



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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## DÁIL ÉIREANN

*Déardaoin, 5 Bealtaine 2016*

*Thursday, 5 May 2016*

Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

***Paidir.***

***Prayer.***

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### **Business of Dáil**

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** It is proposed, notwithstanding anything in Standing Orders, that the following business shall be transacted today: No. 3*b*, motion re establishment of select committee on arrangements for budgetary scrutiny, and No. 5*a*, statements on crime, and the following arrangements shall apply. No. 3*b* shall be taken without debate; the proceedings on No. 5*a* shall, if not previously concluded, be brought to a conclusion at 4.30 p.m. today and the following arrangements shall apply-----

**Deputy Mary Lou McDonald:** Will the Minister of State speak up? We cannot hear.

**Deputy Caoimhghín Ó Caoláin:** In case he tries to slip in something.

**Deputy Paul Kehoe:** It is proposed, notwithstanding anything in Standing Orders, that the following business shall be transacted today: No. 3*b*, motion re establishment of select committee on arrangements for budgetary scrutiny, and No. 5*a*, statements on crime, and the following arrangements shall apply. No. 3*b* shall be taken without debate; the proceedings on No. 5*a* shall, if not previously concluded, be brought to a conclusion at 4.30 p.m. today and the following arrangements shall apply: the statement of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin, the Labour Party, AAA-PBP, Independents 4 Change, Social Democrats, the Green Party, or a Member nominated in their stead, and a non-party Deputy, who shall be called upon in that order, shall not exceed 15 minutes in each case, and such Members may share their time; the statement of each other Member called upon shall not exceed ten minutes in each case, and such Members may share their time; and a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes; and the Dáil on its rising today shall adjourn until 2.30 p.m. on Tuesday, 10 May, when there shall be no Order of Business within the meaning of Standing Order 28, and accordingly the only business to be transacted shall be, by order, agreed on that day.

**An Ceann Comhairle:** There are three proposals to be put to the House. Is the proposal for dealing with No. 3*b*, without debate, agreed to? Agreed. Is the proposal for dealing with No.

5a agreed to? Agreed. Is the proposal regarding the adjournment of the Dáil today agreed to?

**Deputy Mary Lou McDonald:** Yesterday, I raised the issue of statements on crime and Garda resourcing, and I am pleased to see that we are having those statements and that debate today. It is, however, very disappointing and inexplicable that mental health and statements on the Irish language got written out of the schedule. It does not make any sense to do that and then to ask the House to rise at 4.30 p.m. I put it to the would-be, acting or virtual Taoiseach that we should have statements on mental health today. I am unsure whether the schedule would allow for both mental health and Gaeilge, but certainly my intention in looking for important statements on crime, gangland and Garda resourcing should not have been used as a pretext to cancel statements on mental health or the Irish language.

**Deputy Micheál Martin:** I seek clarity from the Taoiseach because we woke up this morning to the news that we might be meeting tomorrow morning to debate the election of the Taoiseach and that the various talks with the Independents were, depending on who one listens to, coming to a rapid conclusion.

**Deputy Joan Burton:** They are not here.

**Deputy Micheál Martin:** Deputy Mattie McGrath has just whispered to me that he would like some clarity on whether he will be needed for the weekend or whether he will get the weekend off.

**A Deputy:** He will flunk it. Deputy Martin need not worry.

**Deputy Micheál Martin:** In all seriousness and for the sake of Members, is there a possibility that the House could be meeting tomorrow, as we will vote today to adjourn until Tuesday? If there is not, that is fine and we have clarity on that. In essence, will it be Tuesday when we come back *vis-à-vis* the outcome of the negotiations and the election of a Taoiseach?

**The Taoiseach:** The question of a discussion on crime and gangland killings and so on is an issue that has affected everyone. Many people wanted to speak on that and that is why it is on today. Even more people wished to speak on mental health and a full day is scheduled for that next week. Obviously, we could divide up the time and do an hour today and whatever else, but the Whip informs me there are so many speakers wishing to speak on mental health that we should allocate a full day to that next week, and I think that is appropriate. The same could happen with the discussion on the Irish language, although not as many are offering to give their views on the language as on mental health.

I have to inform Deputy Martin that Deputy Mattie McGrath did a little whispering at the discussions.

**Deputy Mattie McGrath:** I am hoarse, and I was not whispering either.

**The Taoiseach:** As those discussions drew to particular conclusions, sometimes it became a little more shrill. He made his case along with many others. A great deal of drafting was done last night in respect of the issues that were raised by the rural alliance and independent alliance Deputies. That document has been drafted and is currently being discussed.

To be straight up about it, I cannot say to Deputy Martin on the floor this morning that the matter will be concluded and agreed. There has been a couple of hours of discussion on the redrafted document, which includes all the issues, including the policy issues in respect of the

agreement between our two parties, which are part of the programme for Government.

I know that once the Order of Business is outlined in the House, it has to be within the time of the sitting of the Dáil were there to be any change. Deputy Martin has asked a question on the matter. If it arises during the course of the Dáil sitting today that agreement is reached and signed on a programme for a partnership for a fairer Ireland, I will inform the Ceann Comhairle immediately and examine whether we could proceed to have the vote tomorrow. I cannot confirm it now. I will keep the Ceann Comhairle and the party leaders updated on whether that is likely to become a possibility today.

Question put and declared carried.

### **Establishment of Select Committee on Arrangements for Budgetary Scrutiny: Motion**

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I move:

“That—

(a) a Select Committee, which shall be called the Select Committee on Arrangements for Budgetary Scrutiny, shall be established to consider the arrangements that may be necessary or appropriate to develop and support the role of the Houses of the Oireachtas in the budgetary process, namely:

(i) scrutiny of revenue-raising proposals,

(ii) scrutiny of expenditure proposals and associated performance, and

(iii) review of the general fiscal position, with a view to ensuring ex ante and ongoing engagement by the Houses of the Oireachtas and their Committees in a manner intended to increase the capacity of the Houses to exercise influence and achieve accountability throughout the budgetary cycle;

(b) in particular, the Committee shall consider the procedural, administrative and statutory changes that may be necessary or desirable and, in so doing, shall have regard to the proposals made in the OECD report, Budgetary Oversight by Parliament: Ireland, and such submissions as may be referred to it by the sub-Committee on Dáil Reform:

provided that the Committee—

(i) shall seek and, if received, consider the opinions and observations of any public service body which would, in its opinion, be significantly affected by proposals before it for consideration, and

(ii) may also receive and consider the opinions and observations of such other bodies as it considers appropriate;

(c) the Committee shall report its opinions and recommendations in relation to the matters comprehended by paragraph (a) of this order to the sub-Committee on Dáil Reform not later than 35 days after the announcement, provided for in paragraph (e) of this order, of the members nominated to serve on it;

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(d) the Committee shall consist of fifteen members of the Dáil, of which four shall constitute a quorum, nominated as follows:

- (i) four members by Fine Gael,
- (ii) four members by Fianna Fáil,
- (iii) two members by Sinn Féin,
- (iv) one member by the Labour Party, and
- (v) four members by the independent members and members of other political parties;

provided that members may be substituted for as provided for in Standing Order 95(2);

(e) the Ceann Comhairle shall announce the names of the members nominated under paragraph (d) for the information of the Dáil on the first sitting day following the receipt of all nominations;

(f) notwithstanding the provisions of Standing Order 93, the Committee shall elect one of its members to be Chairman, who shall have only one vote; and

(g) the Committee shall have the powers defined in Standing Order 85 (other than paragraphs (3), (4) and (6) thereof).”

Question put and agreed to.

### **Crime: Statements**

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I very much welcome the opportunity this debate provides to discuss the measures we have taken to tackle crime in all its forms and to consider how to improve our strategies to protect and support communities throughout the country.

Crime creates victims, and even for someone who is not the victim, crime can be disturbing. It can be frightening when a house on one's road is burgled or a farm down the road is robbed or a gang-related shooting occurs in the neighbourhood, but that does not mean we have to accept it. As Minister for Justice and Equality I have been committed to ensuring that as a State we do all we can to disrupt and prevent crime and to make our streets and our communities safer.

The evil and sinister cycle of gangland violence in our capital is shocking and disturbing. The loss of life, including the lives of those who played no part in gang-related feuds, is intolerable. I am sure everybody in the House agrees with me on that. This violent feud is unprecedented in its audacity. The gangs show no regard for public safety. The events we have seen are outrageous. It should be noted that, prior to the current spate of violence, gang-related murders had fallen from 17 in 2010 to three last year. The murder rate overall was down 43% in the same period. We must not let either this record of improvement or the safety and good name of our capital city be dragged down by the violence and thuggery of these gangs.

Last week, An Taoiseach and I met senior officers of An Garda Síochána and were briefed

on the significant progress being made in investigations into recent gang-related murders in the Dublin region. I wish to commend the Garda on its current policing operations in Dublin, including those involving armed units. These operations include a range of responses such as visible policing, the use of armed checkpoints, and targeted and intelligence-based operations, all aimed at disrupting and preventing incidents - although this is sadly not always possible, as we know all too well - as well as detecting and prosecuting those involved. Work is also progressing on the establishment of an additional dedicated 55-strong armed support unit for Dublin, for which I first announced plans in February. There has been an overwhelming response from gardaí in applying for the new unit, contrary to some comments that were made at the time. It is very welcome indeed. That work is under way and in the meantime other units are doing the work. I have assured An Garda Síochána that it has the full support of the Government in its efforts to disrupt gang-related crime and it will continue to access all resources necessary, including extensive overtime, to support it in delivering concentrated visible policing measures to tackle gang-related crime.

There is absolutely no question of any reduction in resources or overtime being made available to the Garda to counteract gang-related crime. However long it takes, and whatever resources are necessary, the State will take all measures open to it to bear down on the deadly activities of gangs.

As has been pointed out in recent weeks, An Garda Síochána gains from tough legislation to tackle organised crime enacted in 2006 and 2009. The then Ministers are to be commended on its introduction. These Acts set out criminal offences and provide for strong sanctions for “directing the activities of a criminal organisation” and participating in, or contributing to, “certain activities of a criminal organisation”. Since the enactment of the Criminal Justice (Amendment) Act 2009 in 2009, 276 arrests have been made, and individuals have been charged with participating in or contributing to certain activities and with directing the activities of a criminal organisation. There have been convictions to date of people who participate in or contribute to certain activities under section 72 of the Criminal Justice (Amendment) Act 2009. These are extraordinarily difficult prosecutions, but we do have the legislation in place.

The Criminal Justice (Amendment) Act 2009 also introduced provisions to respond to the reality of intimidation by criminal gangs which were designed to tilt the balance firmly in favour of the rule of law and justice. I regret that some parties in this House continue to vote annually against the renewal of some of these special provisions and, furthermore, persist in calling for the abolition of the Special Criminal Court. I and the Government were so concerned about this that we decided that we needed a second Special Criminal Court because of the delays in the first. I recently signed the rules of court as the final step necessary to establish a second Special Criminal Court, so that we can start dealing more effectively and in a more timely manner with the current backlog of cases. Given the existence of violent criminals who will stop at nothing in pursuit of their evil objectives, including intimidation of jurors and witnesses, it is clear that the Special Criminal Court must remain as an essential element in our anti-crime infrastructure. I welcome the majority support in this House for that.

The Criminal Assets Bureau, CAB, has been invaluable and is playing its part in current operations aimed at tackling criminal gangs. It shows terrific and wonderful commitment to the pursuit and seizure of the proceeds of crime, as illustrated in the 2014 annual report that I published in January. I encourage Members to read that report.

Since its statutory inception in 1996 and up to the end of 2014, CAB has obtained interim



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orders - that is, freezing orders - to the value of over €79 million, over £18 million and \$6.6 million, and interlocutory orders, or final restraint orders, to the value of over €50 million, £3 million and \$6 million. It has demanded more than €253 million in taxes and interest, with over €147 million collected, and made social welfare savings of over €7.2 million and recoveries of almost €3.3 million. That gives a flavour of the work that CAB is involved in.

Last year An Garda Síochána established a dedicated new national drugs and organised crime bureau. During 2015, this new bureau arrested 90 people for drug trafficking offences and made 51 significant seizures of controlled drugs with an estimated street value in excess of €24 million, including cocaine, heroin, herbal cannabis, cannabis resin and ecstasy. Tactical investigations by the bureau have resulted in 238 detections and arrests for offences relating to possession with intent to supply. This also shows the scale of the challenge and it is very much an international one.

Recent high-profile gang-related crimes have regrettably manifested themselves as gun crime. I note, however, the substantial progress that has been made over the past ten years in tackling gun crime in Ireland. The number of offences relating to the possession and discharge of a firearm has fallen by 52%, from 745 in 2005 to 356 in 2015, while incidents of assault, burglary, robbery and murder involving a firearm are down 28%, from 455 to 329. This reduction in gun crime is welcome, and I commend An Garda Síochána on its work to reduce crime in Ireland. However, one crime involving a gun is still one too many, something with which I am sure Deputies would agree. We will continue to do all we can to support gardaí in tackling gun-related crime and will not let the recent upsurge in violence deter us from this goal.

Now is the time for expansion in An Garda Síochána. The last Government ended the moratorium on Garda recruitment and reopened the Garda college in Templemore for new recruits. Since September 2014 we have provided for the recruitment of 1,150 new gardaí, including 600 this year. Deputies will know that, as Minister, I have been consistent in my commitment to ongoing seamless recruitment and, subject to agreement being reached on the formation of a Government, my party has agreed to commit to increasing the strength of An Garda Síochána to 15,000. Recruitment is, of course, just the beginning.

As we know, gardaí need to be mobile, visible and responsive in communities, not stuck behind desks. We need gardaí policing our road network and tackling mobile criminal gangs. That means investing in vehicles. As everybody is well aware, the economic downturn affected An Garda Síochána, as well as every other sector of society. Now, given the improving economy, we have been able to begin to make the necessary investments in order to have the kind of organisation in An Garda Síochána that can respond to the many challenges facing policing.

We have invested over €34 million in 1,300 new Garda vehicles since 2012 and 720 vehicles have come on stream since the start of last year. Much ground needs to be made up because of the lack of investment and the recent economic situation, which is why investment is urgently required. The age profile of Garda vehicles has increased and the capital plan has allowed for a further €46 million investment, which is substantial. I accept that the investment has not necessarily been seen all over the country just yet, but anybody who speaks to local gardaí will acknowledge that the investment in vehicles is beginning to be seen around the country. More work and further investment are required, both in recruitment and the facilities required by gardaí.

We have also invested in new night-time surveillance equipment for the Garda air support

unit to track and disrupt burglars and criminal gangs from the air. The service was missing for a number of years and is now back. It is very necessary and important in terms of tracking and disrupting criminal activity throughout the country. There is a commitment to the new Garda headquarters and technology. It is very clear that the Garda, as the Commissioner said recently, is far behind in terms of technology. We have already committed to the necessary investment in technology, a total of over €200 million. Towards the end of last year, a number of new initiatives regarding technology were tendered for and are coming on stream, with some advance money being made available. More work is required.

Deputy Collins and many others have discussed the Garda's need for new technology, the updating of the PULSE system and other initiatives. Money is now available for those projects, but things will not happen overnight. For the first time there is a plan, which was brought about by detailed work between the Departments of Justice and Equality and Public Expenditure and Reform and An Garda Síochána, and there is now a costed plan in place so that the technology needs of An Garda Síochána can be met incrementally. We will accelerate that process as resources allow.

It is also very important to provide resources from the point of view of international security and being able to exchange the kind of data that we now need to exchange with other countries in order to deal with the terrorist activity and security concerns that are so prevalent in Europe today. These systems are urgently required in order to ensure that the State is secure.

I will not have time to go into the details of Operation Thor, but I have circulated to Deputies some of the results we have already seen. It involves very focused policing in regard to burglaries. It is clear that in order to tackle crime in today's world we needed to have very focused initiatives from the Garda, depending on the crime trends at any one time. As we know, in this country we dealt with subversive activity for many years which involved a large amount of Garda resources. Unfortunately, the current trends relate to burglaries, but the statistics coming from the work done by Operation Thor are very encouraging. The work, which will be enhanced by further CCTV networks, will continue.

Like every Deputy in the House, I am very aware of the impact of crime on local communities and held discussions recently with An Garda Síochána on the impact on local communities where most murders take place. It will do everything possible to liaise effectively with the communities concerned in order to provide supports. We have also doubled the funding for local anti-crime initiatives, including the Garda text alert system and schemes for rural communities. I understand more targeted funding could be very helpful for communities throughout the country in order to encourage their tremendous voluntary efforts.

I have circulated my speech to the House. I have also referred to the review of stations and boundaries and new legislation. It is important that the House acknowledges the dedicated and selfless work in which all members of An Garda Síochána who oppose criminals and support and defend local communities are engaged. That is extremely important. The Garda is the first line of defence. The service has not been without its difficulties in recent years, but it still enjoys the widespread support and appreciation of the majority of our people.

**Deputy Niall Collins:** It is opportune that we are discussing crime, law and order and justice because we have not had an opportunity to do so for some time. Everybody in the House has been provided with the most recent crime statistics from the CSO. Many of the headings make for very stark reading.



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When we debate and discuss these issues, it is valuable to receive, on a timely basis from the CSO, independently verified crime statistics. For too long we received information in a delayed manner and there was also a question mark over the veracity of the statistics we received. I have had many private communications with members of An Garda Síochána who questioned the veracity of the official figures which were published. In any event, the stand-off between the CSO and An Garda Síochána now seems, at long last, to have been ironed out and we are in possession of accurate data, which is good and helpful.

I wish to put some of the figures on the record of the House. Figures referring to the end of quarter four of 2015, comparing 2015 to 2014, show the following: homicide offences decreased by 28%; sexual offences increased by 15%; attempts or threats to murder, including assaults, harassments and related offences, increased by 11.8%; dangerous or negligent acts decreased by 1.4%; kidnapping and related offences increased by 25%; robbery, extortion and hijacking offences decreased by 2.4%; burglary and related offences decreased by 5%; theft and related offences decreased by 2.2%; fraud, deception and related offences increased by 8.1%; controlled drug offences decreased by 4.9%; weapons and explosive offences decreased by 4.6%; damage to property and the environment decreased by 4.8%; public order offences and social code offences increased by 1.9%; and offences against Government, justice procedures and organised crime, which, of course, triggered this debate, increased by 13.4%. It is a very mixed bag, but it is fair to say that the trend in some of the major headline crime categories is, unfortunately, upwards.

*11 o'clock*

That is something we must take very seriously.

Much mention has been made of gangland activity. We must collectively send out a message of solidarity from this House to the communities of north inner city Dublin in particular, arising from the instances and events in recent days and weeks in terms of gangland activity. Those communities need to hear a message of solidarity from us again. On behalf of the Fianna Fáil Party, I have met with representatives of those communities and I have visited those areas but we need, collectively, to stand in solidarity with them. I agree with the comments made by the Minister on the previous Administrations who introduced robust amendments and changes to the criminal justice legislation to deal with gangland activity. My local city of Limerick was ravaged by gangland criminality, as has been well documented, and much of the legislation that was introduced at that time was to deal with that fact. The legislation has been on the Statute Book since then and has proven to be a success.

It is ironic that the Labour Party benches are empty during this debate on gangland crime. During the week some speakers from the Labour Party were quick to point out empty benches of other political parties when we were discussing other issues. It is important to put on record again that in 2009, when the then Minister, Dermot Ahern, was steering through legislation to significantly strengthen criminal justice legislation to target gangland activity, the Labour Party voted against it. That must be said and people need to be reminded of it.

A message of support must be sent to An Garda Síochána. The Garda has a very tough job to do in dealing with gangland crime because it is now multifaceted. We know from intelligence, reporting and briefings that the people and gangs involved in gangland activity are in-

volved not just in drugs, but in people trafficking, high-value theft, racketeering and extortion. They are involved in anything where money can be made. Gangland activity reaches into every community and sector. The Minister is aware that prior to the general election we discussed the establishment of a serious and organised crime unit within An Garda Síochána. It was a central part of my party's general election manifesto. It was proposed to amalgamate the Garda national drugs unit and the Garda's serious crime unit to provide an extra dimension, capability and resource to deal with the current multifaceted gangland landscape given that those people are involved in so many areas in addition to drugs. That is of major concern to us. That is something the new, incoming Government must take on board.

I echo the comments made complimenting the members of the Garda Síochána on their dedication and the work they do. There must be a serious ramping up in recruitment. We discussed the matter many times in the House. The need for more men and women to be recruited into An Garda Síochána has been a central plank of my party's policy. Fine Gael has agreed with my party's position that the Garda force must increase to approximately 15,000. It is ironic that prior to the general election the Minister said it could not be done. Anyway, it can be done now and it should be done as soon as possible. There is a significant challenge to An Garda Síochána as an organisation to build capacity in a short period because approximately 1,500 members are eligible to retire today. They will not all retire on the one day and they might not all retire within the one year but the new Minister, whoever that will be, must examine the retirement age of An Garda Síochána because many serving gardaí have said to me that they feel the retirement age should be increased. It is debatable whether the current level of recruitment will reach the target figure of 15,000. That will take a long time unless recruitment is considerably intensified, which must be done given that so many members of the Garda force are now eligible to retire. We must be aware of the immense brain drain, ability drain and intelligence drain from the organisation and we must examine it.

The Garda Reserve is an issue I have raised on a number of occasions. Capacity in that regard is under-utilised and under-realised and there is considerable potential. There are approximately 1,000 Garda reserves. There were 1,100 but many have dropped out because they are very demoralised. They felt there was no proper career progression and that they were not being assimilated and acknowledged by the State and by the leadership of An Garda Síochána. I am still getting that message and I have had a number of communications on the matter in recent days. When the Minister engaged in the recent round of recruitment, she specified in the criteria that there would be a channel for a certain amount of members of the Garda Reserve. We must examine the model in other countries whereby the primary avenue of progression into the main force is through the reserve force.

I wish to refer briefly to an e-mail concerning the Garda Reserve without giving the person's identity. He said:

I am emailing you because I read the Kildare street forum of you questioning the minister of justice about the Garda reserve recently and in the past. I had my interview back in 2013 and passed to the following stages. I didn't get a medical till May 2015. I was then offered training in September 2015 which was cancelled and I was told November 2015 this was also cancelled. I have emailed Garda HQ and have been told that there is no plan set out for training for Garda Reserves for 2016.

The e-mail continues, but that is a flavour of some of the communication we receive on Garda reserves. We must examine the matter again.

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I agree with the Minister's comments on the Special Criminal Court. My party's position of being supportive of the Special Criminal Court is well known and a second special criminal court needs to be established in order to deal with the backlog of cases.

Fianna Fáil introduced the Assaults on Emergency Workers Bill 2012 during the previous Dáil. The Bill was accepted by the Government but parked on Second Stage. I hope that during the next term, when the Dáil reform committee reports to us and we have a reformed Dáil and Oireachtas, that we will see progression of Bills that have a lot of merit in the public interest. The Minister will be aware of the report at the weekend concerning a number of assaults carried out on members of the Limerick fire service when they attended a call-out to Garryowen, which is part of Limerick city. I personally know some of the staff of the fire service who were attacked. As an Oireachtas and society we must deal with the issue. The approach some people in some communities are taking towards assaulting emergency front-line workers is too casual. I refer to nurses, doctors, gardaí, fire service staff or emergency and medical technicians. Those people are on the front line protecting communities and people's lives and property and they find themselves coming under assault. Frustration is building and there is a negative downside to the situation. That is most worrying for communities apart from affecting morale and output. We previously introduced legislation to deal with the issue and create a red-line category of offence in that regard and it is something we must revisit in the not-too-distant future.

The Minister mentioned she had received up to 55 applications for the serious organised crime-type unit to which I referred. That is good to hear.

However, I cannot go through this debate without mentioning the issue of morale within An Garda Síochána. In the recent round of conferences held by bodies such as the Garda Representative Association, the Association of Garda Sergeants and Inspectors and so on, the issue of starter pay for members of An Garda Síochána arose. It is absolutely shocking to think that a member of An Garda Síochána who has gone through the application process, recruitment, training, passing out and then starting in a station could give it up to take a job in Tesco. Unfortunately, a two-tier salary system exists within teaching, nursing and the Garda, to mention the headline sectors. This issue must be sorted out as soon as possible because we cannot have a scenario whereby, as was reported in the newspapers yesterday, in the course of the careers of two teachers within a staff room, one will earn €200,000 more than the other. This scenario cannot persist.

Other issues such as knife crime also must be dealt with. As the Minister is aware, unfortunately there has been a spike in and a prevalence of knife crime within the capital and elsewhere in recent months. There are no acceptable circumstances, other than for a person who must carry a blade for work purposes, in which it should be permitted or acceptable for a person to carry a knife in a public place. Fianna Fáil also offered the Minister legislation on this issue and I would appreciate it were she to take time to consider it.

I wish to mention the issue of free legal aid, which has been highly topical in these environs and has been reported in the media. Consideration must be given to people's entitlement to free legal aid. All Members are practising public representatives who have people presenting to their clinics for many reasons. As late as this week, people presented to my clinic who had sought access to the free legal aid scheme for civil cases but were unable to get it because the majority of the free legal aid budget is being gobbled up by criminal cases. I refer to battered wives and people in most desperate circumstances who are trying to reconstruct their lives and are trying to sort out the legal side of it. However, they cannot access free legal aid because

legal aid in criminal cases is taking up the budget. I would like to discuss many other issues, including CCTV and the tagging of criminals. There must be tagging for people who are out on bail, and I do not subscribe to the view espoused by civil liberties organisations that this would be an infringement on people's civil liberties. As for the legislation Fianna Fáil offered on burglary and assault on elderly people, a judicial sentencing council that would promote consistency and uniformity in sentencing is required.

**Deputy Mary Lou McDonald:** I wish to share time with Deputy Ó Broin, if I may; I will have ten minutes and he will have five.

**An Ceann Comhairle:** Very well.

**Deputy Mary Lou McDonald:** First, I am pleased that Members finally are discussing these matters in the Dáil. It is of course not the first time, nor will it be the last, that issues of crime, criminality, gangland events and community safety have arisen in this House. They are ongoing issues and, as the Minister has acknowledged, they are a source of considerable distress and fear nationwide. This has been highlighted starkly in rural Ireland in recent months and years as Garda stations have been closed, Garda numbers have fallen and fear has been raised across the community. I acknowledge that this is a general problem across society and across the State.

I join with the Minister in commending absolutely An Garda Síochána on the work it does in difficult circumstances. However, I suggest to the Minister and to whomever might occupy her post in the near future that such work and commitment should not be used as an alibi or camouflage or as a diversion from the poor record of the Government, by which I mean that the service has not been resourced properly and, as has already been alluded to, Garda morale is on, and in some cases below, the floor. It is absolutely shocking and disgraceful that gardaí starting out earn an income that is barely above the minimum wage.

I was disappointed by the generality of the Minister's remarks. While she made reference to community, in the context of the recent occurrences in the north inner city of Dublin, which I represent, and in Clondalkin, on behalf of which Deputy Eoin Ó Broin undoubtedly will speak, I would have expected the Minister to have been more particular in her remarks. This is because, since 8 February, people in the north inner city have lived in a state of fear. There is no other way to put it. There have been three separate incidents, three shootings, three murders - one in Ballybough, one in Sheriff Street and one in Summerhill. When one talks to people who live in and have grown up in that community and who now are raising their own children, they will tell one they are fearful about walking to the shops, bringing their children to school and certainly about visiting any local pubs to have a drink in the evening. That is the current position. The discussion in this Chamber must work from that reality first and then build the response outwards from it. I discern no sense from the Minister of any real appreciation of that reality. Allow me to tell her what has happened in the inner city as regards policing. Since 2010, the number of uniformed officers in the north inner city has fallen by 140. This calamity is mirrored south of the river in the south inner city, where the number of uniformed officers has fallen by 160. The myth of doing more with less was the pretext of a range of cuts right across the public service. While Members heard it from the outgoing Government time and again, the reality is that at some point, this argument runs out of rope and out of steam. The obvious reality that one cannot do the same or more with 140 fewer uniformed officers becomes apparent, and in the case of the north inner city, this reality has played itself out in a gruesome fashion.

