



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Déardaoin, 19 Bealtaine 2016

Thursday, 19 May 2016

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

Paidir.

Prayer.

Order of Business

The Tánaiste (Deputy Frances Fitzgerald): It is proposed to take No. a7 - motion re establishment of standing committee of selection; No. b7 - motion re membership of the Committee on Procedure and Privileges; and No. c7 - motion re draft final report of the Sub-Committee on Dáil Reform, to adjourn at 3.30 p.m. today, if not previously concluded.

It is proposed, notwithstanding anything in Standing Orders, that Nos. a7 and b7 shall be decided without debate and the following arrangements shall apply in relation to No. c7: the speech of a Minister or Minister of State and of each member and substitute member of the Sub-Committee on Dáil Reform, who shall be called upon in alphabetical order, shall not exceed 15 minutes in each case; and such members may share their time; the speech 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 speech in reply which shall not exceed five minutes.

An Ceann Comhairle: There are two proposals to be put to the House today. Is the proposal for dealing with Nos. a7 and b7 agreed to? Agreed. Is the proposal for dealing with No. c7 agreed?

Deputy Clare Daly: It is not agreed. It seems a little bizarre that we are speaking about an era of democratic reform but the amount of time being allowed today for non-members of the committee is less than half an hour. We have been largely excluded from the debate about these issues in recent weeks. This week we have seen, quite obviously, the silencing during Leaders' Questions of a large part of the Opposition by not having this slot. There is a real desire on our side of the House to see this matter concluded early but giving ten minute slots in half an hour today to all of those of us who are not members of the committee does not do this. It is not genuine and I strongly object to it. Can we extend the discussion today to take account of this or cut the time allocated to committee members?

An Ceann Comhairle: Certainly the intention is to see that every Member who wants to

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participate in the debate has the opportunity to do so.

The Tánaiste (Deputy Frances Fitzgerald): The debate will adjourn today, so provided there are speakers who want to participate, it will continue next Tuesday. There is no limit.

Deputy Clare Daly: That is not really the point. The issue is there is a real desire to get the Dáil up and running in a proper way. There is no clarity on our side of the House about how groupings will be formed and how we will function. We do not want this dragging on any longer. It would be far more democratic if the slots of committee members were shortened to allow other Members of the House to have broader participation or if we extended the time of the discussion today.

Deputy Joan Burton: Given the work all of the members of various groups and parties and individuals have put into this, I suggest we simply extend by two hours today's debate regardless of the time available next week so everyone has an opportunity to contribute.

An Ceann Comhairle: I thank the Deputy for that helpful suggestion.

The Tánaiste (Deputy Frances Fitzgerald): I have no difficulty extending the time. We clearly want every Member of the House to have an opportunity to participate. The list of speakers is not that long at present but no doubt this will change. If it continues and we extend the debate by two hours today, there will still be an opportunity to continue the debate on Tuesday.

An Ceann Comhairle: Is Deputy Daly happy with this arrangement?

Deputy Clare Daly: An extension of two hours today would be great. That is perfect.

An Ceann Comhairle: Can I take it, therefore, that the proposal for dealing with No. c7 is now agreed? Agreed.

Deputy Michael Moynihan: I wish to ask the Tánaiste about a number of items. When will the public sector pay commission be set up, how long is it expected to last and when is it expected to report? I ask the Tánaiste to ensure that every Member of the House has an ample opportunity to speak on the O'Higgins report because there will be a large number of Deputies across all parties and none wanting to speak on it.

I want to bring another matter to the attention of the Tánaiste and the new Minister for Health, whom I wish well. This morning I heard from a patient in my constituency who is terminally ill. A GP's letter was sent to the Department of Health or its medical card section with the words "terminally ill", but we have just got an e-mail back in the last half an hour saying that the GP's letter was not strong enough and one must be sent back stating "end-of-life treatment". The way in which the reply was sent is totally disgraceful. I appeal to the Tánaiste and the Minister to take this matter in hand because these discretionary medical cards are not being dealt with properly in a humanitarian way or in any way that would reflect the fears or the frightening situation in which that family finds itself today.

The Tánaiste (Deputy Frances Fitzgerald): Regarding the public pay commission, there is a commitment in the programme for Government to establish a pay commission. My colleague the Minister for Public Expenditure and Reform is giving consideration to how to give effect to that commitment and what the necessary steps are, including consultation with the relevant stakeholders, which has begun already. There is also a commitment in the Lansdowne

Road agreement to engage with public service unions before the Government decides on any future pay determination mechanism.

I recognise the point Deputy McDonald makes regarding the debate on the O'Higgins report, which is a 370 page document and which deserves full consideration in this House. No doubt the Whips will discuss the precise arrangements, but I recognise that many people will want to contribute.

Regarding medical cards, there is a commitment in the programme for Government to take an ongoing, humane and considered approach to cases such as the one Deputy Michael Moynihan described this morning. Perhaps the Deputy would like to liaise directly with the Minister for Health regarding that particular case, but the Minister is meeting with the medical card section and the people who make those determinations next week.

Deputy Mary Lou McDonald: Over the last number of days the Tánaiste has been asked about the O'Higgins report and the legal direction given by the Garda Commissioner on behalf of an Garda Síochána to her legal representatives. On each occasion she has steadfastly refused to answer very straightforward questions to which the public interest demands answers. I noted that yesterday she indicated that the Commissioner might make further information available in the public domain. So far that has not happened. I therefore ask her again to tell the Dáil whether or not she has received clarity on the instructions given by the Commissioner to her legal team regarding Sergeant McCabe-----

An Ceann Comhairle: Deputy McDonald, sorry-----

Deputy Mary Lou McDonald: This is the Order of Business.

An Ceann Comhairle: The Deputy understands perfectly well-----

Deputy Mary Lou McDonald: Yes.

An Ceann Comhairle: -----that this is the Order of Business, not Leaders' Questions, so the question she is posing is not appropriate in the circumstances-----

Deputy Mary Lou McDonald: I tell the Ceann Comhairle what I also understand, if I might put it to him this way. In her last response the Tánaiste indicated, as we know, that we will have a debate on the O'Higgins report next week.

An Ceann Comhairle: Yes.

Deputy Mary Lou McDonald: She also said quite correctly that it is a very lengthy document, running to some 370 pages, and of course Members will wish to examine all matters in that report very thoroughly. In the meantime-----

An Ceann Comhairle: Yes, but the Deputy is now taking time of which her fellow Members want to avail under the Order of Business, and what she is raising is not appropriate-----

Deputy Mary Lou McDonald: Bar this interruption, I would have completed what I had to say and put the question-----

An Ceann Comhairle: Yes, but she would have done so incorrectly because it is not appropriate for her to raise this matter under the Order of Business, so either the Deputy raises something that is relevant to the Order of Business or she resumes her seat because I will not

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ask the Tánaiste to respond to this matter.

Deputy Mary Lou McDonald: This is relevant, Ceann Comhairle. I ask whether the Tánaiste, working on the assumption that she will put the questions to the Commissioner, will at least receive responses from the Commissioner-----

An Ceann Comhairle: The Deputy is attempting to frustrate the order of the House. We have a process and a procedure. The Deputy knows perfectly well that what she is trying to introduce is contrary to Standing Orders. Please, I am asking her not to proceed.

Deputy Mary Lou McDonald: Can I ask the Tánaiste to publish responses that she will get, one presumes, from the Garda Commissioner for the information of the Dáil Deputies in advance of the debate next week?

An Ceann Comhairle: I thank the Deputy.

Deputy Mary Lou McDonald: On a second matter, Ceann Comhairle, I ask the Tánaiste when it is proposed that the Minister for Education and Skills might come before the House-----

Deputy Caoimhghín Ó Caoláin: Here he is.

(Interruptions).

Deputy Mary Lou McDonald: -----to make a statement - timing is everything they say - on the very troubling brief that he has been given for his Department as he settles into his new role. Page 35 of that brief reflects the fact that the current reduced funding levels create a risk that some schools may not be able to cover critical costs such as insurance, heat and light. The brief continues, “the absence of which could trigger school closures”. I am aware that the Minister is taking questions today, but I believe the seriousness of this situation warrants the Minister coming before the House and making a substantive statement on this matter.

An Ceann Comhairle: I thank the Deputy for her co-operation. Tánaiste, the relevant questions, please.

Deputy Mary Lou McDonald: Could he be any more snide?

The Tánaiste (Deputy Frances Fitzgerald): I said yesterday that I had no doubt that the Garda Commissioner, where feasible and legal for her to put further information in the public arena, would do so, and that remains my position. I fully support the Commissioner in the difficult job she is doing and I am confident that our discussions will help as much as possible to address the concerns which have been raised, consistent with the principles that I have outlined.

To recap very briefly-----

An Ceann Comhairle: No, please, let us not have a debate on the issue.

The Tánaiste (Deputy Frances Fitzgerald): Of course.

An Ceann Comhairle: Will the Minister publish the responses? If she will, she will; if she will not, she will not.

The Tánaiste (Deputy Frances Fitzgerald): I have ongoing contact with the Garda Commissioner. When it comes to the Dáil debate next week, consistent with the principles I outlined

yesterday that must be observed by both her and by me, I will inform the House fully as to the outcome of those discussions.

An Ceann Comhairle: I thank the Tánaiste and ask her to respond to the education issue that has been raised.

The Tánaiste (Deputy Frances Fitzgerald): The Minister for Education and Skills is taking questions today. There is a strong commitment in the programme for Government regarding capitation for pupils, class sizes and other matters concerning education, for example, safeguarding the position of small schools, and no doubt the Minister will respond to the reports which are in the public arena today regarding safeguarding our schools. We certainly will do that.

