and silt from rivers that flood adjoining properties; if any European or Irish legislation precludes landowners from doing this; and if he will make a statement on the matter. [3348/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I refer to the reply to Question No. 464 of 19 January 2016 in which I set out the roles and responsibilities of statutory bodies with regard to the maintenance of rivers and waterways. The position in this regard remains unchanged.

Social and Affordable Housing Provision

181. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government if there is sufficient staffing and expertise in the technical departments of local authorities to deliver increased build in social housing; and if he will make a statement on the matter. [3384/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Under section 159 of the Local Government Act 2001, each Chief Executive is responsible for staffing and organisational arrangements necessary for carrying out the functions of the local authorities for which he or she is responsible. In this regard, it is a matter, in the first instance, for Chief Executives, to ensure that the appropriate staffing and service levels are delivered and maintained.

My Department, however, works closely with local authorities with regard to the implementation of the Government's Social Housing Strategy and in 2015 all local authorities were invited to submit staffing sanction requests to facilitate its delivery. Furthermore, the staffing approval process was also streamlined to ensure the fast tracking of staffing sanction requests. As a result, in 2015, over four hundred local authority posts were sanctioned for recruitment, to support the delivery of the Social Housing Strategy.

Moreover, new recoupment arrangements were also put in place in October 2015 with regard to additional recoupment of administrative and other costs associated with new build social housing projects.

In terms of technical expertise a new procurement framework for the sourcing of professional and technical services has been put in place which will allow local authorities to source technical support more quickly and efficiently.

In addition to staffing, major financial resources have also been allocated to local authorities to fund increased delivery of social housing.

Waste Management

182. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government if he will take into account the concerns about tyre waste regulations of the Irish Tyre Industry Association and the Independent Tyre Wholesalers and Retailers Association; and if he will make a statement on the matter. [3399/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Extensive discussions with the tyre industry through the establishment of a Tyres Working Group have taken place since the publication of the Producer Responsibility Initiative Review Report on Tyres and Waste Tyres in November 2013.

Recently, the National Executive Council and the members of the Irish Tyre Industry Association voted to re-engage in the discussions surrounding the new structures to be put in place for the tyre sector. I am very pleased with this development; I thank them for this decision and welcome the expertise that they will bring to future discussions.

Despite numerous requests and informal contacts, the Independent Tyre Wholesalers and Retailers Association remain outside the process.

Departmental Schemes

183. **Deputy Charlie McConalogue** asked the Minister for the Environment, Community and Local Government if he provides a scheme to assist in the renovation and modernisation of a private dwelling (details supplied) to make it habitable; and if he will make a statement on the matter. [3415/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): My Department does not provide a scheme to assist in the renovation and modernisation of a private dwelling to make it habitable in the circumstances described. Support provided by my Department in respect of refurbishment or adaptations to houses are primarily in respect of social housing. In the case of private houses, the main programme of support funded by my Department is via the local authorities and is focussed on house adaptations for older people and people with a disability.

The suite of grants under the Housing Adaptation Grant Schemes for Older People and People with a Disability has the objective of facilitating the continued independent occupancy of their own homes by older people and people with a disability. It supports necessary adaptations, repairs or improvement works to be carried out to make accommodation more suitable to the needs of such persons.

Householders may qualify for relief under the Home Renovation Incentive Scheme, introduced under Section 5 of the Finance (No. 2) Act 2013. The Scheme covers main residence repairs, renovations and improvements and is administered by the Revenue Commissioners; full details are available on their website www.revenue.ie.

Urban Renewal Schemes

184. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government why no funding was allocated under the urban regeneration project schemes for regeneration in Cavan town as it was designated some years ago as a hub town under the national spatial strategy; and if he will make a statement on the matter. [3431/16]

185. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government why no funding was allocated for regeneration in Monaghan town under the urban regeneration project scheme given that the town was designated as a hub town under the national spatial strategy some years ago; and if he will make a statement on the matter. [3432/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 184 and 185 together.

The Urban Development Grant Scheme announced last week, which is co-funded by the European Regional Development Fund (ERDF), is administered in Ireland by the two Regional Operational Programme Managing Authorities, the Northern and Western Regional Assembly and the Southern and Eastern Regional Assembly.

The approach adopted by the two Managing Authorities in the allocation of ERDF funding for urban related projects in their respective regions in the current EU Budget cycle covering the period 2014 – 2020 was largely dictated by the level of ERDF funding available to Ireland in the period.

For the previous ERDF co-funded Urban Development Grant scheme covering the period 2007 - 2013, the Northern and Western Region - then known as the Border Midland and Western (BMW) Region - was classified as a “transitional EU region” which qualified it for higher entitlement to ERDF funding. Arising from this, the €28m ERDF funding that was available to Ireland for the Urban Development Operational Programme for the 2007 – 2013 period was apportioned as follows–

- €17m to the BMW region, and
- €11m to the Southern and Eastern Region.