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The Minister spoke of reviewing Garda stations and their closure, but Fitzgibbon Street Garda station has been closed since 2011 and, in a cruel twist of irony, it is the Garda station that would have been located closest to two of the shootings that have occurred within the inner city. None of this is lost on the community. As their representative, I do not believe its members want me to stand here rattling out statistics or figures; they expect me to reflect the human reality of the communities in which they live. If I might be so bold, I will tell the Minister what is needed. I suggest to her that a whole-of-Government approach be adopted to the specific communities in which these atrocities are happening. I request of the Minister and of the incoming Government that a task force approach be adopted for the north inner city. This approach has been used in other scenarios, cities and localities, but I make a particular pitch for the north inner city. Supports are needed for the community, and teachers and youth groups in the area will tell one that the children there are afraid. Are the Health Service Executive and the Government prepared to provide the resources for supports, including counselling, buddying or whatever might be necessary, for those small children who are living in an environment of fear? Will the Minister provide resources to the broader community sector that advocates on behalf of communities that have been marginalised for quite some time and largely forgotten? There is a community policing forum and a plethora of community organisations which intervene with young people at risk and with those who have got into difficulties with drug addiction and substance abuse. They all have one thing in common - namely, their resources have been cut. This is a disaster for the north inner city and I wish to know whether this will be reversed. Will the Minister agree to quantify the level of investment the community needs?

I appreciate that the Minister, Deputy Fitzgerald, needs tough powers in the criminal justice code to deal with these gangland gangsters. Of that there is absolutely no doubt, but critical legislation is also needed if we are to make the north inner city and other communities safer and if we are to get to grips with the scourge of drugs and their sale. That legislation relates to prescription medicines - the blister packs, the benzos and the sleepers. In the north inner city, that is the single biggest problem concerning the drugs trade; gardaí and the community tell us so. We find ourselves in a bind, however, because these are medicines. We are asking the Garda Síochána to resolve this issue and apprehend people who are selling these drugs, although gardaí essentially have both hands tied behind their backs. Will the Minister give a commitment that in the course of this Dáil, however long it may last, we will introduce legislation to remedy that situation, thus allowing gardaí to do their job and afford some breathing space to the communities that are affected?

I am an advocate of civil liberties; I believe in the rule of law and people's rights. In debating these matters, however, it is a mistake to imagine that in one corner there are civil libertarians and, in the other, there are those who wish to be tough on crime. I do not think that is the dynamic here at all. We all live in the real world, representing families and communities. The real division in this debate is between those who recognise that the policing service must be resourced properly, consistently and fully, and those who believe one must listen to Garda officers and communities at the front line in that regard, and others who simply deal in statistics. The latter group believes that one can somehow get away with repeatedly making arbitrary cuts, while running down conditions and funding for gardaí and community infrastructures. They hope that somehow the consequences of doing so will not come back to their door. That is where the division actually rests.

We can have all the tough legislation in the world but if gardaí are insufficiently resourced to do their job, then, frankly, that legislation simply amounts to words on paper. Gardaí tell us,



quite correctly, that they cannot solve drug addiction because in many cases the root causes are so deep and complex. They are there to do their bit to keep the community safe, however. Rather than helping gardaí, whom the Minister lauds, in that task, the outgoing Government has in fact hindered and damaged their efforts.

I put the challenge to the Minister again, in general terms, for the incoming Administration to recruit and resource the Garda Síochána. She should come to the table with a willingness to listen and with a specific plan for the north inner city dealing with Garda resources. It should also acknowledge the massive damage that has been done by starving community infrastructure and initiatives of the cash, resources and personnel that are so desperately needed.

**Deputy Eoin Ó Broin:** As the Minister knows because we share the same constituency, Clondalkin is a vibrant and thriving part of our city. As a community, we take great pride in who we are and where we live. Across all sections of the community, people are working hard to make Clondalkin a better place in which to live and work.

Unfortunately, however, as Deputy McDonald outlined, Clondalkin has experienced a disproportionate level of gun and drug-related crime. Some of it has hit the headlines, including recent shootings and gun attacks on local businesses, but much of the gun and drug-related crime does not make the newspapers at all, although it still has a major effect on local communities. Whatever else we may disagree about, it is important for us to state clearly that the small minority of people involved in these activities do not represent the communities we serve. They are not supported by the overwhelming majority of people in those communities, and their actions must stop.

Our communities are not just being undermined by those involved in gun and drug crime; they have also been undermined by successive governments. The Fianna Fáil and Fine Gael parties have failed to invest in the services and supports needed to tackle the causes of gun and drug crime. They have failed to stand by the people of Clondalkin or to provide the necessary resources to make our communities safer. Deputy Niall Collins and the Minister, Deputy Fitzgerald, talk tough on crime and promise ever more draconian criminal courts, but that is no substitute for investing in front-line policing and social and economic regeneration of our most deprived communities.

The report of the first ministerial task force on drugs was published 20 years ago by the former Minister, Pat Rabbitte. It is a very important document which highlighted the link between drugs, crime, poverty and socio-economic deprivation. Those elements were absent from the contributions both of Deputy Niall Collins and the Minister. The report named Clondalkin, among other areas, as among the worst affected by drugs at that stage. It called for increased investment not only in front-line policing, but also in education, treatment and prevention.

Twenty years later, the Clondalkin drugs task force published a report only last week entitled Outcomes: drugs harm, policy harms, poverty and inequality. The report is a damning indictment of the 20 years of governments led by the Fianna Fáil and Fine Gael parties and their failure to stand by the community I represent. The report states that despite huge efforts by local community workers, addiction counsellors and other key workers, community gardaí, teachers, sports coaches and residents, things are getting worse.

One third of the population in the Clondalkin drugs task force area live at risk of poverty. Some 50% of children in key areas leave school at junior certificate level, while one in three of



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many of those children leave school unable to read or write adequately. As the Minister knows, unemployment in some estates is as high as 45%. We can see a growing influx of these young marginalised people who are attracted into the drugs trade because they are unable to access status or advancement in mainstream society.

The Minister talks of increased investment in the Garda Síochána, which is absolutely crucial, although she withdrew such investment as did the Fianna Fáil Party when in office. However, increased investment is also required for drugs task forces whose funding in Clondalkin, for example, has been cut by up to 45%. Funding was also cut by 50% to 100% for the community safety and development forums. Over the past 20 years, both the Fianna Fáil and Fine Gael parties have consistently left young people behind due to a lack of investment in social and economic opportunities.

I am deeply disappointed by the Minister, Deputy Fitzgerald, who has failed the constituency she represents. One in three children there have difficulty reading and writing, while half of them are leaving school at junior certificate level. Some 45% of households have no jobs. Unless the Minister tackles that, she will not tackle the scourge of drug and gun crime in the constituency of Dublin Mid-West or across the country. Until I hear something different from her than I heard today, I am afraid that things are going to get worse, not better.

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** In recent weeks, we have seen a string of brutal, cold-blooded murders and attempted assassinations on the streets of Dublin. It is clear that the criminals behind this murderous feud have no compassion for life, no respect for society and do not fear the State. It is, therefore, incumbent on the State to be absolutely unyielding in its response, and to ensure that the brutal thugs behind this barbarity end up behind prison bars. Communities in the north city and elsewhere, which are currently afflicted by these thugs, must get the community policing they require and deserve.

When the Labour Party took office, amid the worst economic crisis this country has ever known, the Garda had been stripped of manpower and resources by the previous Fianna Fáil Administration. In addressing the crisis, our goal was to restore the economy urgently and get people back to work to ensure room for new investment in essential public services, policing being chief among them.

We reopened Templemore Garda training college after Fianna Fáil had shuttered and closed it. We set in train the new recruitment programme which will eventually see the number of gardaí exceed 15,000. More than €34 million has been provided to deliver 640 new vehicles for the force. My colleague, the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, ensured a €160 million programme to build new Garda stations as well as to refurbish and upgrade existing ones. That is in addition to significant and important investment in the IT infrastructure for the Garda between now and 2021. If the Garda management can get that IT investment right, it will allow An Garda Síochána to deploy cutting-edge technology in the fight against crime.

White-collar criminals and others who launder the proceeds of protection rackets and other crimes and buy properties with them should not be forgotten. They allow criminals walk with glory through distressed and depressed communities. That is part of the glamour they exercise. These godfathers, and indeed godmothers, feed off, for the most part, depressed and deprived communities. They offer lifestyles to many young people who are, unfortunately, tempted by them but who end up dead long before their time. Unless we take a new approach to take out

these criminal godfathers and godmothers, we will never cut down on the problem.

The Labour Party ensured the establishment of the Garda Authority to ensure independent oversight of the force and a policing system fit for purpose. However, the fight against crime is much wider than An Garda Síochána alone. The Labour Party also paved the way for a second Special Criminal Court to deal swiftly with the most serious cases of organised crime.

This is a sore point for Sinn Féin. It blindly refuses to acknowledge the need for the Special Criminal Court at all, simply because it convicted one of its own, the so-called “good republican”, Thomas “Slab” Murphy. When Sinn Féin Deputies talk about people being afraid to walk the streets or to go into a pub, how much more afraid are people of walking into a court to testify against a criminal? That is why there is a need for a Special Criminal Court. If we are talking sense, we need to talk in the round about how we deal with an issue which, on and off, has afflicted far too many parts of Ireland and funds the kind of lifestyles one reads about and sees photographs of in the Sunday newspapers. These are the people who got rich on this lifestyle and who, unfortunately, go back to entice others into it. Sinn Féin should stop undermining this State’s capacity to deal with terrorism and gangland crime.

It is essential to remember that terrorism and gangland crime are not the only forms of crime we must tackle as a society. We must focus on ensuring our communities are safe places in which to grow up, raise a family and grow old. We must focus on ensuring our society promotes justice and fairness at all levels. These are wide-ranging challenges which need a complex array of interlocking solutions. This ranges from supporting victims of sexual and domestic violence to tackling white-collar crime to reforming our prison system, as well as much more besides.

Sexual abuse and sexual violence are heinous crimes. It is vital victims receive the support they need when they make disclosures. An Garda Síochána must be fully equipped and trained to deal with incidents and reports of sexual violence. While training in this area is available to gardaí, it is not mandatory at present. Mandatory training on sexual violence is essential for all trainee gardaí.

The signing of the Istanbul Convention marks an important milestone for all those who have campaigned for better protections and supports for victims of domestic violence. In government, the Labour Party published an action plan for the implementation of the Istanbul Convention. This included actions such as the provision of education and training of public sector staff involved in this area; development and delivery of training for legal professionals; and implementation of co-ordinated national helpline service provision for responding to domestic and sexual violence. What is now required is a new domestic violence Bill to improve the protections available to victims of domestic violence, most critically for those victims in crisis situations. Such a Bill should include measures to reduce potential intimidation; limit the requirement for victims to give evidence before large numbers of strangers, especially where the victim can seem to be on trial rather than the alleged perpetrator; bar electronic communications by perpetrators of domestic violence; and allow for interim barring orders in emergency or crisis situations. The Labour Party believes it is also essential the Garda maintain adequate contact with victims, report progress on the investigation and prosecution of their cases and ensure adequate advance notice is given about the proposed release of offenders.

Society seems to believe white-collar crime is some sort of victimless crime and those involved in it are untouchable. In essence, however, it reduces resources and causes the per-

petuation of fear in communities. It creates enormous resentment among law-abiding people who pay their taxes while seeing those involved in white-collar crime live lifestyles, both here and abroad, which no ordinary worker could afford. The Garda, the Office of the Director of Corporate Enforcement and other agencies can only do so much based on current structures and resources. The Garda should have a dedicated serious and organised crime unit, properly resourced and with the additional professional expertise it requires to tackle organised crime, cybercrime, serious fraud and suspicious financial transactions in both the public and private sector. Similarly, there needs to be a specialist division in the Office of the Director of Public Prosecutions to be actively engaged and make appropriate directions much earlier in the investigation of white-collar crime. Al Capone was not caught by traditional on-street policing methods. He was caught by a specialised bureau - a similar structure we developed when previously in government, the Criminal Assets Bureau - with the power to take action and bring perpetrators before the courts. This development included special criminal courts to allow witnesses testify who had an understandable fear of being involved in cases.

There is no question whatsoever that, for a cohort of hardened criminals and those who commit heinous crimes, they belong behind bars. However, we must examine who should be in prison. We need to look at mandating the courts to make much more effective use of alternative sanctions such as community service orders. It is also essential we continue to resource, as well as increase the resources, for projects which divert young people from criminality. I created 1,000 ring-fenced places on community employment schemes for people in rehabilitation and recovery from drugs. Amazing people are working around this city and the country to help people on the road to recovery and rehabilitation. If a person's life has been absorbed by drugs or various medical substances that he or she has been using routinely and overdosing on and he or she stops without having a job or thoughts about the future, it is essential that services are available, such as those provided by the Department of Social Protection, to offer such people the opportunity to move into full-time education in order that they can get qualifications. It is essential that those services are available. Very often, recovery and rehabilitation is a long road for many people with quite a few faltering steps along the way where people may have to try repeatedly to kick a habit that has overcome them. It involves projects at a local level to give people the support to allow them to get their lives back on track. We need to emphasise that, particularly in respect of young people who have developed addiction problems of various kinds.

There is, of course, a link between anti-social behaviour and young people who get involved in crime. We all know that anti-social behaviour is the scourge of many neighbourhoods and is very destructive of community life. It is especially distressing for older people and parents parenting alone when they become the target of anti-social behaviour. That is why community policing must be at the heart of any effective policing strategy in order that people get to know the gardaí in their neighbourhoods, build a relationship with them over time and have a resource they can go to when there are outbreaks of anti-social behaviour. Things can go back down again very quickly in a community that is developing, recovering and expanding. This can be caused by a couple of people fomenting trouble unless there is a strong community policing presence in the area. Gardaí do tremendous work every day given the dangers they face. It is more than time for the State to legislate to allow members of An Garda Síochána to join a trade union for the purposes of collective bargaining in line with the majority of other EU countries.

The Labour Party has developed specific proposals on this front. Affiliation to the Irish Congress of Trade Unions, ICTU, would be subject to representative bodies and ICTU recog-

nising the unique character of our policing services and the fact that their members voluntarily forswear the right to strike or to engage in other industrial action. The representative role and rights of gardaí would be significantly enhanced by that.

There has been much commentary around starting salaries for young gardaí. They should be examined and, in particular, it must be recognised that gardaí may be drafted to a location hundreds of miles from their home areas which means they have to rent, even when they are at the beginning of their careers. The issue of rent allowances for gardaí should be examined as a matter of urgency.

During our period in Government, two gardaí were murdered along the Border. All I can say is that we want to see working conditions, rights and remuneration of gardaí, who put themselves on the line every day in defence of the State, significantly improved as the economy grows stronger and resources become available. They are first in line for us and we should allow them to be first in line when it comes to resourcing and remuneration.

**An Ceann Comhairle:** I understand Deputy Boyd Barrett is sharing time with Deputy Copinger.

**Deputy Richard Boyd Barrett:** Yes. We have seven and a half minutes each. It goes without saying that gangland violence, feuds, executions, armed attacks, terrorising communities, violent turf wars to control the drugs trade and all the accompanying evils that go with this sort of gangland violence should be condemned utterly and we should seek to eliminate them. However, I have heard little in the way of actual solutions, particularly from the Government and the main Opposition party, Fianna Fáil. Hand wringing, condemnation and posturing - all hot air - do not solve the problem. While I have great sympathy for an under-resourced and understaffed Garda Síochána and communities, especially those in rural areas who have lost local Garda stations and who are concerned about that and want to see them returned, I believe that no matter how many gardaí are assigned to deal with this problem, it will not be solved. It has not worked anywhere else and it will not work here.

The US is one of the most heavily policed countries in the world and has one of the largest prison populations in the world, yet it is one of the most violent societies in the world and is racked with gangland violence. Despite all the efforts going back to the 1920s and 1930s to deal with mobsters, the Mafia and violent crime, it has failed abysmally. Generation after generation, gangland, Mafia-style and mobster violence reproduces itself.

Russia is another country that is particularly associated with this. Russia is a virtual police state that is incredibly repressive and brutal and is willing to use the most ruthless means to police its population generally and to go after elements, criminal or otherwise, that it considers a problem. Does it stop criminality and Mafia-style violence in Russia? Not at all. Along with the US, it is one of the countries that is worst impacted by this kind of gangland and mobster-style violence.

Deploying police to deal with the problem, building prisons and increasing prison populations simply does not work. We must deepen our analysis of why this sort of crime reproduces itself, especially in developed societies. It is quite obvious to me why this is the case. Imagine a ten, 11 or 12 year old child living in emergency accommodation because his or her family has been turfed out by a landlord, possibly for the second or third time, and the family members have no idea when they will have a permanent or secure roof over their heads. As is often the

case, they are put into hostels that are drug-infested and completely unsuitable for young people. Imagine the child's difficulty in trying to engage properly with school. In any event, guidance counsellors have been cut in schools so there is no counselling available. In the area where the child lives, youth outreach projects have been slashed where previously people were employed to reach out to young people and work with them to try to link them with important services, including mental health services, and to try to resource and provide alternative activities that would steer them away from the apparently attractive life of crime or the money that can be made from involvement in the drugs trade. What does it feel like for a ten, 11 or 12 year old in that sort of situation? Would the Minister feel resentful or angry? Would she feel as though she had any stake in society or would she feel very angry? What if that was compounded by abuse, mental health problems, a history of drug addiction in the family and there were no services available? How likely is it that one would end up involved in crime? Frankly, it is amazing that more young people are not involved in crime and that somehow most kids still manage to battle through those desperate situations despite the lack of support and resources from the health services in the area of mental health, special needs assistants, resource hours and counselling in school. Is it any wonder that some do not, that they develop resentment towards society and fall into the world of crime and drugs? What is surprising is that more young people do not.

One can identify them. During the televised leaders' debate before the election and several times in the Dáil, I raised a small project in my area called the Oasis project. I will keep talking about it because it is in one of the most disadvantaged areas in the Dún Laoghaire borough. The project workers on that project can tell who the next gangland criminals will be. They can tell at the age of ten or 11 who are the ones who will get involved in violence, drugs and criminality, but it is not inevitable. Where these small projects are in place they can save these young people and steer them in alternative directions. I can only tell the Minister anecdotally, although the World Health Organisation confirms it, that people with mental health or developmental problems are massively disproportionately represented in prison populations in every single country in the world. I can say anecdotally, because they come into my clinic and I know them from around my area, that people who were in industrial schools or Magdalene laundries, who had undiagnosed dyspraxia, dyslexia or other developmental problems, who had major housing issues or had abuse issues in their family are massively and disproportionately represented in our prison and criminal population. In all of those areas we have slashed the services and support at education, health and every other level that would help to provide alternatives and steer young people away from criminality. All the talk about dealing with crime is hypocrisy unless we get in at ground level and give our young people alternatives.

**Deputy Ruth Coppinger:** It is very apt that we are having a discussion in the Dáil on this issue because there has been an air of unreality about the proceedings of the Dáil for some time. We have not been discussing key issues that are taking place in society but the fact that seven people have been gunned down in the capital surely merits a little bit more intervention by the Government, preoccupied as it may be with other things. To give an example, the shooting in the Regency Hotel was not only traumatic for the staff but for the homeless families from my constituency who are living there, whose children had to witness that and who are still living there after 11 months with nothing done to assist them.

There was an obsession by the media in autumn 2015 and early 2016 about rural crime but all crime is important. The reason there was an obsession is because a number of politicians, some of whom are now Deputies, jumped on a bandwagon and organised major public meetings in Waterford, Tipperary and Meath on this issue of rural crime. I have not seen the same



interest by those parties in organising public meetings in areas of disadvantage blighted by the events that have been going on in recent months. The reason is that it is very easy for right wing politicians to hold meetings on things like rural crime and to give out about jeeps coming down from Dublin than it is for them to go into areas of massive disadvantage that they have gutted with cuts for the past seven years. I will give the Minister an idea of some of those cuts. From 2009 to 2013, health was cut by 22%, children and youth affairs by 29%, social protection by 29%, education by 78% and environment by 100%. How could one not expect that there would be a worsening or a fertilisation of the conditions that give rise to crime in such communities? At the same time that it was happening, 30 private schools got €115 million from the taxpayer for privileged kids who obviously become lawyers and judges overseeing the criminals in society. They got a huge subvention from the State despite not needing it. It would be interesting to see how many of them are the children of Deputies. At the same time huge cuts were being wielded in DEIS schools and areas of disadvantage. The pupil-teacher ratio rose and there were cuts in guidance counselling, which is an absolutely vital service for young people.

On the issue of drug addiction, let us be really clear, it is a problem across all social classes, as we have seen with the deaths of celebrities and wealthy people who have had drug problems but there is no question that drug addiction is a blight on working class communities in a much more concentrated fashion. It has its roots in poverty and deprivation, where drugs are an escape, have a certain glamour and are a way of earning income and status in some communities when there are no other alternatives to do so. The blame for allowing that situation to develop lies at the door of Fianna Fáil, Fine Gael and, unfortunately, Labour, which participated in the cuts that were made. If one thinks about the cuts that were wielded on lone parent families, the issues that it will have in society down the line are tremendous. It will increase poverty and pressure on families. The drug treatment programmes have been cut since 2008 by 36.9%, so people who have fallen into addiction and want to get out of it are not being given any access to do so.

There have been cuts to the Garda under austerity and one of the down sides of the embargo on recruitment was that community police who had links in communities and housing estates in my constituency were shifted away to fill gaps for people who were on maternity or sick leave etc. That is a fact. The type of crime this affected most was crime dealt with through the connection between people and community police. Throwing loads of gardaí into working class communities will not solve the problem of crime. In fact, it could make it worse. The ring of steel that the Minister set up did not save the lives of people recently. Two of the men were killed in their own homes.

In recent times, people have seen a massive contradiction whereby there seems to be huge Garda resources for things like water protests, yet there were no resources to help a woman when a barring order was being contravened. It demonstrated that the gardaí are there at the end of the day to defend the establishment and the interests of capital and corporate interests. In that particular case, it was a classic example of defending the interests of Irish Water and the businesses that rely on it. Will the Minister please now call off her wasteful campaign of political policing and the targeting of communities like Jobstown, which has suffered enough through crime and drug abuse, now that the water charges have been set aside as an issue? There were whole incident rooms in Tallaght following up one event.

Capitalism breeds crime, drug abuse and antisocial behaviour. When there is a pyramid society where all the wealth is at the top in the hands of a tiny elite, gross inequality does not just take place, it is justified and promoted - individualism at all costs, where white collar crime



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goes completely unpunished, as we have seen in this country where the bankers and speculators were not jailed but were bailed out and where supports are taken from special needs children in order to salvage and bail out the system itself.

*12 o'clock*

We have to create a completely new society. Huge wealth exists, as demonstrated by Ox-fam, the Panama papers and the wealth reports that are coming out, the most recent showing that 250 people alone have one third of the country's GDP. Unless we change this and get rid of the profit system, we will not get rid of crime and inequality.

**Deputy Thomas P. Broughan:** I propose to share my time with Deputy Clare Daly.

I welcome the opportunity to speak briefly on this important topic. I have always believed in the policy of being tough on crime and tough on the causes of crime. Along with some of my colleagues from my former party on Dublin City Council, we developed that kind of policy in the early and mid-1990s - long before the Blairites. We favoured directing resources particularly towards the second part - tough on the causes of crime - while being ruthlessly tough on people who carry out crimes.

The recent resurgence of gangland crime and daylight assassinations has brought the issue of mob crime and murders firmly back into the spotlight. We are now into the fourth month of the interregnum with acting Ministers, would-be Ministers, past Ministers or whatever. There does not seem to be any direction given to the massive fight that is necessary against the appalling events that have happened on our streets.

Like a previous speaker, I have represented some of the mothers and children who were in the Regency Hotel on the day a shooting took place. We have seen a whole litany of these murders carried out with impunity. In the past we have had similar episodes of five and six assassinations, with parishes such as mine in Donaghmede being traumatised by incidents in which someone took the life of a young man without any trial or inquiry into what he might have been involved in and then seeming to walk away with impunity, leaving the community terrorised. We have recently had seven of these murders and they follow the terrifying episodes in the past. In Dublin Bay North we have had up to six such assassinations over a six-month period.

I agree with Archbishop Martin's call for much tougher legislation specifically directed at criminal gangs and their leadership. While earlier measures in the State addressed terrorist activity, crime bosses and drug lords, it clearly did not go far enough in eliminating this horrendous criminal activity in its entirety. A few years ago I lost my job as Whip of my former party when I opposed the stupid and ill-timed opposition of the former Deputy Pat Rabbitte to the Criminal Justice Bill 2009, which sought to identify and jail directors of criminal activity. Mr. Rabbitte's stupid "liberal" reason for opposing that always escaped me, because we needed this legislation on the streets and today we need ferociously strong action to end this terrorism.

There are allegations that gangs in Ireland are being directed from abroad. During the term of the Minister and her predecessor, why has the Drugs and Organised Crime Bureau, DOCB, not applied for EU arrest warrants? Why have we not brought these alleged ringleaders back to this country for trial and punishment? Like other speakers, including Deputy Coppinger, I have sincere sympathy for those who have suffered greatly from rural crime. The upsurge in rural

crime certainly seems to have partially followed the vicious cutbacks in garda numbers over the austerity years. We learnt last year that the closure of 139 rural Garda stations saved the State just €556,000 per year, yet it seemed to have a devastating impact in terms of increases in rural crime. It is also clear that many gangs from Dublin and other urban centres were travelling to areas where they knew there was a lower Garda presence and they carried out awful burglaries, and indeed terrorised, endangered and traumatised innocent families and people. All communities around Ireland need a visible Garda presence with constant community patrols in order to combat such targeting of individuals, homes and families. However, as colleagues have said, Dublin has suffered huge levels of anti-social and drug-fuelled crime for decades, and it has always been extremely difficult to get this rural-dominated Dáil to address these issues. Sometimes in the past when we raised issues such as joyriding, drug-fuelled robberies and so on, it seemed that some of our rural colleagues thought we had two heads. I remember someone quoted in a newspaper as saying, “Don’t be wasting the time of the Dáil talking about crime in Dublin.” Now that such serious levels of crime have spread out from Dublin and other urban centres, at long last the rural Deputies seem to understand our law and order problems.

I understand the Harcourt Square Garda station, with more than 1,000 staff, including 600 gardaí, is due to close in May. However, as reported earlier this week, the staff have not yet been informed where they will be moving to. The Criminal Assets Bureau is stationed there. With such uncertainty around such a prominent move, how will it affect An Garda Síochána’s ability to investigate criminals and continue with vital work?

We have witnessed deplorable cuts in Garda services under the outgoing Government, in the numbers of gardaí on the beat, in the resources provided to them to assist them in keeping communities safe, in the closure of Garda stations and, indeed, in the restriction of hours of stations that are still open. Howth Garda station in my constituency has no night-time presence. The town and district of Howth welcomes up to 1 million people a year, with sometimes up to 40,000 or 50,000 on a single day, yet we do not have a station operating at night. My former Dublin City Council colleague Councillor Christy Burke spoke recently about the negative impact of the closure of the station on Fitzgibbon Street. That was a vital location, and Councillor Burke was correct. One wonders about the logic of that, given the vast territory and also the presence nearby of Croke Park and so on.