Deputy Joan Burton: I want to raise, regarding the programme for Government, the issue of the capacity and power of credit unions to issue micro loans to families on low and middle incomes who are otherwise unable to get credit. This scheme was launched last year by me and by the former Minister of State at the Department of Social Protection, Senator Kevin Humphreys. It has been an enormous success such that in the case of quite a number of credit unions and their loan limits, which are relatively small, the average loan value is €1,800 but many loans are for amounts up to €500. Both in my constituency and the Tánaiste's there are many large housing estates built by the local authorities where there are literally no banking facilities and where credit is sold door to door or by money lenders. This scheme has resulted in thousands of loans being issued in the 50 trial credit unions which have been using the scheme, assisted by An Post, with a household budgeting facility made available by An Post for repayments. If we could extend the scheme on a much wider basis and countrywide, we would see a significant drop in money lending, particularly in very disadvantaged areas and to people on very low incomes. In the context of the programme for Government, I merely wanted to ask if the Government would prioritise the rapid expansion of this scheme.

The Tánaiste (Deputy Frances Fitzgerald): The point Deputy Burton makes regarding the availability of credit to families is a critical one. I reiterate the strong support for the scheme that the Deputy initiated under the Department of Social Protection. That now will need to be evaluated with a view to extension.

There is a strong commitment in the programme for Government to credit unions. The Minister for Finance met representatives of the credit union movement in recent weeks and I can assure Deputy Burton that the type of scheme she outlined has the support of Government. I will ask the Minister for Finance to liaison with the Deputy on the extension and development of such a scheme.

An Ceann Comhairle: I call Deputy Boyd Barrett.

Deputy Joan Burton: Can I say briefly-----

An Ceann Comhairle: Deputy Burton cannot, I am sorry.

Deputy Joan Burton: -----that we do not need another evaluation?

An Ceann Comhairle: Would Deputy Burton resume her seat?

Deputy Joan Burton: All the evaluations have been done.

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An Ceann Comhairle: I ask Deputy Burton to resume her seat. I call Deputy Boyd Barrett.

Deputy Richard Boyd Barrett: I have two questions. The Harbours Bill 2015, that was passed shortly before the dissolution of the previous Dáil, allowed for the Minister to make decisions about the status of particular harbours. This morning I heard an alarming report that a decision has been made regarding Dún Laoghaire harbour to establish a new quango. The House should be informed of such a decision on foot of the Act, if it has been made by either the outgoing or incoming Minister.

According to the due diligence report I got this morning a decision has been made. We were informed by the previous Minister that this report would form the basis of any decision and is now available to county managers although it has not been made available to any public representative, either here in the Dáil or in local authorities affected by these decisions. That is completely unacceptable. I want to ask the Minister has a decision been made and will it be brought to this House.

With regard to the Payment of Wages Acts 1979 and 1991 and legislation dealing with public procurement, we have learnt in the past few days that the company Transdev is planning to dock wages for hours worked from Luas workers, which is a breach of these Acts, and to interfere with their sick pay entitlements, which is also in defiance of the Acts. We have heard that Transdev is bidding for bus routes but no company engaged in breaches of the law should be allowed even bid for public contracts. Is the Tánaiste aware of these breaches and does she believe that this necessitates a strengthening of the Payment of Wages Acts and other legislation dealing with outsourcing and public procurement?

The Tánaiste (Deputy Frances Fitzgerald): I suggest that a parliamentary question would be appropriate in order to deal with the specific points Deputy raised in his first question. I am sure the Minister will respond to it.

On the second issue, there is an industrial relations mechanism in place in regard to the situation at the Luas. There is a strong commitment in the programme for Government to supporting the work of the Industrial Relations Commission and we should support every effort that is being made there to resolve the dispute at Luas with the workers.

Deputy Richard Boyd Barrett: That was not my question.

Deputy David Cullinane: Is it the intention of the Government to reinstate the Technological Universities Bill 2015 at the Stage that it was before the election took place because it is a hugely important issue for many institutes of technology, which need certainty and clarity to proceed with the mergers or processes in which some of them are involved? I met the president of Waterford IT last week and he was adamant the institute needs certainty and clarity. There is confusion as to what is contained in the programme for Government in regard to these processes. Will the Bill be reinstated at the Stage it was at before the election.

Deputy Jan O'Sullivan: Mine is the same issue. We had got the Technological Universities Bill to Report Stage here in this House before the general election and it is imperative that it moves as quickly as possible. For example, the Tánaiste will be aware from her own area that the Dublin consortium needs the legislation to move forward. If there are proposed changes, because, as Deputy Cullinane stated, there is confusion, will that delay the legislation? Getting clarity on this is important to the regions because these proposed technological universities will be engine drivers in terms of the development of a number of regions in the country.

The Tánaiste (Deputy Frances Fitzgerald): I thank the Deputies. Deputy Jan O’Sullivan will be familiar with this legislation. Of course, she will be aware that there were objections within the House regarding certain aspects of the Bill when she was trying to steer it through, and it reached Report Stage. What the Minister intends to do now, before taking the decision that was asked, is to meet the stakeholders to have further discussions in regard to it to decide what is the best way forward and to have further discussions within the Oireachtas as well. The Minister is actively considering that at present.

Deputy Jan O’Sullivan: That will definitely cause delay, which is of concern.

An Ceann Comhairle: I call Deputy Troy.

Deputy Brendan Howlin: That is not acceptable. I ask that the Deputies would be consulted before outside bodies on this.

Deputy Richard Bruton: That is crucial.

An Ceann Comhairle: Can we have order, please?

Deputy Jan O’Sullivan: That is what I said.

Deputy Robert Troy: One would have imagined the Labour Party might have consulted them when it was in a position to influence the universities Bill.

Deputy Brendan Howlin: Deputy Troy was against it. The Deputy wants to destroy the concept of the university of the south. We have it in writing.

Deputy Jan O’Sullivan: And Deputy Troy was not on the committee where we had extensive consultation.

An Ceann Comhairle: Could the Deputies restrain themselves?

Deputy Jan O’Sullivan: Deputy Troy never turned up at one committee meeting.

Deputy Brendan Howlin: Not one meeting.

An Ceann Comhairle: I ask Deputy Troy not to be provocative.

Deputy Robert Troy: I have questions on two pieces of legislation. First, in the previous Dáil, I proposed legislation for the establishment of a single authority to look after the River Shannon. The previous Government did not oppose it when my party brought it through Second Stage. Will the Government facilitate passage of the Shannon River Agency Bill 2016?

The information and tracing Bill is a Bill with which the Tánaiste is familiar. It was priority legislation for the Tánaiste when she was Minister for Children and Youth Affairs, and she has been elevated on two occasions since then. I seek commitment that this will be a priority for this Government because what we are concerned with here is giving every human being the fundamental right to identity.

Deputy Brendan Howlin: It was discussed in the Adoption (Amendment) Bill 2016 yesterday.

Deputy Robert Troy: The information and tracing Bill is long overdue. When will that come before the House?

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Deputy Joan Burton: On the same issue, what we want to see is an amendment to the existing legislation so that we can carry through and give people the right to trace as of now as opposed to the Minister's statement yesterday which appears to kick it out into the long grass, possibly longer than this Government will survive.

The Tánaiste (Deputy Frances Fitzgerald): In regard to the Shannon, Deputy Troy will be aware of the work that was done by the previous Government in bringing all of the relevant stakeholders together in a forum. It is the first time that has been done effectively. It will be a question for the new Minister to consider whether there needs to be a statutory basis to that authority.

Deputy Robert Troy: No decision has been made.

The Tánaiste (Deputy Frances Fitzgerald): Not at this point. The focus, as the Deputy will be aware, has been on bringing the stakeholders together to ensure that the many different agencies involved are working in a co-ordinated, consistent way. That had not been done at a high level previously. This was an initiative that was taken by then Minister of State, Deputy Harris, at that time. It was very much welcomed by all the stakeholders and will prove valuable. As to whether it needs to be put on a statutory basis, no doubt that will arise from the work and discussions being done by the group of stakeholders.

The adoption and tracing Bill, the Adoption (Amendment) Bill 2016, has been before the House in recent days. The issues in regard to tracing have, I understand from Deputy Burton and others, been raised.

Very serious constitutional issues arose, on which when I was Minister for Children and Youth Affairs there were many discussions with the Attorney General. Progress has been made in setting a mechanism in place to protect the rights of both the natural mother and the person seeking information. I am sure the Minister will, with the Attorney General's advice, consider whether it is feasible to introduce it in the current Bill or whether it needs to be introduced in separate legislation.

Establishment of Committee of Selection: Motion

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty): I move:

That there shall be established a Standing Committee to be known as the Committee of Selection, which, unless it shall have been ordered in Standing Orders or otherwise, shall nominate the members to serve on Select, Special or Standing Committees and which shall have power to discharge members of such Committees from time to time and to appoint others to serve in substitution for those discharged. The Committee of Selection shall consist of eight members, including the Ceann Comhairle who *ex officio* shall be Chairman and who shall have only one vote. The Committee shall be constituted so as to be impartially representative of the Dáil. The quorum of the Committee shall be five.

Question put and agreed to.

Membership of Committee on Procedure and Privileges: Motion

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty): I move:

That, notwithstanding the provisions of Standing Order 107(4), the Committee on Procedure and Privileges shall consist of the Ceann Comhairle, who *ex officio* shall be Chairman and who shall have only one vote, and seven other members, of whom two shall be appointed by Fine Gael, two by Fianna Fáil, one by Sinn Féin and two by independent Deputies and members of other political parties to represent them. Three shall constitute a quorum, and the Ceann Comhairle shall announce the names of the members appointed for the information of the Dáil on the first sitting day following their appointment.

Question put and agreed to.

Report of Sub-Committee on Dáil Reform: Motion

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty): I move:

That Dáil Éireann shall consider the Report of the sub-Committee on Dáil Reform entitled, Draft Final Report of the sub-Committee on Dáil Reform, copies of which were laid before Dáil Éireann on 18th May 2016.