This larger share that was allocated to the BMW Region in that period allowed projects in both the gateways and hubs in the BMW region - as designated in the National Spatial Strategy 2002 – 2020 (NSS) - to be ERDF co-funded, with the Southern and Eastern Region being restricted to supporting projects in the designated gateways only.

In the new round for the 2014 - 2020 ERDF funding programme period, both Irish regions have been classified as ‘more developed’, and although the overall amount of ERDF funding available to Ireland under the Urban Development Operational Programme has increased to €40m, the reclassification of the Northern and Western Region has had the effect of considerably reducing the share of funding available to that Region. Consequently, the €40m total ERDF funding for urban projects in the 2013 – 2020 period has been apportioned as follows:

- €14m to the Northern and Western Region, and
- €26m to the Southern and Eastern Region.

In addition, during the negotiations on the new ERDF Operational Programmes, the European Commission stressed the need for the funding of larger scale projects and consequently suggested – having regard to the lower level of funding being provided to the Northern and Western Region - that only projects in cities and major urban centres should be eligible for funding in that Region. Arising from this, it was agreed that only the NSS designated gateways in the Northern and Western Region would be co-funded this time, while the additional funding available to the Southern and Eastern Region allowed projects in both the designated gateways and hub towns in the region to be eligible. This position was agreed with the Department of Public Expenditure and Reform – which has overall responsibility for the management of the ERDF Operational Programmes in Ireland - and the draft programmes were approved by the Government on this basis. Furthermore, the Regional Assembly members were briefed on the outcome of the negotiations and on the agreed position with regard to the allocation of the urban funding under the new round of ERDF funding.

Departmental Staff Retirements

186. **Deputy Jack Wall** asked the Minister for Communications, Energy and Natural Resources his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make a statement on the matter. [3283/16]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): I can confirm that for each of the last four years, there were no cases taken against my Department by civil servants in relation to being retired at age 65. Nor were there any formal objections received to retirement on age grounds.

Mobile Telephony

187. **Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources the status of the proposal to ban roaming mobile telephone charges; and if he will make a statement on the matter. [3433/16]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): The European Parliament and the Council have adopted Regulation 2015/2120 which was published in the Official Journal of the EU on the 26 November 2015. The Regulation imposes further reductions in the maximum permitted roaming retail charges within the EU with the objective of abolishing such charges from June 2017. As interim measures, the Regulation requires mobile operators to further reduce the maximum retail roaming charges from April 2016 when the maximum permitted roaming charges (exclusive of VAT) for voice calls will reduce from 19 cent to 5 cent per minute, the permitted SMS or text message retail charge will reduce from 6 cent to 2 cent and for data downloads from 20 cent to 5 cent per megabit. The Regulation proposes to abolish retail roaming charges in their entirety across the EU, from June 2017.

Departmental Staff Retirements

188. **Deputy Jack Wall** asked the Minister for Transport, Tourism and Sport his views on a submission (details supplied); if he will reply to the requests in tabular form; and if he will make

a statement on the matter. [3295/16]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): As my Department has not received any objections from civil servants who were retiring on reaching age 65 years, I cannot provide any of the detailed information requested by the Deputy.

I have asked the non-commercial State Agencies under the aegis of my Department to provide the Deputy with the information requested. If you do not receive a reply from the agencies within 10 days please advise my private office.

Swimming Pool Projects

189. **Deputy Emmet Stagg** asked the Minister for Transport, Tourism and Sport the funding available for the local authority swimming pool programme following his request to chief executive officers of local authorities to submit expressions of interest on 20 January 2016; and given their tag deadline for expressions of interest is 5 February 2016, when he will make a final decision on allocations. [3296/16]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): Under the Local Authority Swimming Pool Programme grant aid to a maximum of €3.8 million is provided to local authorities towards the capital costs of new swimming pools or the refurbishment of existing pools. The current round of the Local Authority Swimming Pool Programme was closed to new applicants on 31 July 2000. Since 2000, 58 projects have or are being dealt with under the Local Authority Swimming Pool Programme of which 50 have been completed and the other 8 projects are at various stages of the Programme.

I have commenced the process of opening a new limited round of swimming pool allocations. As the Deputy has mentioned, the Department recently contacted local authorities seeking expressions of interest in such an allocation with 5 February as the closing date for reply. I await receipt of that information before any further decisions shall be made.