The strength of An Garda Síochána went from 14,547 gardaí, 478 members of the Garda Reserve and 2,105 civilians at the end of 2009 to fewer than 12,800 gardaí, 1,112 members of the Garda Reserve and 2,054 civilians at the end of 2014. Of course I welcomed the end of the recruitment moratorium and the beginning of a rebuilding of the force. However, numbers remain very low in many important districts. My constituency of Dublin Bay North comprises Garda districts J and R of the Dublin Metropolitan Region. At the end of February 2016 there were just 159 and 196 gardaí attached to each district, respectively, covering huge territories in north Dublin, such as Coolock and Swords. Of the 395 newly attested gardaí, just 29 have been assigned to the DMR North division. Overall Garda Reserve numbers have more than doubled since 2009, and it is welcome to see that members of the Garda Reserve can now have this recognised and taken into consideration should they apply to become full-time members of An Garda Síochána. On that matter I commend the Minister, Deputy Fitzgerald. Along with other Deputies, I have made representations on behalf of the Garda Reserve to the effect that their service should be taken into account. I think that was a good measure.

**Acting Chairman (Deputy Bernard J. Durkan):** There are seven minutes left in the slot.

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**Deputy Thomas P. Broughan:** I thank the Acting Chairman.

Constituents often ask whether Dublin, or the greater Dublin area including mid-Leinster, should have a totally separate Garda command in An Garda Síochána or even a totally separate police force. We have recently been commemorating the events of 1916. It should be noted that up to 1922, Dublin had a separate force. With the population of the region heading towards 2 million people, would it not be logical to have our own dedicated force in Dublin, largely recruited from within the region, where gardaí would be in familiar localities, communities and crime hot spots? They would also be living in the areas they police, which I believe is important.

I commend the local authorities, in my case Fingal County Council and Dublin City Council, and An Garda Síochána in our districts of the DMR on the joint policing committees. I continue to be a member of the north central committee and I was a member of the Fingal committee for many years. Generally speaking, the joint policing committees do a good job and it is great to have a regular opportunity to speak with superintendents, chief superintendents, sergeants and so on. I take this opportunity to welcome the new Policing Authority, which had its inaugural public meeting recently. The idea of a policing authority was first developed by colleagues and me in my former party. It later became official party policy under the Minister, Deputy Howlin, and I am glad to see it is finally being implemented. Amid all the austerity and cuts, it is one element that has been positive from the outgoing Government.

Preventing crime is a crucial aspect of security policy and there are a number of really positive programmes in that area in my constituency also. These include Garda youth diversion projects, which have been extended to Donnycarney, Fairview, Clontarf, Kilbarrack, Killester and Raheny. These are very valuable schemes that have proven their worth, particularly in the parishes of north Coolock, in the past. There are also ongoing small supports in education and clubs around the areas with significant crime rates. As Deputy Boyd Barrett noted, this is just a drop in the ocean. One still finds, including in my constituency, major important clubs and groups, such as the great Edenmore boxing club, which are still looking for a home. The boxing club still does not have a home even after all kinds of campaigns and negotiations. We also have great anti-drug programmes, such as Kilbarrack Coast, which is still asking for resources following the cuts of recent years.

The cuts to the traffic corps have been deplorable. Looking at the statistics, we can see that our own gardaí cannot carry out the number of road checks they would want to. There has been cut after cut in the traffic corps. As war is being waged in our streets again by ruthless gangs with no respect for human life or decency, the perpetrators must be detected, arrested and taken off our streets. We must put in resources for social development of areas. Being tough on crime and the causes of crime is the only way to do this.

**Acting Chairman (Deputy Bernard J. Durkan):** There are three and half minutes left in the slot.

**Deputy Clare Daly:** That is the last time I give that fellow an inch. It is almost unbelievable that we are talking about seven people being gunned down in the capital. There are people who might say it is grand as these gangs are killing each other and they are doing us a favour. As has been pointed out, there are many innocent and uninvolved people getting caught up in this. It is an appalling indictment of where we are at. The latter speakers in the course of the debate are correct in trying to emphasise that our approach to dealing with crime must concen-

trate on the root causes rather than just the horrific symptoms we have seen in the recent period. If the Government is serious about addressing crime, there are no two ways about it but that social exclusion and poverty must be addressed. Otherwise, it will simply amount to window dressing.

As Dr. Niamh Hourigan pointed out in the *Irish Probation Journal* in 2012, there are strong rational reasons to engage in criminal activity within contemporary Irish society if a person is poor, young and marginalised. Dealing with comprehensive research in the area, she points out that what we are now dealing with is a consequence of State policy over decades in failing to fill the gap caused by unemployment arising from factory closures, addiction, poverty, disadvantage and housing estates overwhelmingly made up of people without an adequate social mix. That is coming home to roost. We are talking about Garda resources and all the rest but if we do not address those issues, we will not get to the heart of the matter. Any discussion on crime cannot take place without a comprehensive approach to the drug problem in our society.

There are two issues. Users of drugs are engaging in petty or more serious crime to feed their habit and there is a lack of resourcing to support them. More important, there are massive profits in the drug trade as a result of our policy of prohibition. It is as simple as that, particularly when we deal with drugs like cannabis. It is almost unbelievable that in the last Dáil, only eight Deputies voted to legalise cannabis. Not only would that develop a revenue stream for the State, but it would take a lucrative first step into the profits of many of these gangs. If we really want to deal with them, we must deal with them through their bank accounts. The response we have been hearing, of course, is talk of arming gardaí with AK-47s and the Special Criminal Court. I was disgusted to listen to the Tánaiste using this serious debate to have a pop at Sinn Féin over the Special Criminal Court. Traditionally, the Labour Party prided itself as being on the side of the Irish Council for Civil Liberties and the European Court of Human Rights, all of which have indicated that the Special Criminal Court is an abomination in terms of human rights. Not only that, it does not work; it has existed for years and I have repeatedly been told through answers to parliamentary questions that it is to deal with gangland crime but it has not worked. If we keep going down this road, that will not work either.

I agree with the points made about Garda resources. This is not just about numbers, but rather where the people do their work. We must take into account morale or the lack thereof. The policing service must be radically overhauled. We cannot deal with the issues of drugs and crime if we do not deal with the prison system. Rather than being a facility to rehabilitate and reintegrate people into society, prisons are a breeding ground for further criminal activity and drug abuse, given the amount of drug use rife in our prisons. Any attempt to deal with these issues must consider them holistically.

**Deputy Catherine Murphy:** Recent events in the north inner city have been stark but, unfortunately, not unusual. The cycle keeps repeating, sometimes in a more dramatic fashion than other times. There is a certain element of compartmentalising this to a particular part of the city and country and that resonates with what happened in the early 1980s, when the drug scourge started to become evident in that part of the country. What became very clear was it did not stay in that area, so it is very important that people do not presume that this will be compartmentalised, horrific and all as it is.

Even behind the high-profile recent gangland murders, there have been a number of other shootings, with less attention paid to them because it is a regular occurrence. Generally speaking, the areas have one element in common in that there is a culture of deprivation. There is

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a disproportionate amount of child poverty in areas where these kinds of events occur. There is underinvestment and a proliferation of societal problems because of poor policy. That goes from underinvestment in community initiatives and diversionary programmes to housing policy; it goes right across the spectrum. If we are looking for the root cause, we do not have to look very far.

We almost have a particular mindset in this country not just in this area, but in many others, of creating problems and then solving them rather than planning, predicting and preventing, as we see in other jurisdictions with a better outcome. We tend to have a reactive rather than proactive response. There is investment in specific Garda operations after the fact, for example, rather than planning, over time, investment in communities and youth initiatives that would create diversionary activities. Such initiatives were the first programmes to be cut, including Young Ballymun. We are being told there is to be much investment in programmes but they are still under attack, which is quite extraordinary.

It is interesting to pay attention to what is being said by locals on the news in recent weeks. A number of women spoke about their communities and they make complete sense. They argue that there are mid-level players in communities who demonstrate a value in crime as they drive fancy cars and wear the latest fashion. It shows there is a benefit to it. That needs to be tackled if we are to prevent the situation being allowed to get out of control, as happened in Limerick, where there had to be a large reactive response because although it was plain that a problem was building, it was not addressed across the spectrum in a strategic way. It is also at that level that we need to look at issues such as the assets these individuals are building up and how these empires are built. They do not just emerge; they are built by virtue of low- and mid-level activity and then we end up with these people who are very difficult to deal with and who often operate from outside of the country.

We were told earlier that community policing is key, and it is. What annoys me is the distribution of gardaí. I am going to divert to my constituency in drawing attention to this because there are broad disparities in how gardaí are dispersed. Every year a policing plan is introduced to the Dáil and it is the same every year, with a little bit of a tweak here and there, yet crime rates are different in various parts of the country and the population grows and falls, as can be seen particularly clearly in years where there is a census of population. Looking at community gardaí, there are zero in Kildare, according to the latest statistics. Then in Tipperary there are 90. In the Dublin metropolitan region north there are 68 gardaí. Why would that region have fewer community gardaí than Tipperary? Some of this just does not make sense. The low-level stuff, the antisocial stuff that was talked about earlier, happens everywhere, and unless that information can be gathered, how can we respond to it? Every year there is a policing plan and I have raised this with the Minister, who tells me that it is the Garda Commissioner who needs to deal with this. When I go to the Garda Commissioner's office, they divert me to the assistant commissioner, but the assistant commissioner does not have responsibility for the allocation of gardaí, so I am going around in circles.

This problem is not only about the distribution of gardaí and different elements of policing. If one looks, for example, at the money that is allocated to youth programmes, there is no logic to it either. We do not tend to see these as issues that one looks at strategically before allocating funding on the basis of need. If we did that, we would get better outcomes. I table parliamentary questions all the time to update these statistics and I have sent a copy of these to the new Policing Authority, which is looking at the policing plan. Hopefully that will make a difference. Gardaí need to be distributed on the basis of need, which includes crime rates and population.



For example, I found that Kildare has the fourth lowest rate of drug offences per 100,000 of the population and the third lowest rate of drivers driving under the influence per 100,000 of the population. One might think that it would be great to go and live in Kildare if it is that good. The reality is that we have the lowest ratio of gardaí to population and these are the kind of crimes that are not detected, because we need a proactive policing programme to do so. Essentially we are saying we do not count them, we do not see them, so they do not happen. That is not the way to police. I am obviously using Kildare because it is an area I am very familiar with. The same argument could be made for Meath or Wexford. One of the things those areas have in common is a high population growth rate without a response in terms of investment in resources, such as gardaí, youth services or HSE services, and so on. They are always playing catch-up. The point I am trying to make is that unless we do it strategically and start planning, predicting and looking at the evidence, we will continue to have this pattern. I do not consider it an acceptable way to deal with something as important as people's safety and security.

I talked to many gardaí on the doorsteps during the election campaign and even when resources exist, the issue of the kind of equipment they are provided with came up several times. It was, therefore, not a big surprise when it emerged as an issue at the Association of Garda Sergeants and Inspectors, AGSI, conference, where they were saying they were not equipped and they drew attention to the fact that the first people to respond to the Regency Hotel incident were not permitted to put on a blue light because they had not had training. If they are telling us that, we need to be listening and responding to it. In my area, for example, we have had situations where gardaí were sent out on their own to respond to a crime, where they were putting themselves at greater risk than one would expect they would need to. We have seen a situation where that happened in County Louth too and there were tragic consequences for the garda involved. I have had gardaí tell me they are afraid because they know the back-up is not there. It is putting them at risk as well.

We are looking at areas of crime, but the under-resourcing of the fight against white collar crime is a major issue. The Social Democrats have suggested an anti-corruption agency, because we need to change behaviour and we need to put in sanctions. Otherwise, we are going to see things like the Panama papers and people making excuses such as that they did nothing wrong. I am asking why they did nothing wrong if they are stashing away money. I am not saying they are all doing it, but one can be absolutely certain that a decent proportion of them are. The defence is immediately put up that nothing wrong was done.

In the area of the Special Criminal Court, it has been said on a number of occasions here that this court represents a failure in many respects. I certainly would not want to put individuals at risk. We saw that it was used very effectively in respect of some of the issues that arose in Limerick. However, if we keep on relying on that as a solution, we are accepting that we can never comply with international human rights standards in terms of how our court system functions. Unless we get to the point of predicting and preventing crime and unless we catch people at the lower level in relation to the kinds of crime we are talking about, which have occurred in the city here, we are always going to have a situation where people are built up to a point that we need the Special Criminal Court. I would not want to put individuals at risk of being threatened or intimidated, but we need to have an honest debate about our reactive approach to things. We need to be going in a different direction and taking a more proactive approach. That includes investment in things that actually cost much less, namely, community initiatives, homework clubs, diversionary programmes and investment in sports or leisure facilities. Those things, when one looks at them over a period of time, become very cheap when one considers



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the kind of response that is needed now and the kind of cost that is paid by the community that is subject to the latest - it will not be the last - range of incidents around this gangland element.

**Acting Chairman (Deputy Bernard J. Durkan):** Deputy Mattie McGrath is next on the list of speakers but tá sé as láthair. I invite Deputy Colm Brophy to make his statement.

**Deputy Colm Brophy:** I thank the Acting Chairman for allowing me to make a contribution to the debate. This is my second contribution to the House since my election. I took the opportunity this morning to sit here and listen to the contributions from other Deputies. Obviously, as would any Deputy, I had prepared some remarks but I am going to change some of my contribution on foot of things I have heard here today.

My background is as a councillor representing Tallaght, Templeogue and various parts of the community which make up my constituency of Dublin South-West. It is a constituency with many communities that have been blighted by the issues being talked about in the Chamber this morning. It is a constituency of people whom I am very proud to represent, particularly the families in those communities who work on a daily basis with all the agencies, both State and community-based, to ensure that their families and children will grow up to have a decent life and a decent set of values.

It sickens me when I listen to the almost apologist argument by certain people who talk about those who come from a community of deprivation as though they automatically end up in crime. That is actually an insult to the thousands and thousands of people who raise their children without that outcome. It is an awful shame that those Deputies all decided to make their contributions and walk out.

Another point that absolutely stunned me was Deputy Ruth Coppinger's contribution about political policing by An Garda Síochána. That is absolutely a slur on every member of the Garda, whether they are recruits in Templemore today or the Commissioner, and every rank and file member in between. The gardaí of this State do an incredible job under really difficult circumstances to protect our communities and the people living in them. Gardai are the people who run towards what all of us run away from. They deserve our support. To imply in any way or to directly state that they are engaged in political policing is a slur on those members and what they do on a day-to-day basis. I hope Deputy Coppinger might consider coming back to the House to withdraw that.

**Deputy Niall Collins:** There is no chance of that.

**Deputy Colm Brophy:** There are other aspects of this matter that I wish to comment on. Gangland crime is one of the worst things to afflict this nation in the past number of years. For decades it has come and gone, peaking at various times, but it never goes away. Governments of all hues have put means in place to try to tackle it. I welcome those interventions by Governments, regardless of where they came from or what they did. I find it deeply annoying that members of a particular party, Sinn Féin, talk constantly about a whole-of-government approach to problem solving - the expression used by Deputy Mary Lou McDonald today - and yet refuse to participate in any discussion to form a Government. They flip-flop on this; they talk about the effect of crime on communities, but at the same time they want to take away one of the key measures in dealing with the matter, which is the Special Criminal Court. We need a slightly more honest approach from Deputy Eoin Ó Broin, who served on South Dublin County Council with me. He knows very well - this was alluded to by another Deputy - that

while one must tackle the causes of crime, dealing with serious crime means the State must have the means to put those people into jail and make sure they serve long, proper sentences for the crimes they commit. The State cannot tolerate criminals going into hotels or people's homes with AK-47s and shooting randomly, killing innocent people and victims whom criminals feel they have a right to kill. They have no right to commit any type of crime. When they are caught, we need a court system to enable us to put these people into our prison system and keep them there for the length of time they deserve. In my opinion, the Judiciary needs to look at this issue. We need longer sentences, particularly for the most violent criminal offenders in this State, who all too often are back out far too quickly in view of the level of crime and the violence they have wreaked upon a community. After they have committed the crimes, their sentences do not reflect what actually happened.

My constituents are ordinary people living their lives, just like us. There is a particular aspect of gangland crime that has been raised repeatedly by my constituents, especially by those people who are living in communities affected by crime. It is the glorification of gangland crime by certain sections of the media in this State. The media is literally portraying crime in episodes on a weekly basis, as if was a soap opera. The criminals are given nicknames, front-page stories and pictures that turn them into some version of a misguided celebrity superstar. It gives all the wrong impressions in terms of what we should hold as proper values in society. These people are not front-page news stories; they are not super-celebrities or movie stars. They are thugs with guns who kill people. While I absolutely commend the media on the proper reporting of violent crime, which is essential, I will always caution against this sort of thing. When people are tuned into mini-celebrities for the sake of selling newspapers, it is an insult to the victims of crime, the Garda and every single decent person living in this State who does not want to see these people glorified. I thank the Acting Chairman for the opportunity to contribute to the debate today.

**Acting Chairman (Deputy Bernard J. Durkan):** Deputies Frank O'Rourke and Anne Rabbitte are to share speaking time.

**Deputy Frank O'Rourke:** I am delighted to have an opportunity to contribute to this debate on crime. Over the last two days the issue of crime has been raised with me by two constituents, one of whom is a retail outlet operator who experienced an attempted robbery, while the other is an older person who shared her concern about being the victim of a burglary or an assault. The confidence and supply arrangement that Fianna Fáil has agreed with Fine Gael provides for an increase in Garda numbers up to 15,000, investment in CCTV and a mandate for the Policing Authority to oversee a review of the boundaries of Garda districts and the dispersion of Garda stations. I welcome these measures. The commitment to increase Garda numbers is particularly relevant to Kildare. I know that Kildare Deputies in the past have already made this point and I want to reiterate it today: Kildare has the lowest number of gardaí per head of population in the country. As additional gardaí are to be recruited, I feel that a bonus number should be provided to Garda divisions such as Kildare, which have a low ratio of gardaí per head of population, in order to address the imbalance in Garda resources. This can be achieved over time.

There are two main points that I wish to raise in this debate. The first is the possibility of increasing the number of civilian staff in the force to enable gardaí to concentrate on front-line activities, while the second point relates to the concerns of older people about crime. I have campaigned to increase the number of civilian staff in the Garda. Building upon the findings of the Garda Inspectorate report, there is a clear need to ramp up the use of civilian staff in the force. By increasing civilian staff, we could alleviate the administrative burden currently

placed on gardaí. New workforce planning and outsourcing of certain non-essential duties would help to free up gardaí to get them back on the beat, visible in their communities and directly tackling crime. Civilian staff currently provide several vital operational supports in areas such as the Garda Vetting Unit, the Garda Information Services Centre and the fixed-charge processing office, all of which employ civilian staff successfully. They also provide vital support in a range of other services such as human resources, training, IT and procurement. In doing so they release trained gardaí from administrative duties and make them available for operational policing. There is value in exploring further opportunities for increasing the ratio of civilians to gardaí, which will result in a further transfer of gardaí from administrative and other positions to front-line duties. The transfer of border control functions at Dublin Airport from An Garda Síochána to the Irish Naturalisation and Immigration Service, INIS, is an excellent example of this.

I know from my clinics that families and elderly people, in particular, are living in fear of crime. Hardened burglars are not afraid to commit crime because of lenient sentences and low Garda numbers. A set of specific measures to tackle burglaries across the State should be put in place which should include mandatory sentencing for repeat burglary offenders and electronic tagging for repeat offenders on bail. Ensuring CCTV cameras are located at all major road junctions to enable An Garda Síochána to identify and apprehend criminal gangs using the motorway network is vital. Last year, Fianna Fáil published a Bill to introduce a mandatory three years in jail for criminals convicted of burglary and a minimum of seven years on a third burglary conviction.

We believe that there is a need for tougher sentences for those guilty of particular abhorrent crimes, namely, assaults on older people. It is important that we send a strong and clear message that assaults on older people will not be tolerated and will be severely punished. There has been a significant increase in rural isolation, particularly affecting older people, which has led to an increased vulnerability and a greater fear of crime in many communities. There has been a number of high profile cases of older people being targeted in their homes by burglars. In response to this, during the last Dáil we published legislation which specifies a minimum prison sentence of three years for people convicted of assault causing serious harm to older people and threatening to kill or cause serious harm to anyone aged over 65. While crime against older people is not specifically recorded as a heading in the CSO, there is considerable anecdotal evidence that people are more vulnerable to attacks as a result of increased isolation. In December 2014 the Commissioner for Older People for Northern Ireland called for specific targets to be put in place to target crime against older people because such crimes were less likely to result in prosecution. We are seeking a similar analysis here to establish the rates of success in bringing crimes against older people to a successful court outcome.

**Deputy Anne Rabbitte:** I also welcome the opportunity to speak on crime. I come from east Galway in rural Ireland where crime is prevalent. Like Deputy Brophy, I too had a speech prepared but I will change it. This is because I wish to respond to Deputy Coppinger and her take on rural crime and the meetings that were held down the country. However, let me also bring to her attention that, even though Fianna Fáil had no Deputy in Dublin until the last election, we as a party went out and held meetings in Drumcondra, Castleknock, Ballyfermot, Finglas, Tallaght and Goatstown. They are all well inside the M50. That is not rural Ireland. We also held meetings throughout rural Ireland. One was held in my constituency of Galway East. My colleague, Deputy Niall Collins, held it in Tuam.

Our approach to crime should not be based on boundaries. Crime in the ganglands of

Dublin is every bit as important to those inside the M50 as it is to the old people afraid to open their doors in east Galway. Those people are absolutely terrified. We, as a party, spent our time speaking to the people on the ground, listening to their fears and incorporating them in our legislative programme. That is good governing and governance and how the party operates.

Moving along, the issue that mostly affects me in east Galway, and it affects many in rural Ireland, concerns Garda vehicles. One of the first parliamentary questions I tabled on taking up my seat was to the Minister for Justice and Equality and related to cars and vehicles. We lost Garda stations in east Galway as well as numbers in terms of boots on the ground, but we also lost cars. In 2011, we had 17 cars in east Galway. As of April 2016, we have 12 cars. We are down boots, cars and Garda stations. This has a direct impact on anti-social behaviour and the elderly people living in fear. I most felt that the elderly were living in fear when out on the canvass. The simple reason was that they did not answer the door. They were afraid to answer it because they did not know who was at it. They locked their doors from 4 p.m. onwards because they were afraid of who would come. They did not know who it might be. Much of it is glamorised in the media, believe it or not. It might be glamorised but it is very much people's reality and experience.

Given the motorway network now in place, I welcome the suggestion about increased use of CCTV. There are those in satellite towns outside Gort and Tuam who will be in fear of 4x4s, as they say, coming down from Dublin or any larger town. Towns such as Gort, Loughrea, Abbeyknockmoy and Headford are now open territory. The car will be able to come in one way and out another. We need to examine the possibility of installing CCTV in satellite towns. It would be an added source of support to the people living in those areas.

I referred to what was depleted, but it is also important to acknowledge the good work done by the gardaí on the ground. Having spoken to the Chief Superintendent in Galway, I know they have a structure in place. They know that there are people living alone and they have a way of going around, identifying them and calling in and checking on them. That has to be acknowledged and appreciated. However, they need more people to support them. The starting salary of gardaí in An Garda Síochána is appalling. When we hear that people are leaving the force to work in Tesco, we have to question why. In all fairness, they walk into situations from which the rest of us would walk away. We have to acknowledge that when the next pay agreements are coming up. The pay arrangements for gardaí, nurses and teachers in terms of their starting salaries are not encouraging them or enticing to them.

Deputy Ruth Coppinger spoke earlier about giving out. I have solutions. Any of us who come into this House should be coming with solutions. One of my solutions is to free up Templemore. We should go back to the way we did it years ago, the six months in training, and accelerate it at the beginning so that we can get boots out onto the streets. As time goes on, we can bring them back in to finish off their training. However, we need to accelerate getting boots out on the street.

Another solution is a vehicle leasing programme. A leasing programme would mean we would always have cars on the go. It would also mean that if a car needed to be serviced another could replace it. A leasing programme would also free up Exchequer funds. It could be done through the public procurement process and we would have 4x4s and different sorts of cars. It would mean that we would always have the support needed.

It would be remiss of me not to acknowledge the role of the joint policing committees and

what they do in the local county councils, working with the IFA and the other agencies involved. They play a huge supporting role and Oireachtas Members are also part of it.

**Deputy Jonathan O'Brien:** Like previous speakers, I had a few written notes but I will also go off script based on what I have heard since the start of the contributions. To be honest, I am a little disappointed with the debate. This is not for any particular reason. However, one of the issues where there should be no difference of opinion is that of condemning criminality, but we have made a political football of it. That is a very sad indictment of this House, in particular, where people have taken the opportunity to criticise political parties and their particular stances on certain issues. This does not do justice to the communities living in fear of and under severe pressure from these criminal gangs and which are trying to deal on a daily basis with all its consequences.

The debate has also shown up the difference in people's attitude to crime and how we approach it. I heard some contributions which dealt solely with reactive measures to crime while, on the opposite end of the spectrum, there were those who were trying to address the issue proactively. We need to marry the two positions. Let us consider what has happened recently, in particular in Dublin, although it is not confined to Dublin. As the previous speaker said, crime knows no bounds. Types of crime may impact on particular areas more than others but crime itself knows no bounds and gangland crime knows no bounds either. Gangs may be based in Dublin, Cork, Limerick and the larger urban areas but their tentacles reach out into rural Ireland as well. Everyone suffers as a result of these criminals.

In looking at the issue we have to look at the intimidation, coercion and violence of these people and how they thrive on fear and the intimidation of local communities. We have to consider the local communities in trying to address those problems. The Acting Chairman will forgive me but I do not recall the name of the Fine Gael Deputy who spoke before me because there are so many new faces in the House.

**Acting Chairman (Deputy Bernard J. Durkan):** It was Deputy Brophy.

**Deputy Jonathan O'Brien:** I agree completely with one of his points. He said that there is almost a perception that if a person comes from a disadvantaged community, he is automatically going to grow up to be involved in crime. That is not always the case - we all know that. However, Deputy Brophy needs to recognise the reality that if a person comes from a particularly disadvantaged or marginalised community, that person is more likely to be involved in crime. It is not an automatic presumption, but it is more likely that such a person will be involved in crime. We need to recognise that and put in place some solutions to address that inequality.

We need to consider how we tackle crime. One example is a particular bugbear of mine for personal reasons, and people know that. When we talk about addiction, we criminalise people who have an illness. The people who are addicted to drugs have an illness. No one sets out to be addicted to heroin or to have a dependency on prescription drugs. It is an illness, yet we criminalise those involved and it does not work. We have been doing it for 40 or 50 years and gangland criminals have thrived on it. I am thinking back to the likes of Tony Felloni. Back 40 years ago we had the same situations and it has been the same with everyone who came after him, including the Dunnes, the General and so on. They have thrived on a society dealing with drug addiction as a criminal issue. We have to change that. We need to stop criminalising communities and addicts and deal with the problems from a public health point of view. Unless we start dealing with addicts with compassion and understanding rather than the general perception



that they are the scum of the earth, then we are not going to address the root causes.