I welcome the opportunity to speak to the report of the sub-Committee on Dáil Reform. When the Dáil first met on 10 March, following a general election that produced a Dáil in which no one party had secured a majority, many commentators predicted that the newly elected Deputies would find it impossible to agree on anything and that another election was probably just weeks away. These doubts have proved unfounded. First, the Members of the House, under a radical reform introduced by the previous Government, elected the Ceann Comhairle by secret ballot. This reform has made the office more independent and the holder of the office has a direct link with his fellow Dáil Members like never before.

The second item of business, agreed to on the first day back, was an all-party motion establishing the sub-Committee on Dáil Reform to be chaired by the new Ceann Comhairle and tasked with reviewing the way the Parliament worked and identifying a set of reforms that could be introduced to strengthen it. I was honoured to be appointed to the committee by the Taoiseach and to work with my party colleagues, Deputies Eoghan Murphy, David Stanton and Marcella Corcoran Kennedy, as the Fine Gael members of the committee. I am also proud to work with the other members of the committee representing all parties and Independents.

Under the, often patient, chairmanship of Ceann Comhairle, Deputy Seán Ó Feargháil, as a group of 19 Deputies from different political traditions and viewpoints, we worked in the past two months to review the way the Parliament works and prepare a report which sets out in detail a package of reforms which will radically change the way the Oireachtas operates for the better. As a group of Deputies, we have worked well together and, despite our differing opinions on other issues, shared a commitment to make the committee successful. It has worked. I thank the clerks and other staff of the Oireachtas who worked tirelessly in the past two months and without whom this report would not have been possible.

In its time in office, the previous Government introduced reform packages designed to

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strengthen the Parliament in its relationship with the Government, namely, Leaders' Questions on Thursdays, Topical Issues, specific Dáil time to debate Deputies' own Bills and a pre-legislative stage for Bills. Earlier this year new Standing Orders were introduced which focused on three areas, namely, the election of the Ceann Comhairle by secret ballot, the selection of Oireachtas committee chairmen using the d'Hondt system and the requirement for the Taoiseach to appear before the working group of committee Chairmen twice a year to discuss matters of public policy.

The sub-committee established on 10 March sought to review the way the Oireachtas worked. As a group, we wanted to build on the reforms introduced in the past but also to identify the failings in the Parliament and, where possible, correct them. The fact that the general election earlier this year produced a Dáil that required a new way to do politics if it was to work must be accepted as a major factor in prioritising our work. As a group of 158 Deputies elected by the people, we have a duty to make this Dáil and the new politics it both represents and requires work. If we fail in this task, the people will be not thank us and the critics and cynics will be proved correct.

As a member of the committee, I approached the issue of Dáil and Oireachtas reform with the belief that, as a newly founded nation in the 1920s and 1930s, we adopted the British form of parliamentary democracy, with its weak concept of the separation of powers, too easily. In the almost one century since independence, we have not challenged that system enough. No Government or Parliament has really challenged the *status quo*, until now and that is good.

In the report we are seeking to empower the Oireachtas like never before. We are seeking to give Parliament a stronger voice and make the Government more accountable to it and us. The first section of the report recommends the establishment of a Dáil business committee to give all Deputies a greater voice in the business of the Dáil and allow a fairer distribution of Dáil time between Government and Opposition business. This will not prevent the Government of the day from enacting the legislation required to govern the country or fulfilling its mandate. It recognises the new reality of a Dáil not dominated by the Government of the day and a Dáil in which Opposition parties and groups and Government Deputies each have a mandate and an obligation to play a greater role in the legislative process than ever before.

The second section of the report proposes a budget oversight committee. This new structure will allow Parliament to play a greater role in the decisions taken by the Government in the preparation of the annual budget. No longer will the budget be a Government only document. Under the new system proposed, each budget will be prepared in partnership between the Parliament and the Executive. This will not dilute the Government's constitutional responsibility in this area but enhance the role of the Oireachtas and address many of the concerns highlighted in the recently published OECD Report on Budget Oversight by Parliament: Ireland. We are adopting best international practice in this area and future budgets will benefit from the changes we are proposing and be more inclusive and rounded.

The third section of the report addresses the need for an independent parliamentary budget office, which is a requirement in any modern parliamentary system. If the Dáil and the Oireachtas committees are to perform their new functions to the highest possible standard, an office such as this is a necessity.

The fourth section of the report recommends the establishment of an office of parliamentary legal adviser to support Deputies in their work. The fifth section addresses the issue of groups,

the new reality of Dáil Éireann. In the past Deputies elected to the Dáil as Independents or representatives of smaller parties were, unfortunately, not given the recognition their mandate deserved. Setting the minimum size of a group at seven and requiring all non-aligned Deputies to join a single technical group, regardless of their policy differences, was unfair. The report seeks to address these problems. The minimum number of Deputies required to form a group will be reduced to five and more than one technical group can now be formed, if the reforms are adopted. This is a significant departure from the rules that governed the House in the past but recognition that today we have a more fragmented political structure, that smaller parties and Independent groups are likely to be a feature of Irish politics in the future and that every Dáil Member must adapt to that reality and respect it.

The sixth section of the report recommends that in the future, as far as possible, Oireachtas committee meetings and the Dáil plenary sessions not clash. Oireachtas committees will meet on Tuesday evenings and Wednesday and Thursday mornings, with the Dáil sitting on Tuesday, Wednesday and Thursday afternoons and evenings. This new split will finally end the age old problem of Oireachtas committees clashing with important debates in the Dáil and Deputies being forced to choose between the two, or run up and down the stairs, as we frequently have done during recent years.

The seventh section enhances the legislative process in the Oireachtas. Pre-legislative scrutiny and post-enactment scrutiny will be enhanced and adhered to. The development of pre-legislative stages for Bills was one of the major reforms introduced by the previous Government. It opened up the law-making process to the public like never before. Experts, interested individuals and civil society groups could be involved in the legislative process from the beginning in an advisory capacity. Committees and the Deputies and Senators who sat on them had a greatly enhanced legislative role. The fact that each committee could review the heads of a Bill and report on the findings of the pre-legislative stage to the Minister before the Bill was published meant issues were identified earlier and better legislation was passed. I am delighted that the Thirty-second Dáil will build on the success to date of the pre-legislative structure in place. It is at Oireachtas committee level that some of the most important work by the Members of this House is carried out.

The eighth section of the report identifies the importance of our committee structures and seeks to build on them. New committees such as the budget oversight committee and an Irish language committee will be established. Committees will be more effective, with a smaller number of members, and every effort will be made to ensure that Deputies are not required to be members of multiple committees. The working group of committee chairs will play greater consultative and policy roles as well as the Taoiseach appearing before it. Committee chairs will now be selected under the d'Hondt system, which is also a major step in empowering those committees.

The next sections of the report provide new structures for Leaders' Questions, Taoiseach's Questions, ministerial questions, Topical Issues and, importantly, the accountability of State bodies. The changes proposed are designed to make the Government more accountable to Parliament and to allow each non-office holding Deputy a greater opportunity to play a role in that. The time for ministerial questions will be extended and there will be a greater opportunity for Deputies to get to ask the Minister their question as 60 of the 90 minutes will be for ordinary Oral Questions. There will be two 45-minute sessions of Taoiseach's Questions a week but questions will only roll over for two weeks. The very successful Topical Issue debate introduced in the previous Dáil will be built on and improved. As with the previous Dáil, any

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Deputy unhappy with the advocacy of an answer may make an appeal to the Ceann Comhairle, and I believe that will be enforced during this Dáil session.

The final section of the report focuses on Dáil procedure and, for the first time, a number of changes are proposed, including a fixed time each week for taking all divisions on a Thursday afternoon. In the future, Members may formally abstain on a vote and relevant Ministers may, at the request of the Taoiseach, respond to questions on any promised legislation, which is a significant reform.

If these reforms are adopted by the House, the Thirty-second Dáil will look and operate very differently from any other Dáil in our history. The Members of this House are open to reform and willing to embrace change, as has been seen by the members of the sub-committee. These reforms are a major step forward in the direction of creating a real separation of powers between Parliament and our Executive. We are not seeking to abandon the traditions of our parliamentary systems but we are seeking to learn from the very best international practice and recognise the realities of politics in Ireland today.

The general election earlier this year delivered a message to all of those elected to this House that the people of Ireland want their policies done in a new way. The set of recommendations before the House today is by no means the final answer, nor will it create a perfect Parliament, but it is an honest attempt at reform from a committee that represented every shade of political opinion in this House.

The members of the sub-committee have published this report and have put it before the Dáil seeking the opinions of our fellow Deputies. This is an issue in which we each, as elected Deputies, have an interest. The changes we will make to the Standing Orders over the next few weeks will be the framework within which we will work over the next few years and which may well set the standard for decades to come. As members of the sub-committee, we look forward to hearing the views that will be expressed over the course of this coming days.

Acting Chairman (Deputy Bernard J. Durkan): The next speaker on my list is Deputy Thomas Byrne who, unfortunately, is stuck in traffic. Therefore, I call the next speaker who is Deputy Brendan Howlin.

Deputy Brendan Howlin: I am glad to have an opportunity to speak in this debate. The issue of reform has been talked about since I was first elected to this House nearly 30 years ago. Like draining the River Shannon and restoring the Irish language, it is a permanent concept to which we all give allegiance and pay lip-service but seldom do we apply real action. In the previous Dáil, as the Government Whip indicated, we certainly had some improvements on the Dáil reform issue and a very remarkable suite of improvements on political reform. We had a deepening, extension and fixing of many of the problems with the Freedom of Information Act. We had the establishment of overarching whistleblowing legislation, the Protected Disclosures Act, which took much careful work to get right and to ensure it works in every area of not only the public service but private business. As we have seen in recent times, bringing about legislative change is often easier than bringing about cultural change whereby an awareness of a different way of working is required to be embedded and driven in every workplace. We had the Regulation of Lobbying Act 2015, a measure we had talked about for a long time and probably the most difficult of the suite of political reform measures we did because we have to protect the right of every citizen to lobby. It is a fundamental part of the way we do our democracy. Every citizen has the right to talk to every Member of the Oireachtas but we have to ensure that it is

done in a public and overt way so that there is not covert lobbying influencing policy-making at the behest of the few. We had the inquiries legislation, which strengthened, within the constitutional constraints, our capacity to hold public inquiries; the public appointments reform, where, for the first time, we have an independent system of appointment to State boards through the Public Appointments Service; and the strengthening of the role and functions of the Ombudsman, more than doubling the remit of the Ombudsman during the previous Dáil. Notwithstanding all of that, and I listened carefully to the Government Whip speak about some of the changes we made about the workings of this House, in truth, there has been little fundamental reform in the way that the Dáil works up to now.