Sport and Recreational Development

190. **Deputy Dinny McGinley** asked the Minister for Transport, Tourism and Sport the dates, details of, and decisions made at all meetings between his officials and elected and non-elected representatives regarding a sports development (details supplied) in County Donegal; and if he will make a statement on the matter. [3387/16]

191. **Deputy Dinny McGinley** asked the Minister for Transport, Tourism and Sport the details of agreements and understandings between his Department and the committee of a sports facility (details supplied) in County Donegal; if these are still in force; and if he will make a statement on the matter. [3388/16]

192. **Deputy Dinny McGinley** asked the Minister for Transport, Tourism and Sport the status of the development of a sports facility (details supplied) in County Donegal; and if he will make a statement on the matter. [3389/16]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring) (Deputy Michael Ring): I propose to take Questions Nos. 190 to 192, inclusive, together.

I and officials from the Department are working with Finn Harps and the FAI to try to prog-

ress this matter. In that regard there have been several meetings over the last couple of years, some of which the Deputy himself has attended. The most recent meeting was between the officials, Finn Harps and the FAI in November. The matter is ongoing.

Motor Insurance Regulation

193. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport to introduce legislation compelling motor insurance companies to insure vehicles that are ten years or older and which have a valid national car test certificate and not to victimise persons who possess what may be perfectly sound cars; and if he will make a statement on the matter. [3410/16]

194. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport if he is aware that insurance companies will no longer provide quotes for cars that are aged ten years or older; his views on this policy; and if he will make a statement on the matter. [3411/16]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I propose to take Questions Nos. 193 and 194 together. My responsibilities, as Minister for Transport, Tourism and Sport, with respect to motor insurance, are limited to the requirement under the Road Traffic Acts relating to compulsory insurance for drivers of mechanically propelled vehicles. I have no role regarding legislation concerning the matter raised, or for the regulation of insurance companies which is a matter for my colleague, the Minister for Finance and the Central Bank. The Central Bank also has responsibility for conduct of business rules for motor insurance companies here. The provision of motor insurance is a matter for the motor insurance companies operating in the private sector. At present there are over 30 insurers writing motor insurance in Ireland, as listed on the Motor Insurers' Bureau of Ireland (MIBI) website. I understand from Insurance Ireland that the practices of insurance companies regarding insuring older cars vary, with some not quoting for new customers for certain older cars. However, Insurance Ireland has assured me that no one will be left without insurance for a car aged 10 years or older. Insurance Ireland operates a free Insurance Information Service for those who have queries, complaints or difficulties in relation to obtaining insurance. If a person is unable to obtain a quotation for motor insurance or feels that the premium proposed or the terms are so excessive that it amounts to a refusal to give them motor insurance, they should contact Insurance Ireland, 5 Harbourmaster Place, IFSC, Dublin 1, DO1 E7E8 - see <http://www.insuranceireland.eu/contact> - quoting the Declined Cases Agreement. Under the Agreement, the Declined Cases Committee of Insurance Ireland deals with any cases of difficulty in obtaining motor insurance.

Roads Maintenance Funding

195. **Deputy Derek Nolan** asked the Minister for Transport, Tourism and Sport if he will reintroduce a funding stream for specific improvement grants; and if he will make a statement on the matter. [3451/16]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities' own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority.

In recent years, in order to protect funding for road maintenance and repair, regional and

local road improvement schemes, including the Specific and Strategic Grants Schemes, have been curtailed. I have also been emphasising to local authorities the importance of prioritising expenditure on roads when allocating own resources, including revenue from Local Property Tax receipts.

My Department's road budget will continue to be tight for the next number of years and the primary focus will continue to be on maintenance work. The 7 year transport Capital Plan does, however, provide for the gradual build up in capital funding for the road network from the current relatively low base towards the levels needed to support maintenance and improvement works.

Departmental Staff Retirements

196. **Deputy Jack Wall** asked the Minister for Arts, Heritage and the Gaeltacht her views on a submission (details supplied); if she will reply to the requests in tabular form; and if she will make a statement on the matter. [3281/16]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): I am advised that no such cases, as referred to by the Deputy, have been made against my Department.

National Parks Projects

197. **Deputy Tom Fleming** asked the Minister for Arts, Heritage and the Gaeltacht to urgently approve the required staff for Killarney House and gardens in County Kerry; and if she will make a statement on the matter. [3320/16]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): Work is nearing completion in relation to this project. The landscaping and planting of the grounds and ornamental gardens is expected to be concluded during Spring 2016. The interpretation/exhibition phase of the project is also advancing. Staffing requirements at this location, as with all other areas of my Department, remains the subject of on-going consideration in light of the overall business needs and within the pay framework approved for 2016. Once this interpretation/exhibition phase has been moved forward sufficiently, the staffing requirements of the project will be addressed. In this regard, the nature of the posts required, as well as the numbers involved and the budgetary implications, will be determined in due course.