Having said that, we also need to tackle some of the causes and why people become involved in addiction. These include problems associated with poverty, housing, marginalisation and lack of opportunity. I agree with the Fine Gael speaker before me. That a person may suffer from poor housing or living in a marginalised community does not automatically mean he will become an addict or involved in crime, but it does increase the likelihood of it. If we are serious about tackling gangland crime, one of the first things we need to do is look at how we approach the victims of gangland crime. In many cases, the victims of gangland crime who are involved in the drugs industry are the addicts themselves. They are victims, not criminals. I am getting a little sick and tired of people coming to the Chamber talking about crime but totally ignoring the reasons and root causes.

Let us consider the Criminal Assets Bureau and the associated legislation we brought in. I completely agree with CAB. It has done magnificent work in trying to tackle the drug lords. The Minister provided some of the figures earlier on the amount of money and assets CAB has seized. Where is all that money going? Little of it is going back into the communities that have been ravaged by drugs.

During the previous Dáil I tabled a question on where the money seized by CAB went but I could not get answers. Then I drafted legislation on the matter. The idea was that the proceeds of crime confiscated by CAB would go directly back into communities which had been ravaged by it. The legislation was ruled out of order because it was a money Bill. In 2003, people in the Fine Gael Party produced similar legislation but when the party was in government, it would not do anything about it.

I have no issue with the concept of CAB but certain communities are being ravaged by drug addiction. The response of the State is to criminalise the addicts and cut resources to community groups and community development projects that are trying to tackle the issue at the coalface. We need to reverse completely the way we deal with it.

Many people have said we need more gardaí on the streets. Getting more gardaí on the streets is part of the solution but putting more gardaí into disadvantaged and marginalised communities where addiction is rife is not going to solve the problem. Unless we deal with the actual problems that exist, including poor housing, poor opportunities and cuts in resources and local community development projects, then we are going to perpetuate the problem. Right now, in some communities in the State, a ten year old child is struggling in school. His parents are trying to access resources and do the best they can by the child, but if we do not intervene at an early stage that ten year old child and others like him could be the next Larry Dunne or the next General and we will have no one to blame but ourselves.

**Acting Chairman (Deputy Bernard J. Durkan):** Deputies Hildegard Naughton and Peter Fitzpatrick are next. I understand they are sharing ten minutes.

**Deputy Hildegard Naughton:** I represent Galway West, which includes south Mayo. My constituency is partly urban and partly rural. There is sometimes an inability among some to put themselves in the shoes of those who live in isolated communities. Some people sit in an office in Dublin and make decisions on the allocation of Garda resources. I wonder if they realise what it is like not to have anyone or anything within walking distance or what it means when the local post office, Garda station, school or any service may be many miles away on roads that



are in less than optimal condition.

We may say to people in rural Ireland that mobile patrols will provide policing as efficiently as their local Garda station but it does not resonate. Whether the statistics bear it out, the simple fact is that a local Garda station makes people in rural Ireland feel safer. Their local garda knows everyone in the area, new and old. This is community policing at its most basic and effective. Naturally, I appreciate that we cannot have a Garda station at every point where someone requests one. However, I very much welcome the agreement to mandate the Policing Authority to oversee a review of the boundaries of Garda districts and the dispersal of Garda stations. When that process is complete, I hope Members will adhere to the recommendations and not make a political football out of it.

Of course additional Garda numbers will help, and the proposal to increase Garda numbers to 15,000 is very much to be welcomed. In addition to the building of new stations, including the new divisional headquarters in Galway, this will go a long way to alleviating concerns among the public. Additionally, the new Criminal Justice (Burglary of Dwellings) Act 2015 introduced a significant tightening to the bail laws and the roll-out of Operation Thor to target rural crime. All that is very welcome. Members should note that the number of homicides and burglaries has actually reduced since 2011, despite assertions to the contrary. However, I fully accept that there are issues other than numbers and statistics. There is ample evidence that the Garda is not resourced in important technical areas.

I wish to highlight the report of the Garda Síochána Inspectorate published last December. The report recommends the establishment of a serious and organised crime unit to tackle organised criminal networks. This would include a new cybercrime unit and the assignment of responsibility for serious fraud investigations. A serious and organised crime unit would provide an agile, multidisciplinary investigation team to follow the criminal and not only the crime type.

*1 o'clock*

Additionally, it recommends removing functions such as serious fraud investigations and suspicious financial transaction reports from the Garda Bureau of Fraud Investigation and placing them within the serious and organised crime unit, SOCU, and the Criminal Assets Bureau, CAB. It does not say this just for the sake of it. The inspectorate points to huge shortcomings in the investigation of serious white collar crime. This is not a result of unwillingness on behalf of the excellent gardaí in such units; it is because they have neither the expertise nor resources. For instance, there is a huge financial services sector in Dublin and the plain fact is that it is not being policed as it should be. It cannot be, as the gardaí are not resourced to do so. We all at this stage know the perils of light-touch regulation and enforcement. These are issues that need to be addressed as a matter of priority. Gardaí are the backbone of our civil society. For all our sakes, they need the support they deserve.

**Deputy Peter Fitzpatrick:** I welcome the opportunity to contribute to today's debate. Crime, as we all know, is a major problem in our society today. We have all read about and seen on TV the latest gangland murders. Even though it is primarily the gangland murders in Dublin that grab the headlines, it should be noted that crime affects every community throughout the country, including my constituency in County Louth. Over the past five years, Fine Gael, despite the desperate financial situation left by the previous Government, attempted to maintain

and in many cases succeeded in maintaining a fully resourced and functioning Garda presence.

Fine Gael's response to crime is focused on two main areas: investment in more gardaí and vehicles, and strengthening the law to get tougher on serious and repeat offenders. The Minister and her predecessor, Deputy Shatter, introduced much legislation that was badly needed, particularly in the areas of burglary and bail reform. Targeting repeat burglars, the Criminal Justice (Burglary of Dwellings) Act 2015 will require that the District Court provide consecutive jail sentences where the burglar is being sentenced for multiple offences. More importantly, the new legislation will also allow the courts to refuse bail to offenders who have a previous conviction for domestic burglary coupled with two or more pending charges

With respect to bail reform, it has been accepted that there is a need to modernise and streamline our existing bail laws. With this in mind, the Minister published the general scheme of a new bail Bill last year. This new Bill will not only improve the operation of the bail system but also prove more effective in protecting our citizens and their property against crimes committed by people who are on bail. The reforms in the new Bill include a provision whereby the courts must give reasons for bail decisions, new powers for the Garda of arrest without warrant for breach of bail conditions, and the power for the District Court to refuse bail where there is an appeal against a sentence of imprisonment imposed by that court. The new Bill will also place clear requirements on the courts in considering bail applications. They will be obliged to have regard to the fact that a person has persistently committed serious offences while on bail and to hear evidence from the victim of a crime before a bail decision is made. The bail Bill will also make provision in respect of electronic tagging. While there are some concerns about this, it is recognised that careful use of electronic tagging can be very effective in ensuring that bail conditions are met.

Operation Thor was launched last November, facilitated by a special allocation of €5 million. It included a broad range of activities such as additional high-visibility patrols in targeted areas, increased use of checkpoints to tackle criminal gangs using the national road network, the use of new high-powered vehicles by the armed regional response units, increased efforts to disrupt the stolen goods market, and targeted crime prevention advice for communities. In my constituency of Louth there is a large rural community and rural crime is a big issue. Operation Thor has proved very effective in combatting rural crime in Louth, and I know from a recent meeting of the local policing forum that crime figures in the area have declined since its introduction. My constituency has seen its fair share of gun crime in the past few years, including the murders of two serving gardaí, Adrian Donohoe and Tony Golden. I knew both men and their murders had a profound effect not only on their families but also on the wider community. Their murders have not been solved, and I look forward to one day seeing the people who committed these horrible crimes face the courts and serve their remaining days behind bars.

While I am delighted to see the many improvements brought in by the Minister for Justice and Equality, Deputy Fitzgerald, in respect of legislation, I believe we must do more. I call on the Minister to maintain the extra Garda presence in Louth that was introduced in the aftermath of the murder of Garda Tony Golden. This extra presence has proved very effective in reducing crime in County Louth. I have noticed a much-increased Garda presence in Dundalk and the rest of the county, and many constituents have commented on this. I am also calling for extra Garda resources in the mid-Louth area, including Ardee. The extra resources needed for this district are three sergeants and eight gardaí.

I welcome the opportunity to speak today and look forward to hearing other Members' con-

tributions.

**Deputy John Lahart:** I welcome the opportunity to participate in this debate and I have listened with interest to some of the contributions, which were varied, dealing with everything from the Government's response to the policing issues we have faced over recent years to the roots of crime.

I have lived in the Rathfarnham Garda district for almost 52 years. Burglaries have risen in that district by an unprecedented 66% in the past year and a half. I have never witnessed anything like that spike in burglaries in my 26 years living in Knocklyon and 50 years in Rathfarnham. To establish the root cause is difficult. The proximity of some of those areas to the N81 and the M50 allows speedy access and exit to would-be burglars. In part it was due to the reduction in garda numbers and their reduced presence on the ground and on patrol. Policing was stretched to its absolute limit in recent years. The spike affected the constituency from Marlay Park through Knocklyon, Firhouse, Kilnamanagh, Kingswood and Old Bawn and beyond. Residents' associations have begun to police their areas through social media, not actively but by developing active associations and alerting neighbours to burglaries that have occurred or to suspicious activity, which has been of great assistance to the gardaí. This made me see how archaic the Garda social media platform is. It has not taken off. There is a Garda text alert system. The residents' associations' text alert system never existed before. That was how the public had to respond. A neighbour on my road was burgled three times between January 2015 and December 2016. I could cite many more instances.

I appreciate the pressure on the Government in respect of Garda funding and numbers, but sometimes in emergencies it is necessary to think laterally. There are 88 references to the Garda Reserve in the report of the Garda Inspectorate. Many members of the public have never heard of the Garda Reserve - they do not know it exists - but it can constitute 10% of the Garda force at any one time.

One of the recommendations in the report was the establishment of a special abbreviated training programme for all qualified reserve members who apply and are suitable for appointment as full-time members. According to the report, some Garda Reserve members have over seven years of operational experience, are already attested and trained and could be deployed to front-line duties within a much shorter timeframe than the significantly longer process for recruiting and training new Garda members. The Minister did not mention the role of the Garda Reserve. To some degree, this recommendation came about five years too late.

The report goes on to state that An Garda Síochána conducted a national survey of the operational resources on duty and on patrol during two days, selected at random, in August 2014. The survey was completed by all 96 Garda districts at 11 a.m. on a Tuesday and at 11 p.m. on a Saturday. The objective was to provide a picture at a moment in time of the number of members in divisions carrying out front-line policing duties. Some of the key results of the survey included the finding that much higher proportions of gardaí scheduled to work actually came on duty on Tuesday than on Saturday, which beggars belief, in particular in city areas where a large amount of petty crime takes place on weekend nights. On the Saturday night, only 34 reserves were on duty nationally, out of a total of 1,100. There were no Garda reserves on duty at all in three main city centres at a time when Garda numbers were significantly reduced.

The report goes on to refer to bringing the community into police stations being an initiative adopted by many other police services and the inspectorate stated that it supports the commu-

nity open day initiatives that operate in Garda stations. The report also refers to the fact that the introduction of the Garda Reserve into policing in Ireland was an excellent way to introduce volunteering into policing and also increased police resources and visibility. However, according to the report, unlike other police services the scheme has not been extended to cadet schemes for young people or to roles that could be performed by non-uniformed volunteers.

The Garda Inspectorate report contains some very critical statements in its comments on the Garda Reserve and its utilisation. It states that Garda reserves are volunteers who serve in a variety of ways as trained uniform support for An Garda Síochána. The inspectorate was informed that, despite being authorised under law and having received considerable training, reserves are not consistently or strategically utilised for operational purposes. This happened at a time when the Garda force was depleted.

Critically, the report states that while the overall management of the reserve programme continues to rest with human resources in the Garda, there is no identified champion of the Garda Reserve programme. I would like the Minister to state how she and the Garda Commissioner intend to address that. Those in the Garda Reserve are not yellow pack workers or any kind of threat to An Garda Síochána. A similar reserve system exists in most developed countries, but the Garda Inspectorate, which is an independent body, reported that in our system there is no champion for the Garda Reserve in An Garda Síochána.

One of its key recommendations was the development of a strategic plan for maximising the effectiveness and contribution of the Garda Reserve. The report refers to Garda Reserve recruitment, which it described as passive, and states that the website is not interactive and needs to be updated and that there is room to develop a more strategic and dynamic process for recruiting Garda Reserve members. The report also outlines how increased recruitment of Garda staff and reserves provides an excellent opportunity to bring people from the broader community into An Garda Síochána. Many reserves may apply to become members of An Garda Síochána in the future.

According to the report, there is no recruitment process within the Garda which takes account of the experience a member of the reserve force or Garda staff may have, whereas in other police services joining the force as a member of police staff or volunteer allows an individual to gain experience and provides an excellent opportunity for a person to decide whether policing is the right choice for him or her. The report also recommends the actions that need to be taken. I have not heard the Minister speak about this, but it is something to which we will return again.

The inspectorate referred to the need to re-establish the reserve management unit to provide a central point of contact and co-ordination, provide training for all staff on the role, responsibility and use of the reserve, establish a reserve command structure with consistent reporting, assign frameworks for reserve members and many other issues. In terms of the deployment of reserves, the report mentions that 1,000 reserves are available for patrol. The inspectorate previously recommended changes to improve their deployment.

I again refer to the survey results. A total of four reserves were on duty during the day and 34 during the night when the survey took place. The inspectorate expected to see considerably more reserves on duty. A total of 38 Garda reserves were on duty at a given point of time out of a total of almost 1,100, at a time when policing was on its knees in terms of numbers. I have focused on one aspect of policing and crime. As I said, the Garda Reserve was mentioned 88 times in the 170 page report to which I referred. The Minister has received some answers from

the inspectorate in the report and I will pursue further answers from her in this regard.

**Deputy Josepha Madigan:** I thank the Acting Chairman for giving me the opportunity to speak on this vital issue. I am happy that we live in a State where most citizens regard gardaí as their friends and where they are, save in exceptional circumstances, unarmed. I am proud to be part of a political party that defended the traditions of law and order in this country and that has always supported the Garda. My party has been consistent in this matter.

We need to pay tribute to the gardaí who have lost their lives and give them due consideration in this debate. Each Deputy present in the House today needs to reflect on the lives that were lost unnecessarily and on the terrible pain and loss felt by their bereaved families to this day. In supporting the Garda, the need for greater transparency and accountability in our policing is at the forefront of our justice policy.

As a family lawyer I see at first hand the detrimental effects of crime on families. In particular, crime perpetrated within families sets a terrible precedent for children, especially when hidden. It stunts their faith in humanity and fair play and destroys the idealism of youth. Crime is utterly corrosive. It undermines our faith in each other and in society. Violence within families is a problem that does not grab headlines unless it results in death, and all too often a wife or female partner is the victim. Our domestic violence laws will continue to be reformed and updated, and funding for anti-violence initiatives should continue.

Crime is a major issue in my constituency, Dublin Rathdown. The closure of Stepside Garda station, which I always opposed, took away a much-respected and relied on Garda presence in Stepside village. While the Garda presence continues in the form of patrols and Garda clinics, the loss of the Garda station is keenly felt by many. I hope that the review of the dispersal of Garda stations in urban, suburban and rural areas will increase the Garda presence in the Stepside area and that the reopening of the station will receive serious consideration. We have to examine crime patterns and decide whether, together with demographic changes, they add credence to the argument to re-open the station and we may then achieve our aim. Recent crime in my constituency, such as the recent burglary of Ballinteer community school, requires a policing and, in particular, a civic response.

All citizens should feel safe in their homes and on our streets, and as citizens we need to reclaim our cities and villages from those who too often use public spaces to congregate in drunken groups which scares off other users. Anti-social behaviour is not the concern of the middle class. Rather, it is the concern of every citizen who wishes to protect his or her community. I have seen communities that are active and united form alliances with local gardaí with sound results.

Fighting crime is a partnership between citizens, our communities and the Garda, and we are all stakeholders. I encourage citizens to come together and support the text alert initiative. This system, which is supported by neighbourhood watch, the Irish Farmers Association and Muintir na Tíre, allows the Garda to communicate with a community contact person who, in turn, contacts a community group. I welcome this recent initiative as a vital step in active citizenry having a role in their area in assisting the Garda. Burglary and car theft are concerns for many in my constituency. As Deputy Fitzpatrick mentioned previously, I hope the recent Garda initiative, Operation Thor, will continue to reduce burglary offences particularly in the Dublin area. Increased resources for high powered Garda and undercover vehicles to tackle thieves are necessary. High visibility patrols in areas identified by the PULSE system as having a high



incidence of burglaries will deter crime. I note that total burglary offences have decreased from 27,635 in 2014 to 26,246 in 2015. That is encouraging, but we must do more to bring about a downward trajectory in the figures.

I was studying law at the time of the murder of Veronica Guerin, who was a driven, passionate journalist, a wife, and a mother. There was a sense that this criminality could not go on and that something radical had to be done. That was not just the response of Government and policy makers, but was a feeling in every household and every street in the country. I was captivated by the use of civil law to combat the proceeds of crime under the Proceeds of Crime Act 1996. The use of the courts in a civil setting and under the civil standard of the burden of proof, which as we know is the balance of probability, to determine whether money seized was legitimately earned or the proceeds of crime was revolutionary and yet such a simple concept. Real results were achieved in conjunction with the Criminal Assets Bureau.

As a lawyer, I am always interested in what a system can do to solve a problem. I fully support the Criminal Justice (Burglary of Dwellings) Act 2015, as referred to by Deputy Naughton, which is targeted at repeat burglars and will require consecutive sentencing for burglars charged with multiple offences. The new law will allow the court to refuse bail for offenders who have a burglary conviction and two pending charges. For too long criminals with convictions for multiple offences benefited from the charges being lumped together and dealt with by consecutive sentences. Each crime is an individual crime and an individual citizen is wronged in the commission of that crime and merits more consideration for an individual sentence.

I welcome the commitment of the Minister for Justice and Equality to modernise and streamline the bail laws. The bail Bill 2015 contains new powers to arrest without warrant for breach of bail conditions. Electronic monitoring, known as tagging, has been effective and cost effective in other jurisdictions and the bail Bill will provide for that to be applied as a condition of bail when necessary.

I welcome the fact that the Government formation talks, in which I have been involved, include a commitment to increase Garda numbers to 15,000 and to invest in CCTV and mandate the Policing Authority to review the dispersal of Garda stations. I hope the reopening of the Garda station in Stepaside in my constituency of Dublin Rathdown will be seriously considered.

I am greatly relieved that the 2015 figures show a significant drop in homicide offences from 80 to 57. That is a relief to me as I have seen the tragic effects of murder on the families left behind. The 2015 figures show a modest improvement in crime trends on the previous year and a noticeable decrease in homicide. However, in welcoming the reductions we must always remember that every crime is unacceptable and every crime has a negative effect. Although I cherish the fact that An Garda Síochána is an unarmed force, the need for specialist units to tackle gun crime is a reality of our time. Work on establishing an additional dedicated armed support unit for Dublin is continuing. The Garda has in the past successfully faced down criminal gangs who believed they were above the law. Every one of us has a role to play in reducing crime. We all own our country and in co-operation with the Garda, communities and people can make a real difference.

**Acting Chairman (Deputy Bernard J. Durkan):** I call Deputies Kathleen Funchion and Martin Kenny who will share ten minutes. Is that agreed? Agreed.

**Deputy Kathleen Funchion:** I wish to focus on rural crime. It is important to remember

that crime does not discriminate between urban and rural areas. It is also important that in discussing this issue we reflect on the worrying increase in crime in rural areas in recent years. There is a real sense of fear in communities where people are particularly vulnerable. The reality is that it is a result of cutbacks to Garda services and the closure of Garda stations. Criminals operating in areas where Garda stations have been closed know they have a free run due to the fact that there is little or no Garda presence. In my constituency of Carlow-Kilkenny, there is a part-time Garda service in some places and people get to know what time the Garda station is open. Criminals monitor the situation and that has an impact on the area. A part-time Garda service is often not enough.

In many cases, families or family-run businesses have been targeted on more than one occasion. We have seen four Garda stations close in the constituency of Carlow-Kilkenny, all in rural areas. There was an armed robbery at the post office in one of the areas, Leighlinbridge, last weekend, which some Members might have heard about. That is the second attempted robbery on the post office in just two months; a similar incident took place on 1 March. There was a Garda station in Leighlinbridge but it closed in recent years. The post office was also robbed two years ago. That goes to show the knock-on effect of closing Garda stations and reducing Garda presence.

We went through recessionary times in the 1980s. I grew up in a very small town, Callan, where we had a very active Garda presence. Many rural areas used to have an active Garda presence. That is something we must consider resourcing because it pays dividends in the long run. The trauma and upset caused to the family that run the post office in Leighlinbridge is indescribable. On a daily basis they live in fear of a robbery happening again due to the lack of Garda presence in the area.

We must do much more to resource the community police force because they often have a very good relationship with local people in both urban and rural areas and they can deter much crime. It goes back to the old argument that prevention is better than cure. In many cases, if one can intervene early, in particular with young people who might be going down the wrong road, it can make a difference. Community policing is key in that regard but the service is completely overstretched at the moment. For example, there is one community police officer for Kilkenny. It is impossible for one person to cover the entire area. We must consider resourcing community policing but also resourcing the Garda in general and ensure that where Garda stations have closed the situation would be reversed because of the negative, knock-on effect on the entire community. It is very difficult to describe the fear in which people are living in very isolated rural areas, in particular among elderly people who have been targeted time and time again. Criminals know there is no garda around and they know that by the time a garda does arrive they will be long gone. We must bear that in mind. Crime is not just an urban issue. It is very much a rural issue as well. We must ensure the Garda is resourced to deal with crime on the one hand and, on the other, that we educate young people. The best way to do that is through community policing. Community police often have a very good relationship with particular sections of society and we must explore that approach more and put additional long-term resources into community policing.

**Deputy Martin Kenny:** I am also a rural Deputy from a rural area and I am aware of the impact of the closure of Garda stations. The effect of the near withdrawal of gardaí from rural areas is very much being felt.

When canvassing in the general election, if one went after 7 p.m. in the evening to many

houses on boreens in rural areas, many people, particularly the elderly, were afraid to answer the door because they were very conscious of people going around the area and robberies taking place. It brought home to many of us the effect all of that has on entire communities and that people are afraid in their own homes. The farming community is very much in fear of people stealing machinery, tractors and vans and taking tools and other things from farmyards. There is a lot of such activity in rural areas across the country.

Burglaries are happening in rural areas across the country also. My house was burgled. When people break into a house in the middle of the day, they look for cash and also gold. The reason they look for gold and jewellery is that there are many shops around the country buying gold. The issue must be addressed. A person can walk in with what they have taken from somebody's house and get cash for it immediately. The Government that will be formed in the coming days, perhaps tomorrow, must make an effort to regulate that industry. If a person goes into a gold shop offering jewellery for sale, first, the transaction should be recorded. Photographs should be taken of the item that is being offered for sale and identification should be produced which should also be photocopied. If a garda is carrying out an investigation into a theft, he or she can at least find out what is going on. In many cases when a person steals gold from a shop, nobody will buy a ring or piece of jewellery from that person. They want to get quick and easy cash for it and this is an outlet for so doing. Were that outlet to be closed off, it would help greatly in trying to resolve that issue for many people across rural Ireland where houses are being robbed for their gold.

Another development that reflects this point is the emergence of the text alert system, which is in place in my local area. Communities have been obliged to come together almost to replicate what the Garda should be doing because of that withdrawal of service. It is not because people in the community believe they are doing something out of the generosity or goodness of their heart; it is because they feel under threat and this threat has forced them into a position in which they have set up text alert schemes, community watches and so on. In Swanlinbar, a rural village beside where I live on the border of County Fermanagh and west County Cavan, a system has been put in place whereby people in the community are patrolling at night. They are driving around to make sure no one will be robbed or to find out what is going on if any strangers are in the area. This is a terrible reflection of the current position and how communities feel under such threat.

Essentially, for a society to operate properly it must protect its citizens. If one goes back 2,000 years and more to when *The Republic* was written, it mentioned three elements. One was a health system, the second was a justice system and I forget what was the third one but a justice system was one of the main elements, that is, a system of justice is necessary in order that people feel safe and part of their society. If, as has happened for many rural communities, gardaí are withdrawn, such communities feel vulnerable and left out of society. There has been much talk in recent days in respect of the formation of the Government about water charges but for the vast majority of people, the protests about water were about everything else. They were about the closure of Garda stations, the withdrawal of services and what people perceived to be an arrogance on the part of Government in which ordinary people were not being cared for and no one cared about them. The lesson from this is that there must be a new emphasis to ensure things happen to protect people in rural communities.

I will dwell briefly on an issue in small and regional towns, in which drug abuse is becoming increasingly prevalent. I spoke to people recently in what was a quite rural part of County Leitrim where a number of young people who had been smoking heroin were seeking help.

This is a symbol of the direction in which things are going and unfortunately, funding has been withdrawn for drug task forces in many areas. While drugs and drug abuse are criminal issues, this is also both a social issue and a major health issue. In many of these cases, when people seek help, the Health Service Executive does not provide the requisite level of assistance. Moreover, there is a stigma attached to it. There are major problems nationwide with alcoholism but someone who presents with an alcohol problem receives more sympathy to a certain degree. However, a young person who presents with a drug problem is not perceived in the same way and a much greater stigma is attached to it. This must change and Members must ensure resources are in place to deal with it. As for the social impact in this regard, the withdrawal of funding from community employment schemes and the various social services that had been put in place, many of which were voluntary community organisations that were providing the services, has left a large vacancy in many areas. When that happens, the young people in question believe they have nowhere to go, have no one to help them and, again, feel left out and left aside. This is the essence of the problem and to revert to the issue of the water protests, while they were about water they also were about many other matters and a central part of this was the issue of people not being cared for. Ultimately that is what this debate and all debates in this Chamber are about, namely, the need to ensure we have a Government and a society that care for all the people.

**Deputy Maria Bailey:** I thank the Ceann Comhairle for allowing me time to speak on this important issue that resonates with many people within and outside this Chamber. Many Members present have spent a number of recent months - or in my case, years - calling door to door, where they have heard at first hand the views and opinions of residents in their constituencies on the feeling of not being safe in their own homes. In my constituency of Dún Laoghaire, crime is a serious concern for my constituents, particularly house break-ins, theft of vehicles and anti-social behaviour. I suspect many Members heard similar views during their canvasses. Having one's home broken into is one of the most invasive and disturbing things that can happen to anyone. I am familiar, from personal experience through a family member whose house was recently burgled, with the feelings of disgust and violation at the invasion of one's home, that someone has been going through one's private possessions and the feeling of shock in the pit of one's stomach that is hard to get past. In addition, there is the mess burglars make, the cost of repairs and replacement of items taken and the worry about any repeat attempts against one's home that may occur. I do not wish to see anyone who has suffered at the hands of burglars live in fear. I compliment the Minister for Justice and Equality, Deputy Fitzgerald, on initiating a review of the criminal justice systems in February 2015 in response to the problem of domestic burglaries. The last Government was not the Administration that closed down Templemore but was the Government which, once it had a solid economic foundation that did not contain pyrite, started to invest in Garda recruitment.