For some commentators, Dáil reform amounts to sitting longer hours or counting the number of days. It is a “never mind the quality feel the width” approach to legislation, whereby the tick box for it is the more hours we clock up, as opposed to what we usefully do, where we do it or what the outcomes are. Reform must involve the rebalancing of power in a fundamental way between the Executive and Parliament. I used the word “rebalancing” deliberately because, first, we must know and accept the respective role of Government and Parliament. Government proposes expenditure and it is constitutionally responsible for ensuring that overall expenditure and State revenues match. It is in charge of the big picture. Put simply, the Government presents to this House its detailed requirements for the financing of the public services. It is for this House acting on the sole initiative of Ministers to authorise the relevant expenditure or supply and to provide, through taxes, the ways and means necessary to meet that supply voted or granted by the House.

The system, as the Government Whip, Deputy Regina Doherty, suggested, transposes from the British parliamentary tradition their workings and mechanisms. The parliamentary tradition has been transposed across the common law world. In our 1922 Free State Constitution, we set out the workings of Parliament but that was not the first to mirror the British system. Australia, Canada and other common law countries with written constitutions had already captured the Westminster model in their systems of government and continue to do that to this day. We began that process in the Government of Ireland Act 1920. I say that because it is important that Government and Parliament are allowed to function within their respective rights in the people’s interest. The gridlock or stalemate often found in the United States, for example, between President and Congress would not serve us well. The report to the House signals significant and remarkable progress arrived at on a cross-party and cross-Member basis because everybody in the House, and people outside it, had inputs into our thought process in bringing about a thoughtful set of proposals which, if applied with care and reason, can bring about meaningful change in the public interest.

The set of proposals represents a challenge to each of us to take on these responsibilities and new opportunities and arrangements and to act responsibly with them. Given the timeline involved, it is a remarkably comprehensive package. Of course, many measures will be tested in practice and require revisiting and further amendment. The reform agenda is not complete. I pay tribute to all the colleagues I worked with on the committee. We all went into it not knowing how it would gel and work or whether people would come with dogmatic views. In fact, we all entered with an open agenda, a clean piece of paper and an open mind. Great credit is due to the Ceann Comhairle for the way in which he facilitated every idea and steered debate to decision-making.

What are the major changes we set out now in this first major suite of reforms? The first is that for the first time since I entered the House the business of the House will not be proposed

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by a member of the Government. It will not be the Government Whip, the Taoiseach or the Tánaiste standing up on a daily basis to say what the business of the House should be in the certainty that it would in fact be the business transacted due to the phalanx of Deputies behind him or her to ensure the proposal was carried. We will now have a business committee involving every section of the House, chaired by the Ceann Comhairle and involving Government and Opposition, with every side bringing forward legislative proposals. That will allow not only a real prioritisation of debate but also proper planning and preparation for debate. We will know within a medium horizon what the agenda here will be. We can take soundings, talk among our own parliamentary colleagues and bring a much more thoughtful process to the debate of legislation.

The second major reform relates to budget oversight. In many ways, this is one of the most critical issues. In the previous Dáil, I certainly sought to bring about some changes in the way the budget was handled through the comprehensive review of expenditure whereby all expenditure options were analysed, published and forwarded to the sectoral committee responsible, whether on health, social protection or whatever. For the first time, we involved not only simply the accounting mechanism in regard to the expenditure of public moneys, but also an outcomes perspective so that one was evaluating not only whether the money was spent for the purpose for which it was voted, but also what outcome one got for that expenditure. I must admit that it did not really work in practice. An overarching and compelling reason for that was that we were in a time of economic retrenchment and real crisis. It would be a very tall order in the middle of that to ask the Opposition to put forward its cuts as opposed to cuts being suggested by Government. That did not happen.

However, there is an opportunity now when we are in a more normal budgetary cycle for Members to really engage with looking at the finite purse the State has. If a Member or a party wants to expand that purse and has a proposal for additional taxation, he or she can put that on the agenda to determine how that pool of money, whatever its size, should be deployed in the delivery of public services. To do that, we will have an independent parliamentary budget office, which will be an important new innovation. I looked at this myself last year. It is going to be a very difficult structure to put in place. It will have to link in many ways to Departments and mirror the work of evaluating costs there while remaining independent of Government so that it is the creature of the House subject to giving the best advice to Members who want to cost and evaluate their own proposals for Government expenditure.

The third major initiative relates to advanced legislation. Opposition and backbench Government Deputies will have the opportunity to put legislation before the House with, for the first time, a real prospect of seeing it enacted. We had the first taste of that last night. In order to do that, we need to begin to mirror the capacity of the Government which has the Office of the Attorney General and the legal draftspeople to help it. We need to resource ourselves here with proper parliamentary research in the first instance but also the techniques of draftsmanship to ensure that when we bring legislation to the House, it is as advanced or as polished as Government proposed legislation so that the old adage many people in Government, including me, have used the past that “the legislation is flawed” is no longer an argument that can be advanced and that we have real opportunity for Members to see legislative proposals put on the agenda. The area of groups has been touched upon and it is an important one to allow full participation of Members. The legislative proposals are not restricted to the Opposition, but also apply to backbench Government Deputies who often see themselves as the most disadvantaged Members in the House. In the past, they were seen as simply fodder to be expected to nod at

the frontbench here to support its propositions. There will be a much enhanced role for Government backbenchers as well as for members of the Opposition.

Pre-legislative scrutiny was an enormously important innovation of the last Dáil, but I note a caveat because it will present a challenge for Members. Often, the people who present in terms of pre-legislative scrutiny have a strong vested interest in the outcome of the legislation. Our responsibility is always to have the common good in our perspective and to be able to discern what is a vested interest, lobby group or campaign for a political view. While they may feel passionately, they are not necessarily advocating their view in the general good. These new opportunities also provide us with new challenges. The committee system was always a critical if not the most important part of the functioning of the Oireachtas. The Acting Chairman, Deputy Bernard Durkan, has been a very active committee person. The committees will be improved as they will be better-resourced, more relevant and, I hope most of all, more visible in terms of the real work done. I remember several Dáileanna ago that I was on a very hard-working justice committee which brought through a number of really groundbreaking Bills and was involved in a number of inquiries. Several members of the committee, including frontbench spokespeople, lost their seats because they felt they were buried in the bowels of Leinster House 2000 for months on end without anybody noticing what they were doing. As such, we must front up the real work of the House so that it is visible.

I see my time is up. There is a real opportunity in this Dáil and a real test for each Member. We can measure up to these or utilise them to act in the old way. I am excited about these prospects and I think we can go further. I look forward to the real engagement and utilisation of the mandate that each of us has. Reform is not a transitory thing, it is permanent. We can really set the path of a functioning Parliament in the next months and weeks.

Acting Chairman (Deputy Bernard J. Durkan): I propose to call Deputy Catherine Murphy. Deputy Thomas Byrne is in the House. The Ceann Comhairle had agreed that he would be facilitated as soon as possible. I will proceed with Deputy Catherine Murphy and then call Deputy Thomas Byrne. Is that agreed? Agreed.

Deputy Catherine Murphy: This has been a very useful exercise. The tone was set by the Ceann Comhairle who chaired and facilitated the reform process. Everybody on the committee made a contribution and it is a rare thing to be able to say that.

I extend my thanks to Mr. Peter Finnegan and the staff of the Ceann Comhairle's office who have worked behind the scenes to present papers, tease out issues and find best practice elsewhere. It was a useful exercise.

Adopting a package of proposals is one matter but living up to them is entirely different. How we use the proposals made in the report will be down to us all. I have been critical of the Dáil not setting its own agenda. Under Article 15.2 of the Constitution, that power lies with the Oireachtas, but there has never been an equal distribution of power. It has resided exclusively with the small number of people who form the Government, following which there are degrees of influence, depending on whether a Deputy is a Government backbencher. Some of it is done in party rooms. For the Opposition, it involves holding the Government to account. This is the first time there has been a redistribution of power between the Government and the rest of the Parliament. That will be expressed, first and foremost, in the business committee which will not just decide the different times at which business will be taken and in what format, for example, in committee or the Chamber. In setting the agenda it will change what is done rather

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than simply how we do it by accepting and working with the diversity of this Dáil.

I was a member of the Constitutional Convention. During one of the sessions on Dáil reform Professor Michael Marsh of Trinity College Dublin attended to discuss list systems and, among other issues, restricting diversity. He discussed Independents, in particular. How the citizen members reacted was interesting. They wanted greater, not less, diversity, which has played out in the election results. It is not that a particular election result is an aberration, rather it is a deeper expression. I was surprised by how forceful that view was at the convention.

I wish to highlight a number of issues. There have been improvements in terms of freedom of information, but the responses to same have varied, depending on whom one asks. Some Departments and organisations are good; some are all right, while others are terrible. It shows a cultural difference. There is nothing wrong with the legislation, rather it is a question of how it is embraced. Frustratingly, one can obtain more information via a freedom of information request than via asking parliamentary questions. We addressed this issue in the report. There must be a cultural shift to answer questions fully. The appeals mechanism is one in respect of which we will have to be diligent if we are to bring about change. That change is not just about those of us sitting in the Chamber but also about those on the ministerial side and in the Civil Service. The more information we can put into the public arena, the better. The committee debated a matter Deputy Brendan Howlin previously discussed as a Minister, namely, having an open approach to information. Not only must the House move towards this, so too must the institutions of the State. If there is information available, it should be put into the public arena. That would give people a great deal of confidence about issues not being hidden and we would be open to providing information they had a right to receive.