I welcome and am fully supportive of the Criminal Justice (Burglary of Dwellings) Act 2015, which will address issues relating to bail and sentencing for prolific burglars of dwelling. In particular, where a person applies for bail in a domestic burglary case, the judge can decide based on certain circumstances and evidence whether bail should be granted. Second, the Act provides that where a person is being sentenced to a period of imprisonment for domestic burglary, the sentence must run consecutively to any sentence previously imposed for prior domestic burglary offences. I believe any right-minded person will agree with these provisions. The forthcoming bail Bill also makes provisions in respect of electronic monitoring or tagging. While this is an area in which significant technical and legal issues arise, it is recognised that the targeted use of electronic monitoring has the potential to be effective as a means of enhancing

compliance with bail conditions in appropriate cases. With this in mind, it is intended that the proposals in the bail Bill will provide that electronic monitoring may be imposed as a bail condition if the prosecution applies to the court for this condition. This will facilitate the focused use of electronic monitoring for persons on bail where this is requested by the Garda to prevent repeat offending. Statistics recorded for burglary offences show the total number of offences has been declining each year from a high of approximately 28,000 in 2012 to a figure of approximately 26,000 in 2015. Although the decline is welcome, it does not really make people feel safer at home because these are merely figures.

Some Members believe the closure of Garda stations during the lifetime of the last Dáil has had a detrimental effect on the work of the Garda. In my constituency of Dún Laoghaire, two Garda stations were closed but the manpower from these stations was redeployed to larger stations in Dún Laoghaire where modern facilities are available. Thankfully, there still are four large Garda stations within my constituency, namely, Dún Laoghaire, Shankill, Cabinteely and Blackrock. Some former Garda stations have been put to new uses, such as the station in Harcourt Terrace which is to become a new primary school. Moreover, the station in Rush is now a home to the Rush Musical Society and the Tidy Towns organisation. In October 2015, under the Garda station building and refurbishment programme, €60 million has been set aside for building new Garda stations and for the redevelopment, refurbishment and upgrade of existing Garda stations. In addition to this investment a further sum of €330 million will be invested in Garda information and communications technology infrastructure between 2016 and 2021. This will allow the Garda access to cutting-edge technologies in the fight against crime. In particular, I welcome the deployment of Garda and community CCTV systems and the automated number plate recognition system as I believe these will be of benefit to communities throughout Ireland.

I wish to speak about Garda numbers. In common with many people, I welcomed the news of the reopening of the Garda College in September 2014. Since then, 700 trainees have started the new two-year training programme that leads to a Bachelor of Arts in applied police studies. This was a major investment in Garda recruitment, which I greatly welcome because when Fine Gael took office in 2011, there was no money and the cupboards were bare. Consequently, at the first opportunity at which the country had money to invest back into the Garda, the Minister did so. In her contribution this morning, the Minister for Justice and Equality stated her hope that in the lifetime of this Dáil, Garda numbers will grow to 15,000.

In all constituencies where there are areas of higher crime, these usually are areas of social deprivation. The best way to counteract this is to support the communities in these areas by ensuring there is opportunity for education, training and jobs, and that these are placed as high priorities. There is a common interest for us all in this Chamber as we all want people to feel safe in their own homes. They should be able to answer the door late at night. Many of us know that when we knocked on doors during the recent election, people were fearful to open the door. They came to their sitting room windows to look through the blinds and even then they might not have opened the front door, choosing instead to open a window to ask who was calling. Nobody should feel like a prisoner in their own home. With that in mind, I wish to endorse what the Minister, Deputy Frances Fitzgerald, has been and will be doing in the coming years.

**Acting Chairman (Deputy John Lahart):** I call Deputy Jack Chambers and I understand that he is sharing time with Deputy Fiona O'Loughlin. Is that agreed? Agreed.

**Deputy Jack Chambers:** The contributions of Deputies from throughout the country make



clear how their communities have been affected by crime. Clearly, it is both an urban and rural problem. We have had a normalisation of crime in what is a two-tier society. During the election campaign, we had three canvass teams in my constituency - Fianna Fáil, the Green Party and Fine Gael - which came together at a shopping centre. Two burglars arrived to carry out an armed robbery on a shop with a machete and various other weapons. They did so without any fear and in the full knowledge that they would not be caught. When one of the canvassers tried to call the Garda, it took him ten minutes to get through to the 999 number. That is the initial interaction with our crime force, yet one cannot make contact. How do we expect response times and detection rates to improve if we cannot get through to our emergency services? That is a key issue for me.

Last year, my own constituency of Dublin West had the highest number of burglaries and related crimes in the country. There were more burglaries in Dublin West than in Donegal, Cavan, Monaghan, Sligo, Leitrim, Mayo, Roscommon, Longford and Clare combined. That shows the level of crime we have in urban areas, but I recognise that the problem is not confined to particular constituencies and resources are needed throughout the country to cope with it. Anyone who is terrorised in their home or elsewhere needs to be protected.

It is too hard to pass off as coincidence that this spike in crime occurred as Garda numbers in the Dublin West constituency decreased by almost 17% between 2010 and 2015. It was disheartening to see the Minister trying to spin crime figures released by the CSO in March. She chose to focus on the positive. In her statement she said it was clear that initiatives she introduced had led to a reduction in burglaries. However, this ignored the fact that burglaries actually rose in the final quarter of the year when the new and much heralded Operation Thor was up and running. There was also no explanation as to why sexual assaults were up. The figures show that one person is raped in Ireland every day. This is a national scandal.

Today's newspapers have reported that someone in this city was assaulted on the streets and is disfigured because of it. He is a son of Professor Cusack in Cork. That is part of a normalisation of crime, including attacks, in our communities which our newspapers report every day. The Dáil should tackle this matter properly and prudently, which means resourcing gardaí and improving Garda numbers.

Deputy Niall Collins mentioned earlier that some 1,500 gardaí are scheduled to retire this year. They may not all retire but if there is to be a reduction of 1,500, how do we expect the current recruitment campaign to match that target? We need a collective debate to ensure a greater intensification of Garda recruitment.

The recent spate of gangland killings, some of which would seem more fitting to a Hollywood film than Ireland in 2016, shows that crime is a national problem and one that requires a national approach with joined-up thinking. Figures from the Department of Justice and Equality show up to 1,500 gardaí, including some of the force's most senior and experienced officers, are eligible for retirement this year. The closure of 139 Garda stations by the outgoing Government coincided with the force being whittled down to below 13,000 members. The net impact of this was to undermine severely the link between gardaí and the communities they serve.

A number of stations in rural Ireland have been mentioned. In my constituency, on the Navan Road, the Cabra Garda station has been closed. There have been a number of gangland shootings in that area in recent months. People fear that with the reduction of hours with the closure of that station, their quality of policing has been undermined in recent years.

During the period of the previous Government, we all saw press releases from Labour Party and Fine Gael Ministers and Deputies heralding the purchase of Garda cars, yet there were no gardaí to drive the vehicles. Despite the apparent capital investment, the cars were left sitting there. I welcome the fact the Government reopened Templemore Garda college but it was too late. We must intensify Garda recruitment.

More Garda vehicles should be equipped with automatic number plate recognition systems to crack down on illegal drivers. So far, only 100 cars have been equipped with this state-of-the-art equipment which has been used to great effect in the UK and elsewhere.

In her speech, the Minister did not mention the terms and conditions for gardaí, including graduate pay. The AGSI and other organisations have referred to this. It is important to reward gardaí and incentivise citizens to join the Garda Síochána. Their job, which involves daily risks, should be properly remunerated.

Prevention needs to be to the fore in our fight against crime and this happens in the community. Tackling reoffending rates should be a top priority in this regard, but the system also needs to allow for restorative justice for the victim and the community when a crime is committed. The fight against crime is eminently winnable if the will, resources and determination are there.

**Deputy Fiona O'Loughlin:** Living in a safe and secure environment has to be our number one priority, both in our homes and our communities. The closure of rural Garda stations in County Kildare has been devastating. The resulting burden placed on the remaining Garda resources in County Kildare is far too much.

County Kildare currently has a ratio of one garda to every 697 people, which is way below the national average of one garda to 335. In fact, the Kildare ratio is the worst in the country. This leaves us with further exposure to crime because an increased Garda presence is linked to lower crime rates.

Last night in County Kildare there was one Garda on duty for every 15,000 people. Our county is exceptionally under-resourced and the problem has been exacerbated by the closure of Garda stations in Ballitore and Ballymore Eustace. Only last week, I tabled a parliamentary question to the Minister for Justice and Equality asking about the basis for these closures and whether they were in any way related to crime statistics. The written reply, which was benign to say the least, stated, "The closures have allowed front line Garda to be managed and deployed with greater mobility, greater flexibility and in a more focused fashion particularly with regard to various targeted police operations." I am afraid, however, that is not how the people of Kildare see it, as crime statistics have risen steadily in line with a decrease in law enforcement available on the streets of towns such as Athy and Newbridge.

The opening of the M9 motorway was welcomed throughout the county and has benefited many areas commercially, as any improvement to infrastructure would. However, this enhancement of road systems which are also used by criminals, must surely be matched by a police force which has enough manpower to manage the influx of crime that may occur.

Nationally there has been a decrease of 2.2% in theft and related offences, but the transfer of resources from County Kildare has rendered this area of the country extremely vulnerable where such crimes have practically doubled in the same timeframe.

Kildare does not have one community garda, but how can this be? How can resources be

so misappropriated when, for example, a town such as Bray in County Wicklow has six community gardaí? This type of police work is what allows gardaí to know what is going on in a locality and to identify the threats within communities. Senior gardaí who are struggling to maintain control over a vast area are seriously concerned about their under-resourced force in County Kildare.

The Minister said that closures have allowed 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. Is the Minister referring to the 5,000 passport applications that were signed in Leixlip Garda station last year at approximately 20 minutes a go? There is no doubt this is an important role which must be carried out in a thorough fashion. Is this the most efficient use of trained garda hours as crime increases in County Kildare, however? Surely, we need to examine recruiting civilians to take on these and other such administrative tasks.

Anti-social behaviour can have a significantly negative impact on all of our lives. Every single day, I hear stories of people making life difficult for their neighbours both in private and council estates, as well as in the rural countryside. There is a problem with the lack of a definition of “anti-social behaviour”, making it difficult to police. We need to have a joint societal role and responsibility in determining what is not acceptable behaviour. Anti-social behaviour is not tied to any particular age group. However, we need to work collectively with our younger population, parents and our education providers, as well as providing resources, to deal with this.

I commend those gardaí on the beat who have a difficult job and who need all our support. I also commend communities for text alert schemes. I work with the Rathangan and the LBDC, Lullymore, Barnaran, Drumsree and Cappanargid community alert schemes which add hugely to the safety of their communities.

Prisoners’ parole and politics do not mix. The Parole Board, established in April 2001, advises the Minister for Justice and Equality on whether parole should be granted. The final decision lies with the Minister. This should not be the case. Two aspects of the parole system are in urgent need of reform. First, the Parole Board needs to be put on a statutory basis and, second, the decision as to whether parole should be granted should be removed from the Minister and vested exclusively in a statutory Parole Board.

**Deputy Kate O’Connell:** This is my first time to address the Chamber. I thank the people of Dublin Bay South for electing me to represent them. I hope to do so to the best of my ability.

It will be 20 years next month since Veronica Guerin was taken from us, leaving behind a young son and a grieving husband. Her relentless pursuit of the truth and her commitment to exposing the dark underbelly of gangland crime resulted in her paying the ultimate price. Clearly, crime pays handsomely. The people profiting from the destruction of lives, families and communities are the merchants of death who our gardaí remain committed to putting out of business. We need to go to the root of what fuels drug crime, stop it from being a profitable practice and a lifestyle to which some aspire. One only has to glance at a newspaper to see the lavish existence the kingpins lead with houses in Spain, luxury cars and expensive jewellery. In just one morning in March this year, armed gardaí, supported by Revenue and the Criminal Assets Bureau, swooped on the Kinahan cartel and seized over €30,000 in cash, along with 35 high-end vehicles from 18 separate locations.

Seeing Christy Kinahan lounging on a lilo in *The Sunday Times* at the weekend, he did not look like a man too concerned with how such a raid affected his finances. It seems to be a mere drop in the ocean of blood money, blood spilled on our streets all too frequently. So many lives have been lost to the scourge of drugs and the blight of gangland crime. We need to open our eyes to the human cost of a prolific drug culture.

People have used drugs since the dawn of time. We are not going to stop that. If the aim is to reduce the demand for drugs and to prevent people from taking drugs in the first place, we will fail. What can we do for those, usually families, caught up in a hopeless cycle of drug use, to assist them to get out of their situation and to break the cycle of drug abuse? Any Member who has dealt with heroin users will note a strong family link and a geographical consistency. I worked in methadone provision as a graduate in midlands towns ravaged by drug use. Now, working in Dublin, I see the same patterns which I saw over a decade ago, except now in more concentrated and desperate cases.

When one works in a community, one sees children grow up in front of one. One sees the impact of poor resourcing for social workers trying to work in challenging communities and the effect social neglect has upon the development of these children. In many cases, one can see why they would turn to crime as a way of life and as a means to earn large sums of money. By properly investing in the education of our young people brought up in disadvantaged areas, we can positively influence the outcomes for these children. It is our responsibility, as citizens and as legislators, to step into the breach left by parents who are caught up in drug use, and to rescue these children from the grasp of organised crime. It is our duty to make it unacceptable for drug crime to ravage our communities, to help those suffering from drug addiction, and to enable their children to escape the environment so limiting to their potential.

There were over 15,000 recorded controlled drug offences in the State last year. Of that, a mere 20 were charged with the importation of drugs. Almost 11,000 of those offences were for possession for personal use. When one sees the massive drugs hauls on the news, one must think there is a serious market at play here and demand does not appear to be waning. No wonder Christy Kinahan is kicking back on his lilo. I doubt he is worried about the trauma suffered by gardaí who attend the aftermath of yet another brutal shooting in the capital. It is unlikely he considers the post-traumatic stress of a community pharmacist, or his or her staff, held at syringe point by a desperate addict, so strung out he or she will risk his or her own life and others to get a fix. It is unlikely he is concerned by the brutal attacks on a taxi driver, trying to earn a living, when robbed by a lad wielding a knife to the neck, a traumatic experience to go through in one's place of work. Is he worried about those in the caring professions, such as nurses and doctors in our accident and emergency departments, as well as the social workers who face the daily challenges of dealing with the fallout from drug use? They are the forgotten victims of such crimes.

Moving on from the ravages of drug crime, I also want to address the movement of immigrants into our country. We need to welcome, not isolate, the people who seek refuge or work on our shores. Integration into our culture is crucial for the fabric of society as a whole. We need to respect and recognise their way of doing things and their cultures too. If one looks at other countries in the EU which have failed to recognise this, one sees the damage it does to those countries' unity and prosperity. One cannot ignore the horrendously disadvantaged ghettos of Brussels and the areas of extreme deprivation in some cities, full of disaffected young people. They are being raised in a country they now call home but with which they feel no connection. They live in a country where they can only blame the establishment for their plight.

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We must act to combat this in our nation. Failure to accommodate and integrate will only isolate in the long run.

I pay tribute to the members of An Garda Síochána for the outstanding work they do in their service to our State. Although they are not present now in the Chamber but should be, I condemn and shame those Members involved in protest groups which have treated our gardaí with disrespect. I acknowledge the low morale in the Garda Síochána due to cutbacks, the unfortunate closure of Templemore training college due to the State's financial constraints, and the challenges facing the force, in particular for new graduates on low wages. Anyone with regular contact with members of the Garda knows the commitment and dedication of their service to the State.

**Acting Chairman (Deputy John Lahart):** That was a fine maiden speech with a great recovery executed after a slight mishap during its delivery.

**Deputy Bobby Aylward:** I am delighted to have the opportunity to address the Dáil on the subject of crime, a major issue during the recent election. Deputies on this side of the House deserve a degree of credit for the way in which crime, in particular rural crime, was consistently raised at the forefront of Dáil business.

The violent and disgusting acts by criminal gangs in Dublin city in recent weeks and months are to be condemned in the strongest possible terms. These lethal assassinations served as a wake-up call that gangland crime is well and truly alive in Ireland. Accordingly, we must now seriously look at the possibility of establishing a second criminal court to deal with the current backlog and bring these reckless criminals to justice. As acting Fianna Fáil spokesperson on community affairs, rural crime remains a major issue in my constituency.

*2 o'clock*

During the recent election campaign, people on every doorstep in rural communities, particularly older people, echoed the same sense of fear and vulnerability to aggravated burglary and crime. The message being relayed is clear and consistent, and as elected public representatives we have a responsibility to listen and act. The confidence and supply arrangement that Fianna Fáil has agreed with Fine Gael provides for an increase in Garda numbers to 15,000, investment in CCTV and a mandate for the Policing Authority to oversee a review of the boundaries of Garda districts and the dispersal of Garda stations. These were all key priorities for our party in the recent election, and each measure has the potential to be an effective deterrent in the fight against crime.

A senior member of An Garda Síochána explained to me recently that the single greatest deterrent to crime is the Garda on the beat, and I could not agree more. This is why we cannot underestimate the importance of the reintegration of the community gardaí to protect our towns and villages. People want a familiar and trusted point of contact in their local Garda station. The importance of members of the local community in gathering local intelligence through receipt of information from members of the public is crucial in the prevention of crime.

Strong community relations are the bedrock of an effective police force. However, the imbalance in community gardaí across the country is damaging local links with the force. We need to cover all Garda districts to ensure a community garda is based in each area with strong



links to the local community. We can make extra gardaí available by ramping up the use of civilian staff to alleviate the burden of administrative duties. Such action, as was clearly outlined in the Garda Inspectorate report, coupled with effective workforce planning and outsourcing of certain non-essential duties that do not require a sworn officer, will help to free up gardaí to get them back on the beat and visible in their communities to tackle crime directly. I look forward to continuing to raise the vital issue of community gardaí and effective community policing with the Minister for Justice and Equality in the next Government, and I hope we can engage in a productive manner on this issue.

It is important to state on the record of the House that I am advocating for a doubling of the strength of the Garda Reserve to more than 2,500 to complement and support the work of the main force and encourage community engagement with policing. However, we must legislate to protect our Garda Reserve members. During the last Dáil, Fianna Fáil introduced the Assaults on Emergency Workers Bill, which was accepted by the Government but has remained parked on Second Stage. I am calling for this legislation to be examined again, as incidents involving assaults on emergency workers are far too common.

The recent rise in incidents involving knife crime is gravely worrying and must be addressed. We cannot allow carrying a knife to become commonplace. Last September, Fianna Fáil published the Criminal Justice (Knife Possession) Bill, which provides for a mandatory minimum 12-month custodial sentence for anyone convicted of illegally carrying a knife in public place.

Finally, figures released in September 2015 showed an annual increase of almost 21% in sexual offences in the Kilkenny district, with incidents of rape and sexual assault up by 10%. CSO figures released this week revealed a 15% rise in sexual offences nationally. Surely these figures serve as a very strong warning to the incoming Government that such grave offences are continuing to increase in number and require immediate and effective action.

It is all about having a local garda in a local area. We need some incentive for gardaí to live in their local areas and be involved in their local communities. That is what it is about. We will then have local and community policing.

**Deputy Mary Butler:** I also welcome this opportunity to speak about the major issue of crime. Crime is a major issue that comes up constantly, as I meet people on a regular basis. It does not just involve the volume of recorded offences but the number of offences that go unrecorded and unreported. The fear of crime is very high in communities, particularly in more rural communities. There is a real sense that law and order was not a priority for the previous Government. A strong community is a safe community. Keeping homes and streets safe is a core priority for our party.

The confidence and supply arrangement that Fianna Fáil has agreed with Fine Gael provides for an increase in Garda numbers to 15,000, investment in CCTV and a mandate for the Policing Authority to oversee a review of Garda stations. I know this has already been stated today, but it is very important to get the message out there loud and clear. There will be more gardaí. That is what people want and it is what is needed.

The closure of 139 Garda stations and the potential threat to the future of other small stations throughout Ireland was the wrong policy, as it jeopardised the security of countless communities and homes. That policy was pursued by the last Government and it did not work.

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Communities miss the familiarity of the local garda on the beat and the familiarity of popping into the local Garda station, and gardaí miss the local knowledge built up over years through communication with the local community. The decision to extinguish the blue light of the local station sent a clear message to criminals that resulted in a wave of burglaries hitting cities, towns and villages around the country. The paltry savings from the closures did not justify the deeply damaging impact on the communities they served. The last Government closed 139 Garda stations around the country, including Stradbally and Ballyduff Upper in my own constituency of Waterford. The stations in Portlaw, Ballymacarbry, Kill, Kilmeaden, Lemybrien and Rathgormack are unmanned. Overall Garda numbers fell in Waterford from 302 in December 2010 to 282 in December 2015, which represents a loss of 20 gardaí. That may not sound like a lot, but such a loss has a detrimental impact on these communities. Fianna Fáil believes that there should be a Garda Inspectorate report on the 139 station closures nationwide to gauge the impact of the closures and make recommendations on whether these stations should be reopened, or, where the building has been sold, a new station established. The report should be completed and recommendations presented to this House and implemented within 12 months.

Communities have not sat back. In many areas community alert systems have been set up, and these are very effective. In collaboration with local gardaí, a text alert system has been set up whereby local information is fed to the 24-hour manned Garda station in the area. Any information received is checked and, if correct, is then sent via text message to locals, who can be alerted about any situation and can be the eyes and ears on the ground. I thank the community liaison gardaí who are setting up this initiative throughout the length and breadth of the country.

Strong community relations are the bedrock of an effective police force. However, the imbalance in community gardaí across the country is damaging local links with the force. We need to cover all Garda districts to ensure a community garda is based in each area with strong links to the local community. Fianna Fáil would use some of the agreed boost of 3,000 gardaí resulting from recruitment and organisational changes to increase the number of community gardaí by 200 to ensure all areas are sufficiently covered. This would certainly be a move in the right direction.

Fianna Fáil believes there is a need for tougher sentences for those guilty of particularly despicable crimes. Following a number of serious crimes and attacks, it is important that rampant criminals are sent a strong and clear message that attacks on older and vulnerable people and indeed on any person will not be tolerated and will be severely punished. We need new thinking and new ideas, and I feel it would be well worth looking at the community court structure, which seems to work very well in the US and the UK. International experience drawn from these countries indicates that community courts can reduce reoffending and help ensure communities that suffer from crime receive redress. These courts bring persons charged with low-level crimes to justice in the area where the incidents occurred, thereby producing greater efficiency, visibility and accountability. They also improve public safety. It has been proved that this method can break the cycle of reoffending by addressing the problems, addictions, mental illnesses or lack of job skills of some low-level offenders. Starting on a pilot basis, we should initiate a system of community courts that would be neighbourhood-focused and would specifically address problems of particular communities by targeting quality-of-life crimes such as drug possession, public order offences, petty theft, prostitution and vandalism. This could be very successful and is well worth considering by the Minister for Justice and Equality in the Thirty-second Dáil.

**Deputy Aengus Ó Snodaigh:** Táim ag roinnt mo chuid ama leis an Teachta Seán Crowe.

Gabhaim buíochas as an deis labhairt ar an ócáid seo, go háirithe nuair atáimid ag caint ar cheist na coiriúlachta. Ba chóir dúinn ár mbuíochas a ghabháil leis An Garda Síochána as a gcrógacht agus as an ghairmiúlacht a léiríonn siad san obair os a gcomhair. Cosúil le gach mór-eagras, bíonn droch-úlla ann ach ní hé seo an t-am le deileáil le sin. Don chuid is mó, an tromlach mór san Garda Síochána, déanann siad a n-obair go dian agus go dícheallach, gan na acmhainní cearta ná an tuarastal ceart. Go minic ní fheiceann siad na torthaí cearta as an obair a dhéanann siad ach oiread, toisc an tslí atá an córas dlí sna cúirteanna agus a leithéad leagtha amach. Is toisc sin gur chóir go mbeadh muid ag díriú isteach ar seo, ach go háirithe agus Ri-altas nua á bhunú agus ag leagan amach na priarachtaí gur chóir go mbeadh ann maidir leis an nGarda Síochána agus an córas dlí agus cirt ina iomlán.

I mo cheantar féin, tá a lán fadhbanna ann agus tiocfaidh mé ar ais chucu sin. Le díriú isteach ar an gceantar é féin, I represent a great community with a big heart and a big spirit. They are ordinary decent people, in the main, who just want to get on with their lives, raise their kids in peace and have a job if they can get one. The problem is that for many years they have had to live with the fallout of a vicious and violent feud between rival gang factions in the Crumlin and Drimnagh area, which has left more than 15 young people dead as a direct consequence, while many more have died because of the criminal activities in the background which have led to this, particularly the drugs trade. Many of the gangs involved in that trade and in the shootings that have become all too common in Dublin live in that constituency, and their families have lived in the constituency for many years. Some started off as low-level drug dealers, others as low-level criminals who were involved in robberies and burglaries. They have come together and they are now some of the most vicious criminal gangs in this city, with tentacles spreading far beyond the area of Crumlin and Drimnagh. Some of them are overseas and seem to have tentacles spread throughout this State. They are not representative of the community and they should never be allowed to pretend that they represent or dominate the community.

For many years I have called for a dedicated task force similar to the one that was set up in Limerick nearly ten years ago to tackle the major gangs that frequent and live in the Crumlin, Drimnagh and south inner city area and parts of Ballyfermot as well. There are other areas in Dublin that have the same type of activity undermining communities. Many in these communities live in fear and are intimidated by the gangs. They are not willing to come forward and work with the police in any way because they have their family members to think of. As a society, we cannot allow that to continue unchecked for any length of time. The problem is that in my area in many ways it has been unchecked, despite the best attempts and successes of the Garda Síochána. In fairness to the Garda Síochána, it has been quite successful in interceding and hampering the activities of these gangs, but without a dedicated force and a dedicated approach, what we will find is that the next generation will join the gangs because they see young drug dealers and criminals flaunting their wealth with their flash cars, jewellery and foreign holidays. That attracts young people to the gangs. It is the biggest challenge for us, and I have asked not just the last Minister for Justice and Equality but several Ministers before that to use the CAB to target low- and mid-level criminals. Otherwise, we are walking away from a problem that we need to spend a lot more time on.

**Deputy Seán Crowe:** Deputy Mary Lou McDonald spoke of a state of fear in her community following a series of horrific murders that were drug-related. My community has also seen many murders over the years. Many people do not like me talking about what they say are negative issues such as crime, as they feel it reflects badly on their lives and their area. The Acting Chairman is probably aware of this. Recently, I highlighted the fact that not only parents

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but also grandfathers and grandmothers were being forced to pay thousands of euro to clear the alleged drug debts of their children or grandchildren. I was on the first anti-drugs march in this city in the 1980s. It was not just about stopping the open dealing, which was having an impact on many working-class communities; it was also about highlighting the lack of services for those who wanted to get help and support for their addiction. Thankfully, rehabilitation and supports have now become more available.

I have been on the local drugs task force almost since it was established. I supported the establishment of local drug rehabilitation services and I have argued against bigots and fools who tried to block them in the belief that there was no drug problem in their areas or that the establishment of supports would somehow encourage more drug addicts and dealers into their areas. Addiction services have vastly improved, but funding and supports were gutted in successive budgets at a time when demand for them was at an all-time high.

At the moment in my community, open drug-dealing is going on. The successful drugs unit in Tallaght has seen huge reductions in drug dealing, supposedly because all gardaí are now involved in tackling the issue. Many estates in my constituency have open drug dealing, sometimes involving children who act as runners. Some vulnerable children have been made to store or sell drugs and some are involved in taking drugs. I dealt with one case in which a pipe bomb was left at a house of a 15 year old, supposedly because he had a fight with another 15 year old drug runner. People should not have to live in a neighbourhood where they are frightened, terrified to leave their own homes or unable to ask children to move away from their homes or gardens, but that is the reality in some areas of this city and some areas of my constituency.

Drug dealers, many of whom have never worked a day in their lives, drive around in flash cars and buy up shops and businesses, yet the Criminal Assets Bureau does not seem even remotely interested. Perhaps it is, but a Deputy or someone active in the community would probably be the last person to be updated on matters such as this. There are dealers who are operating for decades and you never hear of them being stopped, never mind lifted or charged. There is open drug dealing that residents have to walk by and live beside day after day, with their children growing up while witnessing this as somehow normal. Some crimes such as burglaries are also linked to the drug problem, which the Minister also mentioned. Should people have to live in an environment in which they are afraid to leave their own homes after dark or must stay mute while drug dealers drive about?

My constituency is not unusual, but people ask me what the Minister is doing or proposing to do differently to stop this. Maybe we need a citizens' charter, a commitment that no family will have to live in fear, intimidated from speaking out or reclaiming their community. Perhaps that is something that we as elected representatives could start with. We have a Garda station that is not fit for purpose. There were plans drawn up about 20 years ago and those plans are still sitting on someone's desk, so the gardaí are spread over different parts, with some of them in a hotel across the road. It is not suitable for people who come to the Garda station and try to talk about the circumstances of the crimes they suffered.

We have a lot to do and that is what the debate is about. Let us start looking at things differently. Let us start pulling together and coming up with new ideas and plans. Maybe as elected representatives in Dublin South-West we should come together and come up with some solution to these problems.

**Deputy Patrick O'Donovan:** I welcome the opportunity to speak. Yesterday in Limerick,

Ms Ann McCabe, widow of the murdered Detective Garda Jerry McCabe, launched a concert in the memory of her late husband, who was murdered in my constituency on 7 June 1996 while escorting a cash delivery to Adare post office. Ever since then in this House and elsewhere, we, the ordinary people of Ireland, have often reflected on the contribution of the men and women of An Garda Síochána. All previous speakers have alluded to the great work of gardaí. We need to remember that some members of the force have paid the ultimate sacrifice in having their lives cut short by people who for their own unscrupulous ends decided that they were legitimate targets. Detective Garda McCabe was shot while sitting defencelessly in a Garda car on the side of a street in Adare in County Limerick. I put on the record of the House my admiration for Ms Ann McCabe for the way in which she has remembered her husband and kept his memory alive during the intervening time. I also acknowledge his colleagues in the Limerick division of An Garda Síochána who have kept his memory alive through the network of Garda stations in the County Limerick division and specifically with the erection of a plaque on the main street in Adare.

I wish to change tack to speak on an issue about which I spoke in the last Dáil and which has again come to the fore in recent days. I refer to the administration of free legal aid, which has now almost descended into farce regarding who can get it and the conditions under which it is granted. In the last Dáil I raised many questions with the Minister for Justice and Equality on the cost of criminal legal aid and was told that in 2014 the total cost was approximately €50 million. Throughout the country people are outraged at the manner in which free legal aid is being administered, and specifically that a Member of this House getting a salary of €87,258 could qualify for free legal aid. There is something seriously wrong with our country when that can happen. If the people charged with the administration and allocation of free legal aid show a lack of willingness to look at a person's base salary but look at their disposable income and allocate free aid on that basis, we need to consider changing how that policy is administered. Where does this end? If a person earning €100,000 decides to give €90,000 away to the cats' and dogs' home, will he or she qualify for free legal aid? Will Members of this House in the future qualify for legal aid because they decide to forfeit their salaries to causes that are worth supporting? I had understood that under standards in public office legislation Members were limited in the amount they could give to a political party. In the wrap-up the Minister might enlighten us as to whether a Member of this House can allocate in excess of the limit allowed under the legislation to a political movement, party or whatever one wants to call it, while at the same time qualifying for free legal aid. This is being discussed on radio stations, in pubs and on streets up and down the country, and I am sure ordinary Deputies heard it on the doorsteps when out canvassing. There is a perceived abuse of free legal aid and it is no longer a perception as far as I am concerned. People are turning up perennially in the courts and getting free legal aid willy-nilly. It has culminated in a situation in which a Member of this House has qualified for it. This is an issue that must be addressed by the Minister for Justice and Equality. If a person on a salary that is above average - and paid for by the taxpayer, by the way - can qualify for that, there is a serious issue. What is to stop people in future from deciding they will divert some of their income away from attention by giving it to a cats' and dogs' home or another charity of their choice for a fixed period of time, thereby qualifying for legal aid under this precedent? It is an absolute scandal and an outrage.

For the past five years I have listened to false indignation from the Anti-Austerity Alliance and People Before Profit. They have gone very quiet over the allocation of free legal aid. These are the same people who talk about golden circles and propose taxing the rich and making sure that everybody pays their way. In my book, anybody on €87,258 does not need free legal aid.



It is a scandal that the Members of this House have been silent on it. I have served on the Committee of Public Accounts. I say fair play to the Chairman of that committee. I think he is one of the only Members of the House who has made a public utterance on this.

Something has to be done about it. I raised the matter in the previous Dáil. Throughout the country people were referring to specific people who are in and out of court. The back pages of provincial newspapers report the same people turning up week in and week out in District and Circuit Courts all over Ireland. Ordinary compliant taxpayers are paying for it. I believe that enough is enough. If someone who is elected to this House, getting a good salary, can then decide to use some sort of measure to allow them under the radar to qualify for free legal aid, it is an absolute outrage. Any Government elected tomorrow, on Tuesday or whenever must address this unacceptable practice. Where will it end? In the previous Dáil when certain former Senators had to go to court, we had people from every hue of the far left, the mid-left and the right-left up in arms about a person even having the audacity to apply for free legal aid, yet here we have a Member who has got it and the House remains silent. That is a bigger scandal than the fact that the person got it.

Something must be done about it. If that means emergency amending legislation or encouraging somebody to make an appeal over what has been done here, that should be done. I will not stray into what the courts are doing - I know about the separation of powers. Having been elected to this House, I am obliged under the law and the Constitution, as a representative of the people, as a Teachta Dála, to tell this House what the people are telling me. They are absolutely livid that anybody elected to this House could qualify for that allowance with this sort of carry-on. I ask the Minister of State to go to the Minister for Justice and Equality when the debate has concluded. While I am not sure about the Technical Group, I am sure that Fianna Fáil, Sinn Féin and every other political party will support the allocation of time once the Government is formed for emergency amending legislation to deal with this. It cannot be allowed to continue. We have listened to diatribes and every sort of high moral ground conquest from people with big salaries who now have the audacity to go looking for this sort of assistance from the State. It is absolutely scandalous. If something is not done about it, God help whoever becomes the next Minister for Justice and Equality, because it cannot be allowed to continue.

A system that was originally designed to help people in genuine need has been turned into a gravy train for the Four Courts and it has to be called to a halt. There should be decency in how public money is spent and this issue needs to be put under the microscope. I know the Chairman of the Committee of Public Accounts and I have previously discussed this matter in that committee. Unlimited amounts of money are being allocated to people who turn up perennially in our courts. That has to stop. People are fed up of it.

Irrespective of who the new Minister for Justice and Equality might be, I do not believe anybody will object to ensuring that taxpayers' money is protected and that only those in genuine need get it. This would not happen in any other jurisdiction in the world. We would be laughed out of court, to borrow a phrase. Such activity not just by a Member of the Dáil but by people who are up and down like yo-yos in our Circuit Courts, District Courts and even the Four Courts would not be tolerated in any other jurisdiction in the world. Something seriously needs to be done about it. People are very angry that this has been allowed to happen. They are even angrier that this House has remained silent on it. There is an onus on whoever forms the next Government to deal with this effectively. It is the worst form of loophole I have ever seen. One could drive an articulated lorry through it, but the person driving the articulated lorry at the moment has no difficulty in showing a degree of hypocrisy that I have yet to see matched

in this House or anywhere else.

**Deputy Declan Breathnach:** I wish to share time with Deputy Eugene Murphy. The vast majority of people in this country are law-abiding, but unfortunately those responsible for gangland and serious crime against the State and its people just do not care about our legislation, never mind our Legislature, and they have scant or no regard for citizens. It is a known fact that when certain criminals are behind bars, the rate of crime drops, in many cases by in excess of 50%.

The issues evident in the north inner city are the same as those in north County Louth. It is the same in Clondalkin as it is in Dundalk. Crime knows no bounds and neither do the criminals. All crimes of violence are despicable and must be condemned, and it is our responsibility in this House to work with our communities and Garda to try to minimise the impact of crime. The constituency of Louth, which I represent, has had enough of this crime against our people and the State. The loss of Garda Sergeant Morrissey in Tallanstown, the slaying of Garda Adrian Donohoe at Lordship and the murder of Garda Tony Golden in Omeath is testament to the bravery of the Garda Síochána, whose members try to uphold the law every day in our communities. That said, those who perpetrate these crimes clearly could not care less about life or limb.

The people I represent want to see and have a greater beat on the street, as it were. I welcome what appears to be a commitment from all sides to an increase Garda numbers to 15,000 and the doubling of the Garda Reserve to 2,500. Garda presence is only one part of the solution and community organisations such as community alert, neighbourhood watch, the joint policing committees and the drugs task forces will together enhance community safety strategies, and they must be resourced to be the eyes and ears of law-abiding communities. I would especially like to see a countrywide text alert system supported by the Garda and rolled out with community safety strategies, such as those that have been adopted and are operational in places like Ballymun and Louth. They should also be better resourced.

All the words of this House without an action plan will not bring one sigh of relief to the many families, the vulnerable and isolated and the business owners who continue to fear in their homes, businesses and farmsteads that they are still an easy target for these crime vultures. Like many Deputies I have canvassed in many local authority elections and I traversed County Louth in 2011 and in more recent elections. I witnessed especially a sense of insecurity in the increased number of what are commonly known in my area as the “feck off” security gates on single houses and the frequently chained and locked farm gates. I also saw many people reluctantly peering from behind closed curtains to check before venturing to open their door to me. Surely that is not a welcome Ireland that people want.

The recent provision of 27 extra gardaí for Louth and the emergency response unit checkpoints for the Border region are welcome, of course, but they come against a backdrop of a reduction in Garda numbers in the Louth division by 12%. It is worth noting that the Central Statistics Office figures in the Dundalk Garda district indicate that just 27.5% of all robberies, burglaries and thefts were solved in 2015. In the Ardee area, the rate was 22% and in Drogheda it was 24%. The national rate was 30%, leading to a deeply concerned public. Naturally, the fact that the numbers of sexual offences recorded has risen by 15% is acutely disturbing. The threats of murder, assaults and harassment are up by 11.8%. Kidnapping is up by 25%, while recorded fraud is up by 8%. These are truly worrying statistics that demand immediate attention and efficient solutions. The surge in such crime levels must be tackled by all in this House.

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In Fianna Fáil we have committed to increasing the Garda force to 15,000 and providing the technology and Garda fleet that is required. We also want to enact the necessary legislation to protect our communities, together with mandatory minimum sentences and tougher sentences for burglars. I hope this and other laws enacted by the House will be a clear message to those who want to live on the backs of others. We will not give them a place to hide behind the legal system or a phoney take on civil rights over the rights of our law-abiding citizens who wish to feel safe in their communities.

**Deputy Eugene Murphy:** There will be no dearth of work today, although we had to make some changes yesterday at short notice. Before I say a few words on rural crime and policing, I express my full support for Deputy O'Donovan's comments about free legal aid and what is seen by many members of the public as the abuse of that system. There is no doubt that during the previous general election campaign, many people brought up the issue on the doorsteps. In recent weeks, the decision by a Member of this House to seek free legal aid for his pending case has gone down very badly with the public. This morning, before coming up from the country, I read a number of e-mails that came to my office. Quite a number of the ordinary citizens of this country have expressed the opinion that we should ask questions about this and specifically seek that Deputy Paul Murphy account for his actions.

**Deputy Alan Farrell:** Hear, hear.

**Deputy Eugene Murphy:** Any Member of this House is well paid and well looked after with good expenses. Deputy Paul Murphy may make the case that he is part of a political party, but if that is so, let it pay for his aid in the courts rather than having the cost come back on the taxpayer. This must stop, and I wonder what the people out there are thinking when they see a Member of the Dáil seeking free legal aid like this. It is damaging our democracy and it is very poor. I ask Deputy Paul Murphy, in his absence, to look at this again and maybe not take the free legal aid for this case, although a judge has granted it. He should reconsider the issue and address it, as it is wrong.

I know time is limited and we can speak all day about statistics relating to crime. We can dress them any way we like but there is a major difficulty with crime. A number of months ago, I made the point that some people are not reporting crime in my constituency. If a farmer has something small stolen from the farm or if somebody in business has some damage done of a minor nature, they are not reporting this to the Garda Síochána. This is particularly the case with older people. The local Garda station is gone and they are unable to get anybody when they go to a local station. They are given a number to contact another Garda station or to send an e-mail. Many of these people do not use the Internet, and if they did, it is unavailable in many parts of rural Ireland anyway because of poor broadband.

It was wrong for previous Governments to close Garda stations. I know some were closed under Fianna Fáil as well, but the last Government closed too many rural Garda stations. There are a few examples from my constituency. Boyle, the home of the great Chris O'Dowd, is a sizeable town, with thousands of people coming to the area in the summer. The beautiful Lough Key Forest Park is down the road. The station there is no longer a 24-hour Garda station and I call on the new Minister for Justice and Equality to examine the possibility of restoring this as a 24-hour station. Tarmonbarry is the first village one meets in County Roscommon when travelling west and it is now under the control of Castlerea Garda station. It is a long way from Castlerea. In the past, the station at Longford, five minutes up the road, looked after that town. Many issues in rural policing have changed. In my view, that has affected policing. Gardaí

have a most difficult job and our sympathy goes out to them and, indeed, many of the families that are affected by crime, particularly people in Dublin city who are suffering very much at the moment. All Members of this House, whether they are from a city or a rural area, are really upset and annoyed about what is happening, and it is hoped that it can be dealt with.

**Deputy Alan Farrell:** I would first like to refer to the contribution by Deputy O'Donovan ten minutes ago, which I would like to echo, rather than repeat.

I have to agree with Deputy Eugene Murphy in regard to Deputy Paul Murphy's decision, either by his legal team or by himself as an individual, to apply for free legal aid. It is a disgrace. I know this debate is about crime, but although he is entirely entitled to have his day in court if he so wishes, the granting of free legal aid is a crime against the taxpayer, who is footing the bill for the defence of the incidents that occurred in Jobstown and in respect of which he faces a court appearance. I echo Deputy Eugene Murphy's remarks about Deputy Paul Murphy's party footing the bill. I call on Deputy Paul Murphy to refuse free legal aid in this case. It is a disgrace that he applied for it in the first place. I do not blame the Judiciary, but the precedent is appalling. There are set criteria, which I have read. There has not been a great deal of comment made by Members of this House, other than a few cursory remarks on social media and, indeed, the comments by Deputy John McGuinness, which were referenced. However, Deputy Murphy needs to reassess the decision he made in this regard.

I would like to open my remarks in these statements that are being made today by commending the members of An Garda Síochána, whether they be new recruits or experienced, senior officers, on the work they do on our behalf, putting their lives on the line daily and tackling everything from small, petty incidents to serious subversives, terrorists and drug lords. I know they do tremendous work in very difficult circumstances, with new recruits in particular not being paid enough - it is not the first time I have made that remark in this House and it certainly will not be the last - and with the resource issue they have had for the past decade or more. Gardaí would probably say it has been perennial for the service they provide. We have a duty and responsibility in this House, especially given the very central and strong position that gardaí hold in our community and our society. Various members of my family, including my grandfather and a cousin of mine, have served at levels within the Garda in this city, and I am very proud of their record in terms of what they have done in dealing with crime, often when ill-equipped to do so. Reference was made by Deputy Breathnach to individual members of the service who were slain while going about their jobs. We have to do more.

Arming the Garda is not something I would welcome, but I recognise that we need to have a conversation about it, whether it be increasing the size of the armed response unit or providing it with allocated resources in particular Garda stations. That is something we will have to do. The professionalisation of the Garda was mentioned earlier. I was a member of the Committee on Justice, Defence and Equality in the Thirty-first Dáil and this is something that was mentioned at every possible opportunity when the Garda Commissioner came before us, whether the former or the current one. The purpose of professionalisation, or civilianisation as it has been called, is making sure that we recruit sworn members of the Garda who have the professional background to deliver the service that is required of a modern, 21st century police service. Rather than getting a 22 year old to get their BA in policing or whatever it might be and then upskill while in the service, we need to bring in professionals with experience. This is something the Commissioner has spoken about and which I have spoken about on a number of occasions. Having visited other jurisdictions and other police services within the European Union, both as a Member of this House and formerly as a member of Fingal County Council, I



can assure the House that not only is it a very worthwhile endeavour but it will also provide the Garda with additional resources, either by freeing up gardaí who are upskilling or by providing the professionals required to do forensics or handle any other responsibilities within the Garda.

Little things like youth diversionary processes matter. The way in which we tackle crime, particularly drug-related crime, in any jurisdiction is through education and diverting people from the criminal justice system into either an educational or a rehabilitative, medically focused service for individuals who find themselves either in possession of small quantities of drugs or using drugs, regardless of their socioeconomic background. Under the chairmanship of Deputy David Stanton, a number of members, both politically and non-politically aligned, including myself, went to Lisbon in Portugal to review a system of this type, following which the committee commissioned a report. It was an eye-opening experience for somebody like me who is vehemently opposed to drugs and drug use. It opened my eyes about what can be done instead of banging one's head against the wall, throwing people in jail and clogging up our courts. In fact, the way in which we deal with possession and use of small quantities of drugs should be to divert a person in a civil, discretionary way, in the hands of the Garda and medical professionals, through the HSE, the Department of Health or a new, specially tasked operation or organisation bridging the two. Our report was published only in November, and I encourage anyone watching or listening, as well as the new Members of the House, to read it because it is not an especially weighty document. Of course, it will require much more work in terms of research into the Portuguese model, but after 15 years that model appears to be very successful. The resources allocated to their department of justice and their courts service are being diverted into the health area, and their drug consumption rates have dropped. If it works there, with a little bit of research there is no reason it should not work here as well. The committee recommended the introduction of a harm-reduction and rehabilitative approach whereby the possession of small amounts of illegal drugs for personal use could be dealt with by way of a civil or administrative response rather than via the criminal justice route. As I mentioned, discretion for the application of this approach would remain with the Garda and the health provider in respect of the way in which an individual in possession of a small amount of drugs for personal use might be treated.

We talk about the allocation of Garda resources and of course I welcome the supply and support agreement between Fine Gael and Fianna Fáil in regard to the number of gardaí, bringing it up to 15,000. That will be a very difficult number to get to and it will probably take the guts of a decade, but we will get there. The will is there. We are never going to close Templemore again because we have learned from that mistake. It was an economic necessity but still a mistake.

Having sat on the committee for the past five years, I agree with Deputy Brophy's comments regarding all these kingpins and drug lords who have been referenced and who are regularly dramatised on the front pages of the red tops. I speak directly to the editors of those newspapers and the larger newspapers: stop calling them by flippant nicknames and call them by their Christian names. They are dramatising it in such a way that people become immune to it. That is not appropriate when dealing with people who would shoot a person on the street quicker than they would admit that what they are doing is morally bankrupt.

We have to deal with the issue of drugs in a better way than just throwing people in prison for possessing or using small amounts. Instead we need to tackle the problem of education. Individuals who unfortunately find themselves using drugs need to be diverted away from drugs in the first place, and if we catch them they should not simply be thrown in jail and not given the opportunity to be steered clear.



I thank the Acting Chairman for giving me additional time to speak.

**Acting Chairman (Deputy John Lahart):** I invite Deputy Imelda Munster, who is sharing time with two colleagues. Is that correct?

**Deputy Imelda Munster:** Yes. I want to use this opportunity to talk about issues in my constituency. The Drogheda district forms part of the Louth division, which encompasses the greater Drogheda area right out to Clogherhead village on one side and Dunleer village on the other side. In 2010 we had 109 gardaí assigned to this area. We now have just 95 gardaí, down by 14 since 2010. This week an armed robbery was carried out on the post office in the rural village of Clogherhead. Despite the fact that this was a terrifying ordeal for the staff, they managed to phone the Garda and press the panic button. It took 20 minutes for the Garda to respond to this armed robbery, although the Garda station is just one minute away. Finding a garda present in Clogherhead Garda station has become absolute pot luck, as there are no official opening times for the Garda station, and it is the same in Dunleer village. Drogheda town is a large urban centre and as a result has problems that are similar to those of any other large urban centre - no more and no less. However, it has now got to the stage at which some people have almost given up reporting crimes because they have no confidence in any follow-up. This is wrong and it is solely down to cuts and a lack of resources.

Community gardaí are becoming disengaged and disenfranchised from their communities and from community policing because they are being given other tasks. The good work that was done through community policing over the years is now being undone. Neighbourhood watch schemes are being put on the shelf. Schemes that were set up over a year ago have not been implemented. I am aware of applications from three estates that have not received so much as a phone call. This is worrying because the implementation of these schemes makes for a more efficient network.

This disengagement with communities, community policing and community gardaí is due to a lack of resources and cuts; it is not the will of gardaí, who do great work and who are constantly overstretched. It is common knowledge in Drogheda that there is frequently only one marked car on duty to respond to calls. It is also common knowledge that gardaí no longer work in a proactive manner, merely a reactive manner. Morale is at an all-time low, as it is in communities, and many crimes are going unreported and unsolved because of this. This needs to change. The Garda needs further manpower and resources if it is to do its job effectively. Turning a blind eye to resourcing of community policing has compounded the problems tenfold for communities across the State. Proper community policing is needed. Perhaps the Minister for Justice and Equality, or the incoming Minister, could clarify the plans to undo these problems and the damage that has been done over recent years. What are the plans to reinvest in and resource An Garda Síochána to make our communities safer?

**Deputy Denise Mitchell:** Crime and the tackling of crime in our society is a huge concern for everyone. There is no doubt that crime has become both more prevalent and more extreme. In the last number of months in Dublin, warring gangs have committed a succession of vicious murders. In rural Ireland there are continuing incidents of burglary and destruction of property. The reaction of people on the ground is one of upset, distress, anger, and vulnerability. Garda numbers are down in Dublin. There is no doubt that this affects crime. We need to face up to the fact that if gardaí are to keep our communities safe then the resource issue has to be acknowledged and resolved. There are serious fears about the ability of An Garda Síochána to provide the standard of policing demanded by the public. These concerns have also been

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expressed by the Association of Garda Sergeants and Inspectors. That is the backdrop and environment against which crime is increasing.

I have received numerous reports from residents in my own constituency about the increase in burglaries. Crime prevention and safety in the home is a huge issue among residents in Dublin Bay North. Figures from Coolock Garda station show that burglary and related offences were up by 13% in 2015 and have risen steadily in the last five years. Raheny Garda station has released figures showing that reports of incidents of assault causing harm are up 25% in 2016. There is no doubt that this is a result of the decision to starve our communities of Garda resources. Citizens have noticed that there are fewer gardaí on the streets, call-out times take longer and in some situations residents do not hear anything back. People noticed this as they watched while gardaí were used as a private security force to protect the installation of water meters.

In conjunction with increasing Garda numbers and the reopening of Garda stations, a genuine effort is also needed to investigate white collar crime.

**Acting Chairman (Deputy John Lahart):** I thank the Deputy.

**Deputy Denise Mitchell:** I will conclude on this point.

**Acting Chairman (Deputy John Lahart):** The Deputy is using her colleague's time.

**Deputy Denise Mitchell:** Is Deputy O'Reilly okay with this?

**Deputy Louise O'Reilly:** Yes, go on.

**Deputy Denise Mitchell:** It is convenient for Deputies and the media to point at certain areas and claim there is excessive crime there. However, they rarely ever mention white collar crime in society or the areas where white collar criminals live. Crime is crime, and just because the perpetrators live in leafy suburbs and wear pinstripe suits, it does not mean they are not criminals. All crime should be investigated and prosecuted with the same vigour.

**Acting Chairman (Deputy Declan Breathnach):** Deputy Paul Murphy has ten minutes but is sharing time. I apologise; Deputy O'Reilly is next.

**Deputy Louise O'Reilly:** Do not worry. I thank my colleagues for sharing their speaking time with me. I wish to put on record my shock at the manner in which this subject is being debated. Deputies on both sides - and we all know they are not on both sides at all; they are all on the same side - have sought not only to control this debate but to control the Judiciary and to somehow overturn a decision taken by a judge. I was gobsmacked that the contribution that referenced Deputy Paul Murphy was not ruled out of order. Yesterday I was very vigorously ruled out of order when I clearly was not. It seems that our new politics is more of the same: one rule for these people and another rule for us. If I can use my remaining minute, I would like to record-----

**Deputy Damien English:** People did the same-----

**Deputy Louise O'Reilly:** I did not interrupt other Deputies when they spoke and I would appreciate the same courtesy-----

**Acting Chairman (Deputy Declan Breathnach):** Will Deputy O'Reilly stick to the sub-

ject of crime, please?

**Deputy Louise O'Reilly:** -----extended to myself.

**Deputy Damien English:** You will have to get over it.

**Acting Chairman (Deputy Declan Breathnach):** Can you stick to the agenda, please?

**Deputy Maurice Quinlivan:** In fairness, he interrupted her.

**Deputy Louise O'Reilly:** And if you could chair, please, and ensure I am not interrupted, I would be very grateful. I want to mention the closure of Rush Garda station because that hit the community really hard.

*3 o'clock*

Any Deputy who attended the launch of the community alert scheme would be left in absolutely no doubt about that. While I am hopeful that the report on the dispersal of Garda stations will address that and ensure policing in Fingal is adequately resourced, I would not be too hopeful. I also hope that those Deputies who stood by and allowed it to happen - those who sat beside the Minister-----

**Acting Chairman (Deputy Declan Breathnach):** Will the Deputy conclude, please?

**Deputy Louise O'Reilly:** -----and proclaimed that certain stations were closed because they were serving no beneficial use in crime prevention will have the good grace to apologise to the people who lost their Garda stations.

**Acting Chairman (Deputy Declan Breathnach):** I now call on Deputy Paul Murphy, who has ten minutes.

**Deputy Paul Murphy:** I thank the Acting Chairman. I asked to make a personal statement under Standing Order 46 but the Acting Chairman offered this slot instead, which I welcome.

**Acting Chairman (Deputy Declan Breathnach):** Once Deputy Murphy devotes at least half of his time to what the debate is about.

**Deputy Paul Murphy:** No.

**Acting Chairman (Deputy Declan Breathnach):** I am telling Deputy Murphy that that is my ruling.

**Deputy Paul Murphy:** Okay. I will start and then the Chair can stop me.

**Acting Chairman (Deputy Declan Breathnach):** The Deputy has five minutes or less to make his statement.

**Deputy Paul Murphy:** I want to put on record that the contributions of Deputy Alan Farrell and, I think, Deputy Eugene Murphy were outrageous. They attempted to use a debate on gangland killings to make cheap, unfounded allegations and criticisms of me relating to legal aid. In particular, I ask that Deputy Farrell be asked to withdraw the remark that I committed a crime against the taxpayer. I note that Deputy Murphy clearly saw me come into the Chamber

but scuttled off, and that Deputy Collins made a snide reference earlier to the same issue.

There has been a lot of nonsense spoken about this issue by people in the media and now repeated inside the Dáil. The common features of all this nonsense and the people speaking are, first, that people know nothing about how the legal aid system works - they seem to conflate the civil legal aid system and the criminal legal aid system - and, second, unsurprisingly, that all these people are in favour of water charges. They are feeling a little sore now that a massive movement of protest and non-payment has beaten others in this House and the elements of the establishment media that hate to see working class people organising themselves and fighting back. That is the context. They feel sore and are trying to do damage to the Anti-Austerity Alliance and the anti-water charges movement in general.