The business committee will be important. It gives expression to the changing nature of the distribution of power. If it does not work well, it will be the greatest failure. There must be a throughput of legislation from the Government, the Opposition and Government backbenchers. This system must work within the general timeframes that have been set out in order that work will not be frustrated but advanced in a timely way and in order that legislation from all sides of the House will be adopted.

I was a member of the former Joint Committee on the Environment, Culture and the Gaeltacht which initially included matters to do with transport, tourism and sport. Its remit was too wide. We undertook two large pieces of pre-legislative scrutiny work, one of which items was climate change. For approximately two weeks Professor John Sweeney of what is now Maynooth University worked with us and we invited various groups to appear before us. It was a useful process. However, the good report we wrote did not shape the legislation that was ultimately adopted. That legislation is flawed, as it does not set targets and will cause problems. There is not much point in undertaking pre-legislative scrutiny unless we include the expertise of organisations and citizens invited to appear before committees in order that we have good engagement and both sides which might propose good ideas. There must be a way of ensuring good ideas end up in legislation. Introducing pre-legislative scrutiny was a good change, but it did not always deliver the results desired, thanks to the Government's size.

Post-legislative scrutiny presents real possibilities. In the case of some Acts, the period involved will be one year. In the case of others, it will be longer because time is needed to show a pattern. Many of our failings are institutional. If we adopt legislation and it does not work as intended, one often finds that there is an inadequacy. Perhaps there is not sufficient support in an organisation or it needs to configure itself in a different way. The purpose of post-legislative

scrutiny is to secure a better outcome for citizens and have institutions that work and become citizen-centred. If they do, less will be demanded of us. Many of the issues raised in the House and at constituency level are raised because of failures at institutional level. This will show up during the post-legislative scrutiny stage. That housing is probably the number one issue for all of us lets us know that there is a failure. People should be able to find out about their rights and entitlements, but this can prove difficult and politicians often become middle men or women in a process in which they should have no involvement. The post-legislative scrutiny process can address the issue of clientelism if it is taken to the extent required.

A useful aspect of the process was that, from the outset, we were not concerned about everything being perfect. Matters can be as good as they can be and there is a review mechanism. Not everything will work perfectly or at all. It is useful to accept this from the outset and to have a mechanism whereby one can review what is not working, tweak or change it completely in order that it will work.

Those involved engaged in the process in a very honest way. Most people would want the vast majority of elements to play out as intended.

There are one or two aspects I do not support. If mandates are pooled in a group, this should be reflected in the order of how things are done. Although I am now in a party, I believe the pecking order regarding how Members are called should reflect the mandate as opposed to how the mandate is constituted. This would reflect the diversity, which has been decided on not by us but by the citizens. I expressed my view that I did not support the aspect on mandates.

Budgetary oversight will be really important because up to now, we have had staged pieces of work, very much delivered by the Government, rather than a process. If the process is right, it will be very useful from a citizen's perspective to see what the choices are. I refer to how much money is available and how it might be spent. It should not just be a question of the one year. Consider a scenario in which one would spend a lot more money on youth, communities and diversionary programmes for communities with specific challenges instead of on criminal justice over time. That is the kind of outcome I would like to see. Ensuring our budgets really are equality budgets may well help to bring about what I desire. The question of how we spend money should not just be about a one-year scenario. Good decision-making would entail not just one piece of work over a year but consideration of the outcomes in the lifetime of a Government or Dáil.

One feature of the last Dáil was the guillotining of legislation. The very fact that this has ended is very good. We have ended up with very poor legislation in some respects because Bills did not receive the kind of scrutiny required. While we may see less legislation, better outcomes will benefit all of us, both inside and outside the House.

It appears there will be multiple technical groups. There will have to be support to make this work. This would be in everybody's interest. I acted as the Whip for the Technical Group on the last occasion and noted the arrangement then was a constant source of problems. The Minister needs to be able to telephone one person and not 15 or 16 to impart information. The smooth running of the House in terms of timing has to be achieved and there ought to be support for that. The Houses of the Oireachtas Commission should not delay on this — the sub-committee does not have power to do this — because it would set a very unacceptable tone. What I propose needs to happen if the system is to work for everyone.

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Deputy Thomas Byrne: I apologise to the House and my colleagues on the sub-committee for being late. I was still on Seanad time because the Order of Business in that House used to last an hour. I recommend to my colleagues involved the Seanad reform or innovation to reduce the length of their Order of Business because half an hour is sufficient. I thank my colleagues for facilitating me.

I thank all my colleagues on the Sub-Committee on Dáil Reform for their work and co-operation. Every member, left, right and centre, and the officials worked really well together once the doors were closed. It is fair to say all of us contributed in an astonishingly co-operative and constructive way. All of us worked hard, put forward our ideas and compromised to some extent and accepted, possibly, what other members had to say.

With regard to the lesson on how we did our work, I admit the Constitution requires us to do our work in public in general in this House, as we do, but there will be times when some work will have to be done in private. Certainly, it is possible to do a lot of work in private and much can come out of it. In such circumstances, all Members can talk freely. This is what one gets from it. I am simply referring to the procedure of the House, the way we do business, but there must be lessons to be learned in this regard for all of us across the entire political spectrum. Every possible grouping had representation or some sort of effect on the process. All of their concerns were met, or at least met halfway.

When my leader, Deputy Micheál Martin, proposed this, almost on day one of this new Dáil, there was some guffawing and there were some accusations that it was merely a diversionary measure. This has clearly been proven to be false by the Members, including the Taoiseach and all the leaders of the parties, who took this process seriously. However, the measure was necessary. It has been talked about for many years. I speak for my party in saying we recognised this as a massive issue in 2011 and we also recognised it as a huge issue throughout the term of the last Dáil. We are constantly thinking about and putting forward policies for reform. Fianna Fáil has had a comprehensive policy on Dáil reform.

The numbers, based on those elected to this Dáil, dictated that we really had no option but to change the way we do business. It seems that the Members, and the officials, in fairness, have copped on to the story and know circumstances will be different. Our friends in the media must realise that if the Government loses a vote, or if the Opposition does not win one, as will soon turn out to be the case, it is not a crisis; it is just democracy in action. It is a crisis for a Government if it loses a vote on confidence or stability and there are arrangements in place for that. However, it is not a crisis if the Government loses a vote on a day-to-day policy issue; it is simply the reflection of the democratic will of this House. Constant pressure on the stability of a Government based on this side of the House winning a vote or succeeding in an argument should not be an issue. The media and the rest of us should call the Government to account in terms of how it is running its Departments and the policies it is putting forward but the Government should be held to account when the Dáil decides its policy is wrong. It should simply be reported that the Dáil, as the supreme legislative body in this State, has decided differently. That is the way it should be; it should be ordinary.

This Chamber should be deliberative to get the best possible result and nobody should be imposing his or her will on anybody. I certainly object to the talk of Fianna Fáil vetoing items. We have got 43 Members and are in no position to veto anything. The reality, as with the Sub-Committee on Dáil Reform, is that we will have to work together to get the best possible solution for the people. For the moment, we have the best possible solution for this House, which

is, of course, the House of the representatives of the people.

For my party's part, we have continually pressed for real Dáil reform. My party and I welcome the measures that the sub-committee has put forward. We need a strong Legislature and it has to be as independent of the Government as possible within the confines of the Constitution. This Legislature must have an impact on policy and must fully scrutinise Government actions. It is critical to democracy and it is an accepted part of the job. We must, and have an obligation to, do it properly. We must create an efficient Parliament. It must be attractive to all walks of life, including families, and also Members who live in constituencies far from Dublin, where the Constitution requires us to meet.

We in Fianna Fáil — the sub-committee would agree with this — are committed to the ongoing implementation of these reforms. Many of the reforms will require implementation and some will require review. If the House has got something wrong or finds something does not work, I will certainly be in no way embarrassed to say it has not worked and advocate that it be changed and that we move on.

I was particularly interested in two aspects of the report, the first of which was my party's proposal to establish an independent legal office to strengthen and change the Office of the Parliamentary Legal Adviser. The office provides very important services to Members of the Oireachtas and the Oireachtas Commission, as was very much in evidence during the banking inquiry when all the boxes were ticked to enable the inquiry to do its work within the parameters set down in the Constitution. The sub-committee recommended that the office be placed on a statutory footing to underpin its independence and states it "would be appropriate for the Houses of the Oireachtas Commission to play a lead role in the development and initiation of this legislation with a view to early enactment".

What do we want? Twice in the past week and on multiple occasions previously, the Opposition was presented with advice received by the Government from the Attorney General. By its nature, this legal advice cannot be released and my party would not call for its release on the basis that to do so could reveal weaknesses in the Government's case and damage the State. The Oireachtas requires separate, independent advice on the Constitution and this should be provided for by Statute. Such advice was provided in the case of the O'Higgins commission of investigation and the Private Members' Bill tabled by my party this week. While work remains to be done on the details, I envisage that the parliamentary legal adviser would enjoy a position similar to that of the Attorney General and would only provide advice to the Oireachtas. I do not make this suggestion to cause conflict or division but to ensure Parliament can stand on its own two feet and the flow of information no longer comes exclusively from the Government. In the case of advice from the Attorney General, we do not have a flow of information but a Minister's interpretation of advice received. This proposal is a key element of the reforms and would give Dáil Éireann great strength and backbone in its dealings on behalf of citizens.