Let me put some facts on the record, because they have been absent in this debate. The case that I face with regard to the protest in Jobstown in November of 2014 started out in the District Court. In the District Court, I did not apply for or receive legal aid. I had to pay my legal fees. However, the Director of Public Prosecutions - the State - sought to move the case from the District Court to the Circuit Court to try it on indictment. Why? It is because the maximum sentence if convicted in the District Court is only one year in prison, whereas the maximum sentence if convicted in the Circuit Court is life in prison. That is why the Director of Public Prosecutions made that decision. That is one consequence of going from the District Court to the Circuit Court. The other consequence is that legal costs balloon. If any defendant, any of the 19 of us, did not receive legal aid and had to pay for a solicitor, junior counsel and senior counsel for a trial that has been set aside for at least four weeks - the lawyers say perhaps six weeks - with a huge number of witnesses in what is a massively complicated case, the fees we face could potentially be well in excess of €100,000. That is not an exaggeration. Therefore, whether I take a young worker's wage or do not is not the point. I could take the entire salary of a Deputy for the next year and not spend any of it, and I still could not afford to pay those legal fees. I would therefore be denied access to justice, which I think is what some Deputies in this House would like to see happen.

*(Interruptions).*

**Acting Chairman (Deputy Declan Breathnach):** Please allow the Deputy to continue without interruption. He has five minutes.

**Deputy Paul Murphy:** It is also worth noting that those found not guilty of criminal offences, having spent €100,000 defending themselves in the Circuit Court, do not get their money back. They could be taken to court again and again for things of which they are not guilty and, subsequently, effectively bankrupted. The entire case will cost the State and the taxpayers millions of euro. That is the result of decisions of An Garda Síochána and the Director of Public Prosecutions to pursue this vindictive prosecution in the first place and then to prosecute it in the Circuit Court where the costs are much higher.

Water charges are now being suspended. All criminal charges - not just ours - relating to the protests should be dropped. They should stop this persecution of protestors and massive waste of taxpayers' money. If the Deputies are really interested in taxpayers' money, that is what they would be calling for.

**Deputy Alan Farrell:** Go and read what I said. Go and read it.

**Deputy Paul Murphy:** I would like the Deputies to clarify their remarks-----

**Deputy Alan Farrell:** Go and read the transcript.

**Acting Chairman (Deputy Declan Breathnach):** Deputy Murphy has-----

**Deputy Paul Murphy:** -----and to apologise for them, and to withdraw their remarks and unfounded allegations, such as the idea of a crime against taxpayers. Thank you very much.

**Acting Chairman (Deputy Declan Breathnach):** Will Deputy Murphy speak on crime?

**Deputy Paul Murphy:** I am finished. Thank you.

**Acting Chairman (Deputy Declan Breathnach):** That is fine. Deputy Murphy had ten minutes. I call the Minister of State, Deputy Damien English, who is sharing his time with Deputy Regina Doherty. They have ten minutes.

**Minister of State at the Department of Education and Skills (Deputy Damien English):** I will add a couple of comments to what is an important debate. Deputy Murphy probably did not get to hear all the comments of our colleagues, but they did not exactly say everything he thinks they said. However, I think they raise a fair question. I am glad he came in and took the chance to explain his circumstances, but he has to accept that the message it sends out has caused a lot of difficulty. People genuinely see it as an abuse of the system. I welcome the Deputy's explanation. It certainly helped a little, but he still needs to consider the message it sends out to people. Apart from everything else in here about it, he should consider it and see how he wishes to react.

**Deputy Paul Murphy:** What does the Minister of State want me to do?

**Deputy Damien English:** People have concerns about access to justice and believe-----

**Deputy Paul Murphy:** It is based on false information and people here are perpetuating the false information.

**Acting Chairman (Deputy Declan Breathnach):** The Minister of State without interruption.

**Deputy Damien English:** I am just talking in a nice, calm, measured way. I welcome Deputy Murphy's clarification but I am just noting the message it sends out. People really feel that justice is difficult to come by for many people and can be very costly, and they feel aggrieved that a Member of the House finds an easier way than most people to do it. I am just saying that I would question that if I were Deputy Murphy.

The Acting Chairman made a good comment in his contribution earlier when he said the problem was that these main gangland and serious criminals just do not care about laws. They are not afraid of them. That is our biggest concern. No matter what laws are introduced and no matter what we do, they are not afraid enough of them. The laws do not deter them from doing what they call their business. All of us have a duty to find new ways to take them on. Anyone who studies crime will know that the biggest deterrent is the fear of being caught. It is not the fear of what happens after one is caught and it is not fear of the law. It is the fear of being caught. It is fair to say that many of these guys do not fear being caught. That is why we collectively - I think every Member recommends it - have to put more resources into An Garda Síochána. Anywhere we can, we have to find money to do that.



There is no denying that the force does not have the numbers it needs to do its job properly. We have an excellent force doing excellent work, including the community gardaí, who do great and essential work. However, they do not have enough resources. That is the situation we have been in for the past four or five years. Now, with the extra money coming through the system from job creation, including in the private sector, and people beginning to earn more money and pay more taxes - taxes are up again this year - we have to ensure that when we are allocating these resources through all the new ways we will do business in the Dáil, by consensus, the Garda gets the resources it needs to do its job properly. The target that has been set is to increase Garda numbers to 14,000 or 15,000. Even in so-called boom times, we were well off those numbers. We got to a little over 14,000 once. The magic figure is probably about 15,000. We need to find a way and plot a course to get there as quickly as we possibly can. There is more than one way to do it. Reopening the college, as Deputy Farrell said, was essential, and we can never again close it. We have to put the resources into it. However, the legislation allows for other professionals to be brought into the force to work with it and to work alongside it to train new and qualified gardaí. There is a new qualification as well. There are many people who have skills and qualifications that are essential to beating these criminals and to tackling and preventing crime. I understand the legislation - going back as far as a previous Government of which Senator Michael McDowell was a member - allows for this. We have to find some way to encourage more of it. That will help us strengthen the numbers. Deputy Farrell mentioned this as well, and I worked on the committee. We really have to do that because there are people who have really useful qualifications. These are professional qualifications that are needed. We have to find some way to have them employed in the force. In most cases, because they have their own financial commitments, they will not be able to start again and go back to the training college in a similar way to a young person who decides to go to Garda college as opposed to ordinary college. It is a little different. We have to find some way to close that gap, but it is essential that we do that to strengthen the force and to make it a very professional one.

We have top-class people in the force and I have seen them operate with limited resources in all our counties, including in Navan in County Meath. They are doing essential work and we have to find them the money and resources they need. This means adapting the laws, but we have to find laws that the criminals are afraid of.

I will not go back to Deputy Murphy's comments about free legal aid. However, there is an issue with the bail laws and the Minister for Justice and Equality, Deputy Fitzgerald, tackled and changed that last year. That will help and strengthen those laws. Nothing is worse and nothing sickens people more than seeing criminals who should be behind bars, who are dangerous and a danger to society walking about freely while out on bail. This applies to repeat offenders who are able to abuse the bail laws, something they have been doing for years. That is being tackled now and we have to ensure it works.

Those who belong in prison are a danger to society but those who are not a danger do not belong in prison. We have to use all the powers we have to ensure this holds. We have changed the laws in recent years to allow for this and to allow them outside prison, whether through paying fines or whatever. Legislation has been brought through the House to facilitate that. Electronic tagging is allowed and was brought in legally some years ago. The law was changed and strengthened again in 2015 by the Minister for Justice and Equality, Deputy Fitzgerald. We have to use these laws to ensure those who do not belong in prison are not clogging up the system. We have to concentrate our efforts on this as well.

**Deputy Regina Doherty:** I thank the Minister of State for sharing time with me. I could

stand here and talk about all the things that are wrong with the resourcing and allocation of funding in the justice system, but that would only be repeating what everyone else has said. It is true though. We have gone from a force that was probably 14,000 strong with a certain budget to 12,000 and with depleting moneys being invested, morale on the floor and new recruits being paid less than their counterparts. All that needs to be addressed.

For now though I wish to highlight the high spots of the Garda. Given everything the force has gone through during the past five years, it has done a tremendous job. Here is testament to the fact. People refer to burglary being on the increase and rural crime being affected, but the statistics do not match how people feel. The statistics, particularly in my county, show that burglaries and crime related to burglaries are down year on year in recent years. I pay tribute to the people responsible in my neck of the woods and nationally because they are punching so far above their weight given the resources they get and the financing put in to the justice system.

The reopening of the Garda college in Templemore is welcome and it is great that we are recruiting again. I acknowledge that the numbers we are recruiting at the moment are not replacing the people who have retired in recent years or who are due to retire. Effectively, we need to double recruitment to get back to 14,000 people or 15,000 people in the coming years. These levels would be welcome. Let us consider the number of people who applied for the new recruit positions in recent years. The recruitment was quite oversubscribed. Clearly people wanted to be in our police force. They are proud of the job and proud of the badge they carry and the safety they provide to everyone.

It is not only about training new recruits. The absence of training for people who are already in the Garda needs to be addressed. Our sergeants are being asked to train on the job and learn from other sergeants. Fundamentally, it is not fair to the people. We need to acknowledge the need for serious reinvestment in our force, in the people we have currently and the people we are going to recruit. We need to train these people to be able to provide us with the blanket of security we so desperately need.

For me, local crime exists. There is a major issue in one of the towns in my area - I will not mention the name - where people are actually scared. We are getting CCTV on the main street. We have had arson attacks that belie the idea of the normal leafy suburbs of County Meath. I had thought gangland crime was something that happened in large cities but it came to my home village some weeks ago. A gentleman was shot when he was sitting in his car. The kind of crime we thought only affected other people is being brought into normal people's lives. Cars have been burned out and things that do not happen in leafy rural Ireland are happening now.

Unless we seriously equip the Garda there will be problems. I realise it comes down to money. Let us consider the results the Garda got in recent weeks when we put some €5 million into extra time and overtime. If we do not survey the relevant people 24 hours per day, seven days per week, they will give us the slip at 2 a.m. and then we have to start looking for them all over again. We know who these criminals are. They need to be surveyed 24 hours per day, seven days per week. The resources and the money need to be put in. Intelligence-led policing works. We know it works and we need to resource it properly.

I wish to discuss rural crime and our hotspots. There is a great deal of talk about closing rural Garda stations and the impact this is having. In the main, the Garda stations that have been closed were only open for two hours or three hours every day to facilitate the signing of passport forms or other documentation requiring engagement with the local Garda. Instead of

arguing to reopen Garda stations, I appeal to people not to be populist for once and to acknowledge and recognise that we need to go back to the beat on the street, gardaí on bicycles, and the community-led policing force that has worked but which has been depleted in recent years. We should be discussing the presence on the ground. People will feel more secure if they see the garda in their village as opposed to knowing that the Garda station, which is only bricks and mortar, up the road is unmanned or closed. That view does nothing for anyone. We need to accelerate our Garda recruitment programme and train and resource our gardaí. Then we will be as proud as we have always been of the gardaí who serve and provide the blanket of security for us to be able to live normal everyday lives in safety, and rightly so.

**Deputy Jim O’Callaghan:** I commend Deputy McDonald, although she is not in the Chamber, on suggesting we should have a debate on the issue of gangland killings and violence in Dublin. It is appropriate to do so notwithstanding that we are in a period of political paralysis. Unfortunately, the problems of gangland crime in Dublin continue in the absence of any government. Although the issue has most recently affected the north inner city, it affects all the city of Dublin and all urban areas.

This afternoon I propose to speak on the issue of gangland crime and violence. There are many other aspects to crime and criminal justice that could be discussed in this debate, but I do not propose to deal with them. However, on another occasion we should have a debate on a variety of issues, whether white-collar crime or anti-social behaviour. The purpose of this debate is to try to talk about the issue of gangland crime that has affected Dublin in recent times.

The issue of gangland dealing in drugs and its impact upon our local communities is a complicated problem and requires a variety of solutions. Primarily this House is a house of legislature. We prepare and introduce laws along with the Seanad and the President. Obviously, there is an important role for this House to play as a house of legislature to deal with the problems caused by gangland violence.

Of course, the House is more than simply a place of legislation. It is also a place which should provide a lead in the country in identifying solutions to the problems we face. There is no doubt that one of the central issues affecting disadvantaged areas in particular is the issue of gangland dealing in drugs.

I wish to deal with three issues. I imagine there are many other issues and I do not think that I have all the answers or indeed many of the answers, but three particular issues could be of benefit to us in trying to see how we can approach this problem. The first relates to the question of drugs. What is it about drugs that seems to create such violence and wreak such devastation in our communities? I heard Deputy Farrell refer earlier to a project in Portugal. I am open to other projects under way internationally and I am keen to see how other countries deal with the issue of drugs. It is important that this House of legislature and we, as politicians, send out a consistent and reliable message to young people and those in their early teens who are about to embark on their adult lives. The message should be that drugs are a serious danger and that drugs present them with a serious danger to their livelihood and welfare and can potentially lead to death. Unfortunately, I do not think that is emphasised enough in our debates. We have become ambiguous and inconsistent in our public representation and analysis of drugs. I know it is a complicated matter but ultimately it has to be repeated that drugs are bad for young people. We need to get that message out consistently.

I represent a constituency, Dublin Bay South, previously known as Dublin South-East. In

the early 1980s it had a significant drug problem fuelled by drug dealers who were not as violent as drug dealers are today, but it was a significant problem in the communities and it affected predominantly disadvantaged areas. The reason it affected disadvantaged areas was the lack of resourcing at the time and a lack of political will. However, the problem in the south inner city was significantly resolved at the time in the 1980s. It was resolved by local communities coming together and recognising that they were not prepared to allow their children and young adults to be sacrificed on the altar of the greed of drug pushers. They got together with An Garda Síochána and local politicians and as a result there was a significant decrease in the level of drug use and the incidence of drug addiction in the south inner city. We cannot allow that type of addiction to return to this city. We need to ensure that greater resources are invested in disadvantaged areas, because it is a striking fact that drug addiction affects areas of disadvantage more than other areas. We need to invest resources there. One of the avenues away from drugs is sport. It can ensure that children stay away from drugs, particularly in their early teens. We need to ensure that community-based sporting projects and ventures are supported by local authorities and this Oireachtas. We need to resource, encourage and promote all of those community activities which provide an alternative for young people so that they are not forced down the avenue of taking drugs.

Everyone has recognised the important role the gardaí play alongside the community in trying to deal with the drug issue. There has been a reduction in the number of gardaí on the beat in the north and south inner city. We all agree the numbers need to be increased. Even more important is that we emphasise the important role played by the community gardaí. I spoke to Councillor Nial Ring from the inner city today, and he said they are an invaluable resource in the north inner city. I know they are in the south inner city. We need gardaí who know their community through the small streets initiative or otherwise. If there is a bond between the community and the community gardaí, the individuals within that community regard themselves as being protected by the gardaí.

Most normal people do not aspire to be members of drug gangs, with the prospect of serving a long term in prison or coming to a violent end. People are motivated to get involved in drug gangs not simply by greed but by the prospect of making huge sums of money. One of the best initiatives of this House in the past 25 years was the proceeds of crime legislation, which ensured that the CAB was able to seize assets from individuals who were believed by a superintendent or member of CAB to have derived those proceeds from criminal activity. We need to review that legislation and enlarge its scope. In 2011 a review of the proceeds of crime legislation commenced in the Department of Justice and Equality. Unfortunately, the group has not yet reported. We need to give the State more power to seize the assets of criminals so that they will recognise there is no profitable purpose in their involvement in drug-related crime. At present the State can freeze the assets of criminals but cannot seize them for seven years. We need to change that legislation so that the State can seize assets that have been frozen after one year. The legislation also needs to be extended so that receivers are given the power to deprive criminals of the use of their properties immediately. That is not provided for in the legislation and it can be. The law should also be amended so that criminals cannot move their assets to avoid their seizure under the proceeds of crime legislation. That could be achieved by introducing a new mechanism whereby short-term seizure of assets can occur pending a court ruling.

This has become an international as well as a national problem. Anyone with the slightest awareness of the gangland drug trade in Ireland will know that. As a result we need greater harmonisation of EU laws so that all countries will accept seizure orders based on non-criminal

convictions, as is the case in Ireland. At present that does not apply. We need to promote that within the EU, as it would enable CAB to seize the assets of Irish criminals across Europe. Fighting organised criminal gangs is difficult and prosecutions are extremely difficult to secure. People are intimidated. These gangland criminals previously murdered a journalist. If they did that, they are prepared to murder witnesses. We need to continue the Special Criminal Court. Even with that court, it remains difficult to secure convictions. That is why I believe the most appropriate new approach is to improve and increase the scope of the proceeds of crime legislation. Fianna Fáil and I intend to advance that legislation during the course of this Dáil and I hope other parties will support that on a consensus basis.

**Deputy David Stanton:** I am glad to have an opportunity to contribute to this debate on crime. The debate was sparked by murders in Dublin and it has focused on that issue, which has its roots in the illegal drug trade. Chairing the Oireachtas Joint Committee on Justice, Defence and Equality for the past five years, I learned that this area of policing and crime is extremely complex. There is no simple answer. Reading the reports of the Garda Inspectorate, including the last one, “Changing Policing in Ireland,” one sees how complex it is and how important it is to resource the Garda properly with modern equipment, including the highest level of ICT equipment. The Forensic Science Laboratory also needs urgently to be upgraded. It is not fit for purpose.

When the committee went to Northern Ireland we learned about the Criminal Justice Inspectorate there, which examined the whole family of agencies involved in fighting crime - the prisons, the police, the Police Ombudsman and so on. We advocated doing that here. We should not focus on just one agency, because they are all intertwined.

The Garda Inspectorate report refers to changing Garda rosters, considering the divisional model of policing and so on - in other words, freeing up gardaí from administrative and desk work and getting them back to policing. Mention has been made of the CAB and the need to widen its scope. I would certainly support that. There has been talk of a mini-CAB, which would take in people who are living beyond their means, although not to a huge extent, but are profiting from the proceeds of crime.

I commend Deputy O’Callaghan on his speech. He spoke about giving a consistent message to young people, and I agree with him, but young people are risk takers, thrill seekers. His second point about alternatives such as sport is very important. Mention has been made of disadvantaged areas. Not everybody in a disadvantaged area gets involved in crime but, unfortunately, a disproportionate number do. It is very important to resource our youth services such as Youth Work Ireland and Foróige. They can do tremendous work on the ground by intervening at a very early stage. Also, schools in some areas need to be properly resourced so that young people in danger of dropping out, or who are at risk and so on, can be identified early, and they and their families can be supported to deter them from entering a life of crime. This is complex. We need to start at the earliest age we can, identify where people might be dropping out of the educational system and offer them alternatives. I am aware, for instance, of alternatives that use music as a basis for education, which are highly successful. We need to identify those models, get the best practice, see what works, get them into different areas and resource them properly. There is a risk that our society could become very violent. Most people here have been victims of threats and aggression on social media. The Committee on Justice, Defence and Equality published many reports, but the one on domestic and sexual violence sticks in my mind. It is quite often the case that such violence and other criminality and violence are linked and come from the same base. I understand the committee received over 42 major submissions on that



report. A large number of women and children are affected by sexual and domestic violence. The committee also found that a large number of people with disabilities are affected by sexual and domestic violence.

Violence and crime are widespread in society. We need to change our mindset, and perhaps we should start in the Chamber by listening to each other a bit more and not being as aggressive as I have seen over the past number of years. I have a sense that is beginning to happen, especially in the committee on Dáil reform with which I have been recently involved.

Data from the National Disability Authority was presented to the committee a number of years ago. It showed that adults with severe disabilities were 2.9 times more likely than other adults to have experienced sexual and physical abuse. This issue is all-pervading.

We also received a very good submission on physical crime from the Do or Die Foundation. It spoke about the need for a domestic violence abuser register, known as Claire's Law. That system works quite well in the UK and it is something we should consider introducing here.

Joint policing committees, JPCs, were established across the country a number of years ago. When town councils were abolished in rural areas, JPCs were centralised at county level. I ask the new Minister to ensure that policing fora municipal districts be established in order to bring things to a more local level. That would be very important.

Deputies mentioned the Garda Reserve. We should make more use of it and recognise that those in the Garda Reserve are fairly highly trained and many are almost ready for front-line duties. If we want to recruit more gardaí fairly quickly, it is something we should consider.

The committee did quite an amount of work on community courts. We travelled to New York and met many people involved in such courts, and were very impressed. We returned to Ireland and held hearings. Many witnesses spoke to the committee about their effectiveness. We were told by people in New York that places like Times Square, Central Park and other such areas, which in the past were no-go areas, were in effect cleaned up, for want of a better expression, by the use of community courts. They involved the whole community and targeted many people who were involved in low-level crime. Intervention and sanctions were immediate, taking place the next day or shortly thereafter. Punishment was also immediate and often involved community service. Many people we met told us the system worked.

The Department of Justice and Equality has done a lot of work to move this proposal forward and I would like to see that continue because it involves the wider community as well as the Garda, the Judiciary and so on. Dedicated community courts that could intervene quickly and at an early stage are required.

The Portuguese model was mentioned, which intervenes in cases where people are involved in drugs for personal use at a very minor level. The system works from a list of drugs and the amounts involved in each case for personal use. We learned that the system in Portugal works quite well and is something we should investigate. The Joint Committee on Justice, Defence and Equality completed a report which received all-party support at the time. Personal drug use was dealt with as a health rather than as a criminal justice issue. In order to introduce such a system here, we would have to invest more in rehabilitation so that those with drug problems could be rehabilitated. Such a system works when drug users get help and the will is there.

We need another Sexual Abuse and Violence in Ireland, SAVI, report. The report published

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in 2002 was very useful and we need another. I could go on. Many people spoke about the Garda, resources, training and so on, but crime is a far more complex matter. I have touched on a few issues and could touch on many more.

**Deputy Martin Heydon:** I welcome the opportunity to speak on what is a very important and broad-ranging topic. I will start by focusing on Garda numbers because as a Deputy representing Kildare it is a significant issue and one that is raised constantly. Historically there has been a low ratio of gardaí to population in Kildare. During the good times many gardaí graduated from Templemore, but Kildare did not get its fair share. At the same time, the population of the county grew exponentially which has led to our current mess.

We do not have as many gardaí as we would like and our existing Garda resources are under significant pressure. I would like to acknowledge the role played by the Minister, Deputy Fitzgerald, in reopening Templemore in 2014. She worked closely with the Commissioner to address the shortfall, which allowed the Commissioner and senior officers within the Garda to begin to address the issues in Kildare.

Kildare has received an allocation of gardaí from every graduating class from Templemore since 2014, which is a significant development and an acknowledgement of the fact that there is a shortage of gardaí. In recent times, nine new Garda sergeants were appointed and as of 1 May 2016 there were more Garda sergeants and gardaí in Kildare than in 2015, a trend we need to see continue. Classes will graduate from Templemore in June and July, and I hope Kildare receives another allocation of gardaí to ensure the trend continues.

In that context, the proposal to increase Garda numbers to 15,000 is crucial and something I very much support. There are currently 12,800 gardaí, but I understand 1,500 officers will be entitled to retire this year, while 800 are supposed to retire under the current rules. I can understand that, as is the case with the Defence Forces, there is merit in keeping our Garda force young and agile to a certain extent and gardaí have a certain lifespan because of the very difficult nature of the job. However, in these exceptional times when Templemore has been closed for five years and Garda numbers are low, we must beef them up. Young recruits from Templemore alone will not be enough.

I suggest that for a short period there should be a relaxation of the retirement rules for those gardaí who do not want to retire and have very significant experience. They should be given an opportunity to serve for another couple of years as that would allow the new recruits coming into the system to gain valuable experience from them. In Kildare we have lost experienced gardaí. New recruits are very welcome to Kildare. I have corresponded with the Commissioner and expressed the need for Kildare to be able to get transfers of experienced gardaí. County Kildare is very attractive for gardaí who are currently based in Dublin but are from elsewhere in the country because it is closer to places such as Tipperary, Kilkenny, Cork etc.

The current structure results in any chief superintendent anywhere in the country never feeling he or she has enough gardaí. He or she will not allow the transfer of a garda if a replacement is not given in return. One could ask where that leaves Kildare, which has historically low numbers and does not have gardaí to give back. There are plenty of gardaí based in the greater Dublin area who would like to move to Kildare to work and who have a lot to offer. Bringing young recruits alone to Kildare is not sufficient.

The correspondence I received from the assistant commissioner stating that transfers would

be allowed to Kildare must be acted upon. We need to engage with those gardaí who are actively seeking to transfer to Kildare. The issue will have to be addressed above the level of chief superintendent. The Commissioner and assistant commissioner will have to take on the issue and ensure the transfers happen. I do not expect any chief superintendent to give up gardaí easily, but redistribution would be important to ensure that every part of the country is evenly addressed. The suspension of the retirement rules as a short-term measure is a key element in addressing the issue.

Operation Thor has had a considerable impact in the short-term. Last year there were 18 to 19 burglaries on average each week in the Kildare district. The most recent information indicates that the number has reduced to approximately four per week. That can be directly linked back to the extra man hours that were provided and the targeted work involved in breaking up a gang of approximately 20 youths in the Newbridge area who were carrying out a significant number of crimes and also an organised gang in the Castledermot area. There are 67 people before the courts, a number of whom are already serving time for some of those crimes. The improvements in tackling crime and the reduction in the crime statistics can be directly linked to Operation Thor.

Key targeted measures can be taken with extra resources. In the context of such resources, it is important to acknowledge that the Garda stations we had until 2012 were inherited from the British state. That said, I welcome the review of the closure of Garda stations. I disagree that we should go back to that historical system from the 1800s. We must consider a much more targeted measure. I wish to see more gardaí on the beat and that they are better resourced with ICT and Garda equipment rather than saying we should just open up every station that we inherited from the British. I wish to say a lot more but, in deference to him, I will hand over to my colleague.

**Deputy Brendan Griffin:** I appreciate the opportunity to speak on this issue. I will break from my Kerry colleague's approach and will not blame God for crime in this country. I will speak about matters that would be helpful to policing and how we can tackle the problems society faces.

I welcome the various contributions made by Members, both in terms of proposals on prevention and cure. Society must take a double-edged approach to this broad issue. In the context of prevention we should not underestimate the importance of the eradication of poverty, the creation of extra jobs and putting supports in place in communities. At the same time, the State must respond with an adequate policing service and a justice system that punishes people according to the seriousness of their crimes. We recently witnessed a new level of ruthlessness in this country and the State must react with a level of ruthlessness as well. The State has not adequately reacted and we must do more to meet the challenges head on.

I wish to refer to policing in rural communities. I made a suggestion in the previous Dáil that needs to be followed up, namely, the protection of isolated communities, in particular, by means of modern technology such as CCTV in strategic locations. I live on the Dingle Peninsula, which is accessible via two main arteries. We must protect the approximately 10,000 people who live there with measures such as CCTV at the two points which a person entering or leaving the area by vehicle must pass. There are many other locations throughout the country where, in terms of logistics, similar steps could be taken. Small modifications such as the one outlined do not cost the earth but they offer a great deal of protection to people and provide great peace of mind. We must be more practical in terms of how we respond.