Reference was made to an independent parliamentary budget office and a budget committee which would be indirectly linked to it. The reason we need an independent parliamentary budget office is to ensure Members have a separate flow of information because practically all the information we receive is from Departments. We need a counterpoint to that similar to the highly respected Congressional Budget Office available to the US Congress. The Houses have a team of researchers and economists who do outstanding work. Under this proposal, this service would be given more status and resources, not to serve Members but to serve the country better. This change would make a serious difference to how we do our work in a collaborative

manner.

Deputy Ó Cuív described the way in which this Dáil will work as a partnership, not between one party and another, but between the Oireachtas and Government. This way of working will result in division as well as agreement and it is essential that the Oireachtas side of this partnership has its own resources and source of information in order that it can act on behalf of citizens. Based on strong expert advice, it may also choose to make decisions that differ from what the Government wants, as the House did yesterday.

I took the strong view at the sub-committee that a sectoral committee should be established for every Department. The previous Government merged a number of committees, placing, for example, education and social protection in one committee and transport and arts in another. While this looked good in that it reduced the number of committees and addressed the perception that committees were established for Members' benefit, if we want effective scrutiny of Departments, we must establish a committee to shadow each Department. Last year, I was a member of the Joint Committee on Health and Children, which shadowed two Departments. Under these proposals, that committee will separate into two committees, which will mean a new committee on health will focus exclusively on the Department of Health and Health Service Executive and a committee on children and youth affairs will focus exclusively on the Department of Children and Youth Affairs, Tusla and associated bodies. This is a good development and should be acknowledged as such.

Those who believe it is better for Members to have more committees are mistaken. A sectoral committee for each Department will mean each Department can be properly scrutinised and each area of policy properly developed by the House, with Members able to specialise in a given field. While some Members will be appointed to more than one committee, the numbers of members of committees will be reduced. Members will also have a greater obligation to play a full role on the committees of which they are members.

Members of the public who have listened to the rhetoric about the Dáil having a strong voice as a consequence of the election result will ask questions at the end of this Dáil term. I do not know if that will be sooner or later but people will ask what happened to the enhanced role of the Dáil and what did the Dáil do. We can start by pointing out that we introduced a Bill on variable mortgage interest rates with which the Government did not agree. When that Bill proceeds to Committee Stage in the new committee on finance and public expenditure, I hope Deputies on all sides will engage in debate and submit amendments. I spoke to Deputy Michael McGrath last night on a particular issue on which no problems should arise if we work collaboratively and take on board genuine concerns held by the other side. Perhaps some people believe the legislation does not go far enough. The passage of the Bill through Second Stage shows that we have a new way of doing business. We must all take responsibility for this and get involved in it.

I am particularly pleased that a new Coiste na Gaeilge will be established. This is an important development because the Irish language is at a critical juncture. As the House debated the Irish language yesterday, I will not dwell on the issue other than to compliment, as I did in Irish yesterday, the former Minister of State at the Department of Arts, Heritage and the Gaeltacht, Deputy Joe McHugh. His level of Irish is astonishing and he deserves great credit for what he has done. He is a great example to anyone who wishes to learn the language. It is incredible to listen to him speaking in Irish and I say this as one of those who protested when a Minister without spoken Irish was appointed to the Department. Deputy McHugh has proved himself worthy

of his previous role and I wish him well in the forthcoming appointments of Ministers of State.

If we are to be serious about an Ghaeilge, caithfidh an Ghaeilge a úsáid ar na laethanta agus sna díospóireachtaí nach bhfuil an Ghaeilge nó an Ghaeltacht mar ábhar cainte acu. Members must use the Irish language on occasions other than debates on the Irish language or the Gael-tacht or during Seachtáin na Gaeilge. We used to speak Irish in the Seanad from time to time. The Houses have translation facilities and Members should speak Irish. Deputy McHugh, who could not speak Irish, now speaks the language at native speaker level, which shows that it is possible for anybody to learn Irish. No one should experience difficulties or feel inhibited in this regard.

Those of us who attended the private meetings of the sub-committee in the weeks after the House agreed to the initiative on Dáil reform are giving their spiel. I am interested in hearing the views of other Members who may have difficulties with the sub-committee's proposals and may point out flaws in them. That is the purpose of this debate and the reason a vote has been scheduled on the matter for next week. I thank my colleagues on the sub-committee and the officials involved. The work starts now. We must do as citizens asked by passing good laws when they are needed and rejecting poor law when it is not needed.

Deputy Eoghan Murphy: I will not speak for long because I had an opportunity to speak on this issue recently. I also spoke on Dáil reform on a number of occasions during the previous
12 o'clock Dáil when I had an opportunity to write a number of pamphlets and papers on the issue. After sitting on the banking inquiry, I swore I would never sit on another Oireachtas committee. I also felt there should be some kind of dispensation for members of inquiry in respect of committee membership. It was a privilege, however, to be asked to sit on the Sub-Committee on Dáil Reform and I was pleased to do so.

I should mention the role of the Ceann Comhairle and his officials. The work of the sub-committee was done professionally and efficiently to an ambitious timeframe.

As a result, we are now in a position of being able to enact these reforms. In no small part, this is due to their dedication and effort in driving this through.

It also fell to the members of the sub-committee to dedicate themselves to putting in this work in this time period. The sub-committee had an interesting composition and I enjoyed working on it. It was interesting not necessarily in the context of their parties or their political viewpoints, but in the context of their experience. We had three former Ministers in Deputies Brendan Howlin, Éamon Ó Cuív and Eamon Ryan, who could present a humorous point of view some of us did not have. We had the Sinn Féin Whip, the new Fine Gael Chief Whip and a new Member of the Dáil, Deputy Louise O'Reilly, to give their perspective. We had former Chairs of committees, including Deputy Stanton, a former MEP, Deputy Paul Murphy, representatives from a new party, Deputy Catherine Murphy, Independent Members like Deputy Thomas Pringle and members from other parties, such as the AAA-PBP. We had a broad spectrum of people with different perspectives, bringing their own experience of how the Dáil does or does not work. I came with the perspective of a government backbencher.

During the previous Dáil, as a backbencher Deputy, I had the opportunity to do some writing and a few years ago, I produced a pamphlet on 30 changes that could be made to fundamentally and radically transform the Dáil without changing the Constitution or a law. On the back of that, I was invited to speak at the MacGill summer school. Rather than give a boring speech,

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as I sometimes do, I decided to write a short story to try to point out some of the flaws here in a humorous way. The title of that story may be reflective of my perspective in my approach to the reform committee. The title “Show up and shut up – the button pusher, a cautionary tale of a backbench TD”. That was my experience as a government backbencher in the last Dáil - not being able to play a full meaningful role as an elected representative and parliamentarian in the work of the Dáil in holding the Government of the day to account. Even though I was a member of a government party, I felt I still had that dual role to fulfil.

What pleases me so much about this draft report we are now debating is that it represents fundamental reform. It is probably the largest and most wide-ranging suite of reforms this House has introduced in decades. There is real vision in it and that is why I am proud we were able to do the work and of the report we have produced as a result. This fundamental reform began with the election of the Ceann Comhairle by secret ballot. As I have said before, people did not quite understand what that would mean. In essence, it was the first step in a flow or transfer of power from the Executive to the Parliament. Since then, the Ceann Comhairle has been able to assume more powers, this sub-committee being part of that. As a result, this sub-committee, its work and this Dáil now stand separate from government, with a greater ability and responsibility to work in the interest of the country, with the Government when it can and against it when it must. I believe that is important.

Some of the questions raised yesterday by the press when we launched this report related to the issue of what this reform will cost. This reform will cost money and that is only right, although not a huge amount. Sometimes we must spend money to save money. I was often made aware of that when I sat on the Committee of Public Accounts. People complained about the price of an audit but that audit was revealing the waste of millions of taxpayers’ money. The money spent on that audit was worthwhile and well spent. When we look at the legacy of the financial crisis and the work done by the banking inquiry committee, we understand that is what this is about. That is why the reform committee is so important. It is not just about making this a better place for all of us to work in, it is about making our Parliament more responsive and accountable to the people. It is about giving us the resources and the space to be better legislators and it is about giving us the incentive and the tools to hold the Government of the day to account, to scrutinise legislation and spending, to make changes and to have the House agree them. The Government will be accountable to Dáil Éireann and fulfil that essential element of the Constitution.

Let me pick out just one measure - the budget oversight office and committee - which fulfils this requirement 1,000 times, through the work the Dáil will now be empowered to do, which it never had the resources to do in the lead up to the financial crisis. While the Government was not paying significant attention to what was happening in society and in our economy and was not capable of doing so, the Dáil was not able to do so at all. Now I hope we will come to a new arrangement. Hopefully, we will learn lessons from then and not repeat past mistakes. That begins with this report and changing how we do business here.

Another speaker said that “done” is better than “perfect”. If we tried to produce the perfect report, we would be here forever and would never satisfy everyone. When we presented the draft report to the Fine Gael parliamentary party, some of my colleagues were unhappy with certain elements of it. That is natural. However, there is positivity in regard to the broad sweep of changes. The sub-committee has also included a standing reform mechanism. Therefore, if something is tried and fails, that is okay and we will go back to the drawing board, reassess the situation and try to improve it. This also means that any Member who seeks reform can make

a proposal to the sub-committee or Ceann Comhairle. We will consider that and if it is a good idea, we will bring it before the Dáil for debate and a vote.

This is a key legacy from the reform debate process. We are not standing still. Reform is a constant and is now enshrined in the sub-committee. It is a sub-committee of the Dáil, not of any one party, of Government or of a particular interest. It is a sub-committee of all of us and is representative of the people, which is why it is so important. I congratulate everyone involved in the sub-committee. I enjoyed working with them and commend the Ceann Comhairle on how great he was at leading us through the process over the past six to eight weeks.

Deputy Paul Murphy: While I am going to speak about the Dáil reform report, I will also try to make some broader points about democratic change and the change needed that goes beyond the remit of the sub-committee.