The reality is that we need more gardaí. It is as simple as that. At present, we are playing catch-up. We could talk about the reasons for that such as the closure of Templemore but we must focus on strengthening the force and getting more gardaí onto the streets and freed up from desk duty. We must pay gardaí more. We are not paying them enough for the job they do, particularly new entrants. There are always arguments for paying public servants more but this is an exceptional case. There is no other profession in this country where one leaves one's home in the morning and one is seen as a legitimate target by many. Those people who see gardaí as legitimate targets are the scum of society. They are the ones of whom I said earlier that the State needs to respond with the same level of ruthlessness they employ against innocent people. Those gardaí who are on the streets are being paid relatively little for the job they do and they need to get more. It is as simple as that. Thankfully, we are in a better financial situation as a country today and we must prioritise the gardaí in terms of pay.

In the previous Dáil I introduced the Ramming of Garda Vehicles Bill, the purpose of which was to protect members of An Garda Síochána in the context of the many instances where the marked and unmarked vehicles they use in the performance of their duties are rammed. The Bill must be followed up and enacted because ramming of Garda vehicles happens far too often and too many gardaí are being injured. We have had cases in the past where the outcomes were even more serious. I would like this Dáil to make it a priority to try to provide more of a deterrent and introduce serious punishment for those who think it is acceptable to ram a Garda vehicle. That is something which could be achieved. It is a small cog in a very big wheel in terms of what needs to be done but we must take an all-party approach to address the issue.

Those are my thoughts in brief. Five minutes is very little time to speak on such an issue. One can only touch on a very narrow range of matters. Some of the suggestions made in the House today were helpful and I hope the Government will implement many of them.

**Deputy Lisa Chambers:** I wish to share time with Deputy Brendan Smith. I will have seven minutes and he will have three minutes.

**Acting Chairman (Deputy Declan Breathnach):** Is that agreed? Agreed.

**Deputy Lisa Chambers:** Crime is clearly a very serious issue and there are a number of points I wish to touch upon. The first is crime prevention, particularly in the context of rural crime. However, I also wish to address the courts system, the Probation Service, the prison system, treatment facilities and rehabilitation.

One of the key areas in terms of crime prevention is the provision of more gardaí. That has been suggested by nearly every speaker to date. It is clear that there is a need for more gardaí on the street. Visibility is a problem. If a person feels that he or she will get away with a crime, it is much more easy for him or her to commit that crime. More gardaí on the beat and more Garda cars on the roads will lead to a reduction in crime and act as a deterrent.

Gardaí need to be better resourced because we are now dealing with far more sophisticated criminals who are often very fast and sometimes a crime is committed and the criminals are gone before the Garda is even notified. We must up the ante in terms of the resources and capability we give gardaí to deal with offences.

Whether one admits it or not, the perception exists that crime is on the increase. Figures suggest that is not the case but the feeling among people, in particular in rural communities, is that they are no longer safe in their homes. A previous speaker indicated that crimes are not be-

ing reported because people feel that even if they do report a crime, they do not know what will happen or if anything will be done. Many of the reports on burglaries are made simply for the sake of insurance. There is no real confidence that the crime will be followed up, justice will be served and the perpetrator will be caught and brought to court.

That brings me to the courts system. From my previous experience as a legal professional, I have seen at first hand the pressure under which the courts system is operating. There are long lists of cases and a large number of people presenting. Judges and the Probation Service are under overwhelming pressure. They are constantly chasing their tails.

Legal aid is a problem but I disagree with the notion that we should cut legal aid without any thought. We must bear in mind that the justice system requires that people are properly represented and in order to have a fair trial people must have access to legal aid in certain circumstances. I appreciate that the system might be a bit lax. We could examine it to see how we could do things better.

One of the key issues I often came across as a legal practitioner was a situation where a probation officer would present in court and tell the judge that the person in question would benefit from access to a treatment facility for drugs or alcohol but would indicate that no places were available. That leaves judges with very little option but to impose a custodial sentence which would possibly allow the person to be rehabilitated but that leads to further problems down the line.

Sentencing is also a huge problem. The perception is that it is almost pot luck, depending on what court one appears in, what day one appears and what judge one gets. I strongly believe that a sentencing commission is required that provides guidelines to the Judiciary without impacting on that fine line between the State and the Judiciary. More consistency is required. People need to have an idea of the type of sentence that might be imposed for a particular type of offence. We have upper limits but we do not usually set lower limits. We must examine the position in this regard. I refer in particular to the area of sexual offences where, to date, some of the sentences handed down have been far too lax and send out the wrong message to victims and their families. Likewise, there have been cases where sentences were handed down that were far too harsh. Consequently, sentencing certainly is an area in which there must be a restoration in public confidence that there is some consistency. Bail is another area that must be considered. Even within the past year, some serious crimes have been committed in which people who have more than 20 previous convictions have appeared before the courts. Members of the public are asking how such people could be on the streets, and it is a fair question to ask. The perception people have is that bail conditions sometimes can be too lenient, but then again, the options presented to judges in this regard must be considered.

The prison system is at bursting point and Members often forget a key tenet behind sentencing and what it is meant to achieve. While it must be proportionate and there must be an element of punishment, there also must be an element of rehabilitation because there is no point in putting somebody into custody only for him or her to come out worse than ever and to be at high risk of reoffending. This serves neither the public nor the greater good. I touched on this point earlier in respect of treatment facilities but greater investment in and funding for proper treatment facilities for people with drug and alcohol addictions are needed in order that they can get back on the right road and become functioning and contributing members of society. The likelihood of a person re-offending if they enter the system must be reduced. A long look must be taken at why people offend in the first place, where society may have failed them and



where a better job can be done in preventing this, rather than seeking a cure all of the time. Better supports in communities and youth services certainly are major elements in this regard. If one gets into bother or difficulty with the law at a young age, it sometimes can be difficult to come out of that and become a properly functioning, contributing member of society in good standing as an adult. Consequently, this issue must be examined from a broad perspective. It is not simply about punishing people, removing legal aid and locking them up. It is necessary to examine rehabilitation, preventing people from offending in the first place, considering where society may have failed younger people in their communities and considering how a better job can be done in those communities. I believe this ties in with having better options available to the Probation Service and the judges in order that they can deal with people when they are in these difficult situations.

Overall, crime is a highly complex issue that takes in many facets, including the Probation Service, the Prison Service, the judicial system and obviously the Garda. It is necessary to take a holistic approach to this issue and consider how all these sectors can come together and work to try to prevent crime and then, obviously, deal with it properly in order that public confidence is maintained in the criminal justice system.

**Deputy Brendan Smith:** I appreciate that Deputy Lisa Chambers has given me the opportunity to make a short contribution and I will refer in particular to the crime problems in the Border area. As a representative of two southern Ulster counties, they have particular problems with many offenders crossing the Border. Unfortunately, some of the areas to which they move directly from Cavan and Monaghan are parts of the Six Counties that are not well policed. I hear from constituents in Swanlinbar, Redhills or across County Monaghan who believe the perpetrators of crime in many areas south of the Border are people who then can flee readily north of the Border where the police presence is inadequate. While Members cannot change this, I ask the Minister and senior officers of An Garda Síochána to pursue with the PSNI the need for a better policing presence immediately north of the Border. The Acting Chairman, in his role as a representative for County Louth, may have come across similar concerns as those expressed by my constituents regarding the easy manner in which people can flee from the scenes of crime in counties Cavan, Monaghan or elsewhere along the Border area in particular.

Within the past four years, nine Garda stations have been closed in counties Cavan and Monaghan and there has been a serious reduction in the numbers of personnel attached to the Cavan-Monaghan Garda division. Thankfully, we were glad to see the opportunity to reduce Garda numbers on foot of the signing of the Good Friday Agreement. Traditionally, at the time the region had a huge presence of gardaí, members of the Permanent Defence Force and members of the Customs and Excise service. Thankfully, the political situation has changed to enable a lesser policing presence, but unfortunately in recent years the numbers of members of An Garda Síochána in the Cavan-Monaghan division have been reduced by 75. This is a substantial reduction that was imposed on an already much-reduced complement of members of An Garda Síochána when compared with previous years. This is a matter I wish to have addressed. In 2010, eight members of An Garda Síochána were working full-time in a drugs unit covering counties Cavan and Monaghan, but unfortunately that unit was disbanded. The drugs epidemic is serious nationwide and many communities, individuals and families speak to Members as public representatives to express their grave concerns regarding the epidemic of drug dealing and the scourge it is inflicting on so many individuals, families and communities. I appeal to the Minister for Justice and Equality, through An Garda Síochána, to ensure adequate additional resources are provided in the Cavan-Monaghan division to enable the re-establishment of a

drugs unit to deal specifically with this issue.

In the course of the previous Dáil I brought forward legislation entitled the Protection of the Environment (Criminal Activity) Bill 2015 which was aimed at establishing a cross-Border statutory agency to deal with the issue of smuggling and criminality in the Border area. Unfortunately, there have been too many instances of people with ill-gotten gains through criminality and smuggling, be it of fuel, cigarettes or other products. Members are aware of how damaging this activity has been to business in the Border areas, as well as to the general environment. I acknowledge that in the Fresh Start agreement, the Irish and British Governments put forward proposals to deal with this issue but I do not believe it ever will be tackled adequately unless a dedicated agency is established whose task and duty will be to eliminate the criminality attached to those illicit activities.

**Deputy Noel Rock:** In recent weeks and months, my constituency has seen a number of criminal incidents of a gangland nature. I include the Regency Hotel incident, naturally enough, but also the Sheriff Street incident that spread into Drumcondra, as well as a further two incidents in Charlestown, Finglas, in which a young child narrowly missed being shot in a shopping centre on a Friday afternoon. This goes to show how close much of this criminality is getting to a suburban setting and to causing another innocent victim. It is only a matter of time, unfortunately, until the next incident involving another innocent victim occurs.

I wish to speak on a number of aspects in respect of crime, not all necessarily about gangland crime, but about the need for a cohesive, holistic plan on crime over the next few years. I am glad to note many of the talks between Fine Gael and the Independent Members and between Fine Gael and Fianna Fáil focused on the urgent need for a crime prevention strategy and on the need for a cohesive, holistic plan.

*4 o'clock*

One point raised by Deputy English earlier with which I wholeheartedly agree is the idea of prison reform. Prison reform is needed urgently and must be brought up the agenda. While the Criminal Justice (Burglary of Dwellings) Act 2015 passed last year was a good reform overall in respect of consecutive sentencing for burglaries, this always should have been the case. In many cases in which my constituents have been victims of burglaries, they have been surprised to find this was not always the case. As Members are aware and have heard anecdotally from speaking to victims of burglaries, it often is the case that the perpetrator commits multiple burglaries and it rarely is the case that he or she engages in this activity as a once-off event. Consequently, it is important that Members are perceived to be hitting crime, the causes of crime and the causes of criminality hard. As such, I am glad the issue of the proceeds of criminality potentially is being tackled by the proposal to establish a regional criminal assets bureau. This will be an important step forward that should be elevated up the agenda in the current talks and in the years ahead because it is clear to many members of An Garda Síochána that a real issue exists regarding the proceeds of criminality and criminals being able to retain the proceeds of such criminality.

On matters of policing, a number of Deputies have referred to the clear issue of morale among the ranks of An Garda Síochána, not least among gardaí of my age who have only recently entered the force. They have found they perhaps are victims of a somewhat unequal pay

scale. Clearly, it is necessary to bring about a sense of equity in this regard.

*4 o'clock* Gardaí naturally take great pride in serving and protecting the community. Nevertheless, there is a clear need to ensure equity between a 25 year old garda and one who has been in the force a bit longer and started on a more favourable payscale. I hope we will see that question being dealt with because it is quite clear that this problem will fester if it is not addressed. It should be done sooner rather than later.

That morale issue is reflected among new recruits. I have never before seen a number of new recruits to Templemore exiting the force after joining it. That has happened in three cases and it is unwelcome. It is always good to reflect on positive things, however, including the reopening of Templemore, which is welcome, as is the commitment to bringing the force back up to 15,000 gardaí. Garda numbers have lapsed somewhat since 2010, but the reopening of the training depot will ensure a renewed impetus to raise the number of gardaí.

In Dublin, in particular, we have seen a number of gardaí joining stations but there will be a clear problem concerning retirements in the years ahead. Deputy Griffin raised this issue earlier. More flexibility will be required when it comes to the retirement age for gardaí or else it will be difficult to attain the goal of 15,000. According to people I have spoken to who are involved in garda training in Templemore, there will be some logistical challenges in reaching that target. It is obviously a laudable goal to pursue but it would be easier to retain some element of flexibility in garda retirement.

As regards the gangland issue we are facing, particularly on the north side of Dublin, I welcome the Minister's action on emergency overtime measures in recent weeks. That was a welcome initiative which did quite a lot to restore the confidence of people in that area. It will prevent further incidents from occurring, although it is hard to argue about this in a vacuum and say what incidents were precisely prevented. Nevertheless, that €5 million investment was both timely and worthwhile.

The closure of Garda stations was mentioned by other speakers and I understand that there will be a forthcoming review of those stations, so we will see what comes of that. We have seen a serious capital investment programme for upgrading stations, forensics and the car fleet. We have world-class police officers and An Garda Síochána is internationally renowned. Garda representatives are often called upon to address conferences in Europe and beyond, given their level of expertise in dealing with criminality. At the same time, they manage to retain their traditional roots within the community, which is so vital to their work. I am glad they have consistently managed to balance that professionalism with a community ethos. We should always strive to maintain that in so far as possible.

As regards upgrading the Garda vehicle fleet, we see the Garda Síochána can do more in an agile and flexible manner than ever before. The cohesive, holistic plan for policing services will be a vital element in the years to come. Gardaí must have the capability to work from practically anywhere and undertake as many tasks as possible on the beat. Gardaí must be kept in the community. It is important, therefore, to have small-scale investments, such as in CCTV. The community CCTV programme was launched in 2005 and the last project funding was drawn down in mid-2013. It would seem there is a case to be made for renewing that kind of funding. It is a small amount at €3.76 million, but nevertheless it was spectacularly effective for communities that felt its impact through 45 community schemes. We need to see more such schemes.

It seems like a quaint concept to have gardaí on bicycles but in urban areas such as Finglas, Santry and Ballymun in my own constituency, we have seen such gardaí on patrol with the capacity to move around an area quickly. A Garda car may not have the same level of flexibility in an urban environment. There are currently only two bicycles in Santry Garda station even though it covers a large area. A number of gardaí have expressed a preference for more bicycles there. Such an investment, albeit on a small scale, would be very welcome if it could be brought about.

I would like to see, as would gardaí to whom I have spoken, something akin to what happened with the employment situation in the past five years, which was a relentless focus on an action plan for jobs. Gardaí would also like to see a clear, goal-oriented and defined action plan on crime. That is the way to be tough on crime and the causes of criminality.

In addition to CCTV and bicycle patrols, the text alert service should be rolled out in a formalised manner. Nonetheless, it has worked well where it was rolled out. It is an important service both in urban and rural settings, so we should try to learn best practice in order that we can roll it out in every part of the country. In my own area, there is an inconsistent patchwork of text alert systems and some work better than others. We should share the best techniques and try to do as much as is possible while avoiding costly solutions. Money is there to be drawn down for a cohesive, holistic investment programme in An Garda Síochána.

I hope we will see a consistent planning of Garda services as well as on the judicial side of things. Barely a week goes by when we do not shake our heads in disbelief looking at some of the inconsistent sentencing that is often handed down. It would be good to see some consistency and, ultimately, I would like to see further action on that. I am confident, however, that in the years to come we will see a really cohesive, holistic plan to combat crime.

**Deputy John Paul Phelan:** I will briefly take up some of the points raised by Deputy Rock. He mentioned community text alerts that exist in some parts of the country and I would fully echo what he said. In my constituency of Carlow-Kilkenny, most communities have a text alert system and it works very well. I can get alerts in my office in Leinster House regarding what is happening in my home parish of Tullogher Rosbercon. I might not be able to do much about them, but it is reassuring at least to know that the community is alerted. The system works well and the community gardaí involved in promoting it are doing great work. Crime patterns are different nowadays, so it is important to use every aspect of new technology that is available both to gardaí and the wider community. The text alert system is not a hugely expensive one but it is quite effective, so we should ensure it is rolled out to more communities, both urban and rural, throughout the country.

Since the new motorway network was opened up, the perception exists that it provides improved ease of access to more isolated rural communities for those engaged in criminal activity. As a result, there is a strong case for CCTV facilities to be made available both on motorway entry and exits, including the national road network. A few months ago, in the context of road traffic offences, the Department of Transport, Tourism and Sport said that CCTV might become more widely available. CCTV would certainly be effective in monitoring the activities of known criminal gangs involved in burglary, in particular. There is therefore a compelling case for installing CCTV at major entry and exit points on the national road network.

On the issue of resources, Deputy Noel Rock is correct that a two-tier system of pay, a legacy of the economic collapse of eight years ago, exists across the public service and not just

in the Garda. It is indefensible that new entrants are almost discriminated against for being younger. As the economy improves, I hope this anomaly will be removed. Not to put too fine a point on it, some of the representative groups and the unions in the public service ensured existing members were looked after while those coming after them were sold short. That anomaly should be corrected.

The major crime figures in the country are actually moving in the right direction. The figures for burglary, in particular, have decreased significantly, a fact worth remembering. Significant investment has also been made in respect of the cars available to the Garda. While it seems like an obvious matter, the Garda fleet was outdated in many respects and significant money has been put into it.

I agree with other speakers on the issue of Garda manpower. It is good that in recent years the college at Templemore has come back into operation and that gardaí are being recruited. At the rate of retirement versus the rate of recruitment, however, there has not been much of a difference. To reach the critical mass required, it is essential that more resources are put into the hiring of extra gardaí as, hopefully, the economic situation continues to improve.

As someone who spent almost two years of his life in the dungeon of Leinster House at the banking inquiry - I was greatly rewarded for soldiering at that task - I have a particular interest in the issue of white-collar crime. A previous Minister for Justice and Equality introduced legislation in this regard. While speakers have concentrated on burglary and other obvious offences, there is a category of criminal about which we all know. These criminals were part of the system that brought the economy to its knees but, for the most part, they have almost got away scot free in the context of their activities. I regret that. Ensuring our legislation in respect of white-collar crime reflects the modern world's approach to these offences is a job for whoever will be the next Minister for Justice and Equality - be it the current incumbent or someone else. Due to the large crowd gathering in the Chamber now, we might know who it will be in the next few hours. There is a job for the next Minister to ensure people who are in positions where they can bring about events that cause economic collapse - as happened in this country - suffer the consequences for what they have visited upon the population. Unfortunately, and unlike in other countries, particularly the United States, many of those who held such positions eight years ago have not been brought to justice for their misdoings.

Several Deputies referred to a recent court judgment on legal aid and a Member of this House. I have never spoken in this House or anywhere else on a decision of any court in the land. I was struck, however, by responses from constituents and others on this recent decision. It absolutely beggars belief that someone in receipt of nearly €90,000 in salary plus expenses can be the recipient of legal aid when so many people, especially on the civil end of legal aid, cannot get those resources for civil proceedings. I refer, in particular, to those involved in family law matters whose circumstances can be very straitened as a result of a family break-up or outstanding loan issues relating to the economic collapse. When they see a Member of the Oireachtas getting legal aid, they are rightly disgusted. The Deputy in question should do the honourable thing and not take it. He does his job admirably for the people he represents and is a vocal Member of the Oireachtas. However, the prospect that he will have his legal expenses paid, especially when he is in receipt of a sum in excess of €100,000 from the taxpayer annually, is morally unacceptable. He should do the honourable thing in that regard, notwithstanding the court's decision, erroneous as I might view it, to grant him that legal aid.

Whoever is the next Minister for Justice and Equality and for however long he or she holds



that position, he or she has several priority matters to examine, including white-collar crime and the reform of our immigration system. The next Minister could have a serious impact on this and I wish whoever takes this portfolio the very best of luck.

**Deputy Marcella Corcoran Kennedy:** I welcome the opportunity to speak on this important issue. As a public representative, it is an issue which exercises my constituents regularly, especially if there is a spate of criminal activity in our area. In Offaly-north Tipperary, there has been yet another spate of burglaries of retail premises, farmyards and private dwellings. From what I have been told by local Garda management, they have been the target of mobile gangs. It is a hard fact of life that we have to accept that there are people in our society who engage in criminal behaviour. It is our role as public representatives, through good policy-making, to support the valiant efforts of An Garda Síochána. Members of the Garda see themselves as a police service rather than a police force.

As a member of the Offaly joint policing committee, I found this engagement with An Garda Síochána at local level with communities and public representatives to be fruitful. One matter which always arose at these committee meetings was the requirement to have additional boots on the ground and additional vehicles. All Members welcomed the reopening of Templemore training college in 2014, with 700 recruits having gone through there since then, as well as the fact another 600 recruits are planned for this year, along with investment in additional vehicles. Through the committee, I know there was much emphasis on CCTV systems. I hope we will continue to maintain and extend the Garda CCTV system, while the reintroduction of the community CCTV will be an outcome of the review being conducted.

An Garda Síochána is forging partnerships, which are very welcome, through Muintir na Tíre and the IFA to roll out community alert and text alert schemes. Crimestoppers is also working with the IFA to combat the theft of farm machinery.

I hope that, in the lifetime of this Dáil and in the new legislative programme, the Criminal Law (Sexual Offences) Bill 2015 will be placed on the A list and will be dealt with as soon as possible. It was a shame it was not dealt with by the previous Government. I hope it will be a priority in the next term, especially when figures from the Central Statistics Office show recorded sexual offences rose by 15% in 2015. The second SAVI report on sexual abuse and violence in Ireland was published in January this year, some 14 years after the first such report. It was welcome that a national strategy on domestic, sexual and gender-based violence was also published. Longitudinal research is required - I did not see it in the strategy. It would help us understand why the demands on the rape crisis centres and the sexual assault treatment units have grown so much in the past ten years. Why is this happening? Is it due to the increasing use of pornography or the Internet? What is going on? This is why we need that type of information.

I also want to discuss the fantastic work the rape crisis centres are carrying out across the country, particularly in Tullamore and the work of Offaly Domestic Violence Support Services. They are doing fantastic work for victims of sexual assault and domestic violence. We must ensure funding is put in place for them. It pains me to see volunteers fundraising when they should be providing supports to victims of sexual assault and domestic violence. We need to increase funding there if we can.

We need to look at sentencing, which reflects what we believe is the outcome of a crime. A recent offence only attracted a suspended sentence of seven years because the perpetrator

confessed to the crime initially. I firmly believe a suspended sentence of seven years for raping one's partner is inadequate. It sends out a really negative message about our view of the seriousness of this crime. It is appalling that we would allow that type of sentencing. If we are to take sexual assault and rape seriously, we must ensure that the sentence is commensurate with the crime. I acknowledged the helplines. It is important that people are aware that Women's Aid has a 24-hour helpline for victims of domestic violence and the Dublin Rape Crisis Centre has a 24-hour helpline for victims of sexual assault. It is very important that people are aware of them.

I thank the Acting Chairman for the opportunity to speak on this very important topic.

**Minister of State at the Department of the Taoiseach (Deputy Simon Harris):** I am delighted to have such attention for my wrap-up speech. On behalf of the Minister for Justice and Equality, I thank Deputies on all sides of the House for their contributions to this useful and constructive debate on crime. It is clear that there is much common ground between us on the need to continue to resource An Garda Síochána and protect our urban and rural communities. I will briefly address some issues raised during the debate.

A number of Deputies spoke about the recent CSO statistics. As the Minister stated earlier, I welcome the overall reduction of 5% in burglaries for the 12 month period ending on 31 December 2015 and the substantial reduction of 26.2% for the last quarter of 2015 compared to the same period in 2014. Nonetheless, this is clearly an issue that requires all of our concerned efforts as we try to address it.

Deputies raised the issue of sexual offences. I think everyone in this House agrees that for too long, many victims of sexual or domestic abuse suffered in silence. It is critical that all such crimes are reported and all of us in this House must do all we can to support victims of such crimes.

Reference was made to knife crime. I would point out to the House that figures provided by the CSO show that the number of recorded offences involving a knife has decreased each year since 2010. Notwithstanding the statistical trends, the impact of these crimes is, of course, extremely serious and I assure Deputies that the Minister for Justice and Equality is in ongoing contact with the Garda Commissioner in respect of a wide range of crime and policing concerns, including knife crime and other violent crime. A comprehensive and robust legal framework is in place with regard to knife crime, including heavy penalties for breaches of the law concerned. Under the provisions of the Criminal Justice (Miscellaneous Provisions) Act 2009, the maximum penalty for possessing a knife in a public place without good reason or lawful authority has increased from one year to five years. An Garda Síochána also has extended power of search without warrant in respect of knives and offensive weapons.

Earlier in the debate, Deputy Niall Collins raised the issue of the Garda retirement age. This is a complex matter that requires careful consideration before any decision to change the existing arrangements could be contemplated. Having said that, I hope this is something the new Government, should it be formed soon, can examine in the context of overall Garda resources.

In her opening address, the Minister paid tribute to the men and women of An Garda Síochána who diligently and effectively go about their work knowing the significant risks involved. I condemn outright all assaults on members of An Garda Síochána and emergency workers and I hope that is something all of us in this House will do. Section 19 of the Criminal Justice (Public

Order) Act 1994 provides for specific offences relating to assaults on peace officers, which includes members of An Garda Síochána. Section 185 of the Criminal Justice Act 2006 increased the penalty for this offence from five to seven years imprisonment and also provided for the criminalisation of threats of assault. Nonetheless, it is vital that continued investment is made in protective measures for An Garda Síochána and all emergency workers.

In terms of Garda recruitment and investment, I would simply say that the needs are well known and are not being disputed. Under the outgoing Government, recruitment has recommenced and investment has increased. I look forward to this continuing under the incoming Administration. Since the Minister recommenced recruitment in 2014, 63 new Garda recruits have been assigned to the DMR north-central and south-central divisions covering Dublin city centre and inner-city areas.

On the formation of a new Government, my party has also agreed to increase the strength of An Garda Síochána to 15,000. We have further agreed to mandate the Policing Authority to review the boundaries of Garda districts and the disbursement of stations. I believe these commitments will respond to many of the concerns expressed by Deputies here today.

I reaffirm my party's commitment in government to enacting legislation to place the Parole Board on a statutory footing.

Deputies O'Donovan and Phelan and others raised the question of criminal legal aid. The long-standing position is that the Criminal Justice (Legal Aid) Act 1962 gives expression to the constitutional right that free legal aid must be granted in certain circumstances for the defences of persons of insufficient means in criminal proceedings. Obviously, these matters are determined by the Judiciary. I would point out to the House that a new criminal legal aid Bill is being drafted to update and strengthen the system of granting legal aid. Perhaps some of the issues raised in this House could be considered in the context of that forthcoming legislation.

Many Deputies have reflected on the fear instilled in our communities by the persistence of crime. As an elected representative, I know this sense of fear only too well. However, the Minister knows that this fear can be overcome. I know that crime can be, and is being, tackled across many categories. I hope that the Thirty-second Dáil will be in a position to support the work of the incoming Government in continuing to do all we can to increase recruitment and investment in An Garda Síochána, which is so critical to tackling crime.

### **Business of Dáil**

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** It is proposed, notwithstanding anything in Standing Orders or the resolution of the Dáil of this day, that the Dáil shall sit tomorrow at 12 noon and the business to be transacted shall be the resumption of business under Article 13.1 of the Constitution, namely, nomination of An Taoiseach, the arrangements for which shall be agreed tomorrow.

**Acting Chairman (Deputy Declan Breathnach):** Is the proposal agreed? Agreed.

*Written Answers follow Adjournment.*

The Dáil adjourned at 4.30 p.m. until 12 noon on Friday, 6 May 2016.