We welcome the report. We played a role with others in producing it and broadly support it. The report must be considered in the context of the political changes that are taking place, not just here in Ireland but across Europe and in America. The fundamental change taking place is based on the impact of the economic crisis of 2007-2008, the impact of massive austerity, driven by neo-liberal ideology in the interest of the 1% and by the key establishment parties in many different countries across Europe, including Ireland, and by the impact of that in undermining the old political certainties and the old political parties. This was reflected dramatically in the general election here, a third historic election after local elections and the previous general election, which brought about the smashing of the two and a half party system. The two and a half party system is dead. It is no longer reflected in this Parliament and, therefore, there was an obligation and necessity for the rules of the Dáil to change to reflect that reality. While the two and a half party system is dead, what will replace it has not fully emerged. The idea of a substantial left force, to represent working class people, that could become a major party in this country has not fully emerged but it is a process that is taking place.

This was the context of the discussions that took place and it is reflected in the changes and reforms proposed. I will mention some of what I consider the positive reforms. The business committee is a step forward. It is not sufficient but it is a step forward towards taking power over the Dáil out of the hands of the Government and into the hands of the Dáil, with the full reflection of the different trends of opinion that exist here, which represent different trends of opinion within society. The second reform to welcome is the increased space for opposition motions and Bills, reflecting the reality of the increased weight of the Opposition in the Dáil and the fact that our voices should be heard as well and we should have the ability not only to propose but to pass legislation.

I welcome the fact the Ceann Comhairle will be empowered to have a quarterly report on Ministers and that where Ministers repeatedly refuse to answer questions, the Ceann Comhairle can raise that matter. This is necessary. This issue was a problem in the last Dáil. I refer for example to the case of Siteserv and the 19 questions asked by Deputy Catherine Murphy that were not answered. There were multiple instances of such failures. Trying to get the Irish Water payment figures was difficult and it remains difficult to get them, even now that water charges are almost dead. I see this proposal as a positive step and I hope the Ceann Comhairle takes advantage of this power and pays close attention to the answers Minister are giving or not giving and then lays his report before the House.

The ability to abstain is not a revolutionary change but it is correct politically that the range

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of political views on a topic can be expressed as these can sometimes not be expressed by means of the binary options “Tá” or “Níl”. Political forces may choose to abstain on a particular issue where, for example, they agree with the thrust but not the specifics. Combined with the ability to give a written explanation of their vote, even when they do not have the opportunity to speak, this is important for the process of political clarification and to enable people’s ideas to be accurately reflected in how they choose to vote.

The most important change is to the rules for groups. The fact that there may be multiple technical groups is significant and an important step forward, reflecting the reality of the rise of Independents and small parties in Irish politics. There are people who now regret that they voted for Independents, thinking they were votes against establishment parties only to find they have put establishment parties back into power. Nevertheless, people have the right to vote for Independents and chose to do so. They should have the right to organise themselves and have access to the necessary resources to properly participate in the Dáil like any other political force.

From the point of view of the left and the Anti-Austerity Alliance-People Before Profit, the change which is of most significance is the reduction to five in the number of Members required to be an official grouping inside the Dáil. This is a necessary democratic change and there is an argument for reducing it further, but it is an historic point in that there is now a clear anti-capitalist, socialist, principled left force as a grouping inside this Dáil. That reflects a change taking place across many countries in Europe and America, with Bernie Sanders, Jeremy Corbyn, Podemos, Izquierda Unida and the rise of the left. We are unashamedly going to take advantage of the situation to have Leaders’ Questions on a weekly basis and Private Members’ Bills, as well as Priority Questions to Ministers on a greater scale than in the previous Dáil when we were part of the Technical Group and had to strive for access to parliamentary time.

We were happy to participate in the Dáil reform sub-committee on a collaborative basis to reach agreement on these things and are happy to have reached agreement on Dáil reforms. We will be happy to continue to agree on various issues as they come up, but we also unashamedly say we plan to be the Opposition. There will be other forces claiming to be part of it, but we will use our access to speaking time to oppose the neoliberal agenda and the interests of the 1% which we believe are reflected in the establishment political parties in this House - Fine Gael, the Government Independents, Fianna Fáil and the Labour Party. We will use the Dáil as a platform and act as tribunes of the people to expose and highlight what is happening. We will be a voice for working class people - the 99%. We will mobilise in significant struggle such as next Wednesday at 5 p.m. when there will be a demonstration outside Leinster House at the same time as the motion on water charges of the Right2Water forces will be discussed. We will put forward a very different vision of how society could be organised, a social society in which people’s needs come before the interests of profit.

On the issues that were not addressed, or which we did not get a chance to address, the discussion on the inability of the Opposition to bring forward amendments or Bills which would impose a charge on the State was instructive. We did not do anything about that, but I do not believe the question is closed. There is a limitation in the Constitution, but the limitation in Standing Orders is significantly more restrictive than the one in the Constitution and we believe Standing Orders should be changed to make the position as open as that in the Constitution. More fundamentally, we need a change in the Constitution as we should not be restricted in proposing Bills to abolish Irish Water or oppose certain cuts that would result in the imposition of a charge on the State. We believe it is the democratic right of the Opposition to be able to

do these things.

We have to return to the issue of ending the practice where the Government avoids voting on Private Members' motions by tabling its own amendment first, an amendment which simply states how great the Government is on whatever topic is being discussed. It is undemocratic not to be able to put pressure on the Government to vote against or for a particular motion tabled by the Opposition.

Another issue which should be inserted in the final page in the list of other issues to be discussed is the prayer. It was agreed but does not appear in the final draft. It was not the main issue at the committee, but it is one which should be resolved. In modern day Irish society it is anachronistic and inappropriate to start our day with a prayer. This should be a secular Parliament and we should not start our day with a religious prayer. It has been agreed that this will go before the Committee on Procedure and Privileges, but it is an appropriate question for the Dáil reform sub-committee to discuss when it reconvenes because it relates to Standing Orders.

I will make some broader points on our vision for society. The problems we have with democracy in this House are a pale reflection of the fundamental absence of democracy in society as a whole. There has been a process, called the hollowing of western democracy by Peter Mair, whereby the limited democratic rights on the basis of capitalism have been diminished even further. A driving force has been the European Union and a few weeks ago the Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, gave the game away when, in talking about Irish Water, he said European diktats had to be followed. It gave the game away by confirming that there were diktats and that the European Commission dictated austerity policy, with which right-wing governments agreed. The European Union is fundamentally undemocratic - indeed anti-democratic - and an authoritarian, neoliberal construction. That is seen in the role of the European Central Bank and was seen in the various silent coups that took place where elected governments were replaced by governments by bankers and for bankers, with a mandate to rule in the interests of the markets. It is also evident in the ability of the European Commission to fine states that do not implement sufficient austerity measures. That is designed to stop pressure being placed on elected governments and to stop governments from being elected with a different policy. It states people can elect whomever they want but that they must implement neoliberal policies.

There are fundamental democratic problems here also. It is undemocratic that people are elected on a certain platform and then betray that platform. Much was made of Deputy Alan Kelly's statement that it was treachery to get rid of water charges, but he had obviously forgotten that he had previously been elected on a platform of opposing water charges and had then been so won over to them that it became treachery not to implement them. It is undemocratic that people can be elected and betray all of their promises, yet nothing can happen to them. People should have the right of recall of Deputies who break their promises. People should also be on the average wage of those they represent. We also support the initiative of 1Yi for popularly initiated referenda whereby a certain number of people can sign a document to initiate a referendum to change Government policy or the Constitution.

Fundamentally, we are for a different model of democracy, a participative model where power is devolved to local or workplace level, where elected councils take responsibility for things at that level, while we elect representatives who would be recallable to decide on things that must be decided at a higher level. It is not, however, just a question of political democracy. The key decisions affecting many people's lives, whether they have a house, a job or a decent

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income, are not made in democratically elected chambers such as this House, the European Parliament of local councils, or even by unelected bodies such as the European Commission or the European Central Bank. Many decisions are made in the boardrooms of big business with an interest only in profit. Many decisions are made by those with accounts in Panama or by the markets, about which the media love to talk and speculate. That reflects the domination of profit. If we want a truly democratic society, we have to have democratic public ownership of the key sources of wealth in our society. Key parts of the economy and key natural resources should be in public ownership under democratic control. They should not be run by quangos or political appointees. Workers, consumers and the public as a whole should be brought into the heart of the running of all aspects of our society. That is how we will achieve the fundamental and real democratic change that is socialist change.

I thank everybody who participated in the writing of the report. In particular, I thank the staff who did a phenomenal amount of work. They turned around papers in a short space of time. That is greatly appreciated.

Acting Chairman (Deputy Bernard J. Durkan): As the next speakers on the list, Deputies Dara Murphy and Éamon Ó Cuív, are not present, I call Deputy Louise O'Reilly.

Deputy Louise O'Reilly: I join my colleagues in thanking the Ceann Comhairle for the patient and diligent manner in which he chaired the Sub-Committee on Dáil Reform. He drove us on by making sure our meetings were run very effectively. I thank the Clerk of the Dáil and all the staff who worked very hard. I echo what Deputy Paul Murphy has just said about the turnaround time for papers. Everything we needed was provided for us. The staff were impeccable. They worked incredibly hard. They are to be commended for that.

While we welcome much of what is in the report, unfortunately this process is about Dáil reform only and does not provide for the kind of political reform we would like. Many of the reforms proposed in the report have been necessitated by the new composition of the Dáil. The members of the sub-committee have been careful to ensure the measures being put in place are future-proofed. They will be as fit for purpose tomorrow as they will be in the longer term. I am pleased to note that if something does not work, there will be a facility to debate further changes in that regard.

When statements on Dáil reform took place in this Chamber recently, I was disappointed to be accused by another Member of the House of being disingenuous. It was suggested that I did not believe in the work of the Sub-Committee on Dáil Reform, that I was not putting my best foot forward and that I was not making my best effort. I think that Deputy's ill-judged statement was corrected by the remarks made by the Ceann Comhairle to the media yesterday, when he commended all the members of the sub-committee on the manner in which we had approached our business. We conducted our work in a manner that focused on solutions. I suggest the report we are debating today is evidence of the spirit of collegiality that was evident at every meeting of the sub-committee. It seems to me that the report echoes something of the new politics about which people are very fond of talking.

Even though our approach was very constructive, as I have said, many reforms that my party and I consider necessary are not dealt with in this report because they were not included in the terms of reference of the sub-committee. I find it incredible that my new workplace has not one but two bars. Aside from providing employment, albeit with somewhat erratic hours, I cannot see any reason for the existence of bars in this or any other workplace. We should use

the opportunity presented to us by all the talk of new politics and a new way of doing politics to make some real and lasting reforms. If we think people outside this Chamber agree that we need two bars, we are fooling nobody. The public certainly does not think two bars are needed. Similarly, many people cannot understand why we start every day with a prayer rather than a few moments of quiet and inclusive reflection.

The need for the way we do business in this Chamber to be reformed was brought home to me quite starkly during the statements on climate change a couple of weeks ago. I can say from a personal perspective that what occurred in this Chamber on that occasion did not feel like new politics. Indeed, the points I was trying to raise and the links I was trying to make were reported publicly on 13 May in an official impact assessment report, which highlighted the link to which I was trying to draw attention in this Chamber only to be quite unfairly ruled out of order. I mention this to show that even though a great deal of good work has been undertaken by the members of the Sub-Committee on Dáil Reform in a spirit of collegiality and co-operation, we all have a job to do to ensure this spirit is replicated in all of our dealings in this Chamber and at the various committees.

The draft report on Dáil reform acknowledges the precedence of parties over groups in recognition of the fact that each group of Deputies representing a political party went before the electorate with a set of ideologies and a particular political philosophy. Groups that are formed after general elections come together for technical reasons. If there were other reasons for the existence of such a group, its members would join or form a political party. Unless and until we know the exact composition of such Dáil groups, we cannot know how the *pro rata* time distribution will work. I emphasise that regardless of how many groups are formed, the sub-committee's commitment to the precedent of parties over groups must be respected and reflected when time is allocated for critical set-pieces such as Leaders' Questions every time we meet here. We may be in dispute with our colleagues on the benches to our left regarding which of our parties leads the Opposition - I will not get into that now - but it cannot be denied that the Deputies on these benches have a substantial mandate. We expect that this will be reflected during Leaders' Questions and in all set-pieces. We cannot and will not support any notion to the contrary.

A central part of the work of the Sub-Committee on Dáil Reform was the need to make the way we do business in this House better, more efficient and more transparent. I believe we have achieved a great deal in this regard. The scheduling changes may, probably will and most definitely should lead to an increased workload for Deputies. This is to be welcomed. Smaller committee numbers will result in more specialisation for the members of committees and will enable Deputies to develop expertise in certain areas. There will be more work and it will be more focused and more specialised. As someone who has often waited with bated breath for the answers to parliamentary questions, I welcome the proposed sanction on Ministers who repeatedly fail to answer questions. I hope this will lead to less tension in homes where people are watching Oireachtas TV. I am one of those who have been known to scream repeatedly at the television in frustration because Ministers are not answering questions. We will wait the impact of the proposed new sanction. I think it will have a positive effect on how we do our business here. I am sure the Ceann Comhairle will use the powers available to him in this regard sparingly. I hope he will use them to good effect.

Many proposals in the draft report should make us work better as parliamentarians. This process should ensure the work we do is seen by those outside Leinster House who elect us. There is much more that I would have liked to have seen in the report. Now that we have made

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such a good start, I hope a further suite of reforms will not be too far away. I will conclude by reiterating my gratitude to the Ceann Comhairle for his stewardship of the sub-committee.

Deputy Aengus Ó Snodaigh: Ba mhaith liom comhghairdeas a dhéanamh leo siúd ar fad a ghlac páirt sna díospóireachtaí - bhí roinnt argóintí freisin - a bhí againn agus muid ag plé athchóiriú na Dála. Tá sé mar aidhm ag an bpróiseas seo a chinntiú go bhfuilimid mar Theachtaí ábalta an gnó atá romhainn a dhéanamh chomh héifeachtach agus chomh tapaidh agus ba chóir san am atá ann faoi láthair. Chuireamar gníomh cuibheasach substaintiúil os ár gcomhair chun déileáil le a lán athruithe gur chóir go mbeadh ag tarlú. Don chuid is mó, measaim gur éirigh linn déileáil leo agus tuairisc de mholtaí a chur faoi bhráid na Dála a dhéanfaidh cursaí i bhfad Éireann níos fearr, ní hamháin don Dáil seo ach do Dháileanna amach anseo. Beidh muidne, nó iad siúd a thioctfaidh inár ndiaidh, in ann gnó a dhéanamh i gceart, thar cheann na ndaoine a dhéanann muid a thoghadh agus thar ceann na bpáirtithe atáimid ag seasamh ar son nó páirtí ar bith. Tá athruithe suntasacha molta againn sa tuairisc seo agus rachaidh mé tríd roinnt dóibh níos déanaí. Measaim go bhfuil éacht, i slí amháin nó i slí eile, déanta ag an bhfochoiste ina iomlán toisc gur éirigh linn, don chuid is mó, aontú ar na moltaí seo. Déileáileamar leo ceann ar cheann, diaidh ar ndiaidh, agus bhí siad ar fad fite fuaite le chéile ionas go bhfeictear sna doiciméid seo conas mar a bheidh am an Tí rite amach anseo.

Ar leathanach 33 den tuairisc, tá moladh maidir leis an tslí a mbeidh an t-am a bheimid ag caitheamh anseo eagraithe amach anseo. Tá athruithe suntasacha ag gabháil le hamchlár na Dála. Measaim go mbeidh spéis acu siúd atá spéis acu sa Dáil féachaint ar sin. Tá súil agam go mbeidh spéis ag na meáin chumarsáide ann, a bhíonn ag caitheamh anuas orainn nó ag cuidiú leis an gcaitheamh anuas go minic ag rá nach bhfuilimid ag déanamh ár gcuid oibre chuí nó nach bhfuilimid ag dul i ngleic leis an obair atá os ár gcomhair go dian dícheallach. Go minic, déanann siad siúd a bhíonn ag caitheamh anuas orainn ag rá nach bhfuil go leor Teachta Dála sa Teach seo dearmad nach go dtí an Teach seo amháin atáimid tofa. Tá coistí, obair dháilcheantair agus bualadh le toscairí ónar gceantair i gceist. Is é sin an obair a choimeádann muid as an Seomra seo go minic agus an fáth nach mbíimid ar fad anseo. Ní bheadh obair pholaitíochta na tíre seo déanta dá mbeadh muid ar fad gafa anseo ar feadh 30 nó 40 uair a chloig in aghaidh na seachtaine.

When the proposal to set up a Dáil reform sub-committee was announced, I was a Doubting Thomas in many ways because I have been here before. I have spent too long in the House dealing with reform without seeing much of it. However, I have been surprised by how much we have managed to get through in a short period of time and with relative consensus on the changes that are required, or at least on the attempt to change. What we have before us may need tinkering in later months. There is also a commitment - this is very important for those of us and for the members of the public who made submissions - that it does not end at the adoption of these changes and the adoption of Standing Orders, which will hopefully happen next week or the week after. We have asked in appendix 6 of this report that a future sub-committee on Dáil reform look at a whole range of matters which we did not have time to look at due to time constraints, or which were not exactly pertinent to getting this document through and getting the Dáil up and running as quickly as possible in the way we want.

There are matters relating to quorum. There is the interesting matter of the working group of committee chairs looking at the attendance of Deputies at committee meetings. I asked that we look at a whole range of issues, some of which have been mentioned before, such as the prayer, the conventions of bowing to a Chair and standing up when a citizen who happens to be the Ceann Comhairle comes into the room. There is also the use of consolidated Bills, which

we should be using to help us in our work of scrutinising legislation, particularly with the likes of social welfare or finance Bills which are highly complicated and sometimes involve three or four pieces of legislation. There are additional supports required to help the media who are in this House. Are they the fourth estate or the third estate? I cannot remember which one they are.

Deputy Paul Kehoe: The fifth.

Deputy Aengus Ó Snodaigh: The fifth. No, it is the fifth column the Deputy is talking about. Some of them are fifth columnists alright. They also require additional supports and access to help them do the work we want them to do. We should facilitate that. We should look again at having dedicated weeks, such as on issues pertaining to the Six Counties, the Irish language - as I have proposed before - or even the EU. There is also the matter of access to speaking times for MPs from this island, MLAs or MEPs.

There are changes which would affect the Opposition. There is a proposal to reduce speaking times in order to be more efficient in the use of our time and to ensure that we are not waffling on and on, as politicians are often accused of, myself included. Sometimes we have to curtail our speeches and get our point across in less time.

Another suggestion is to look at removing the privileges from former Members. In my view, if we are seeking to be a Republic, that suggests that citizens are equal. If citizens are equal, former Members should not enjoy privileges after their term of office is over. That might be controversial with the former Members but it is one of the things we should look at. We should also look at how we deal with the whole issue of political reform. One of the issues we debated in the sub-committee, but on which did reach agreement as it was not within our gift, was how to deal with the restriction placed on Members with regard to the proviso on amendments which have a financial charge on the Exchequer and on the people. That would require a constitutional change and I believe we should come back to that at a future Dáil reform committee or at another constitutional convention. It remains an issue despite the fact that the Constitutional Convention addressed it and suggested it be removed.

Some of the issues we addressed were ones my own party and I put forward, such as the independent budgetary office, which we suggested a number of years ago in a pre-budget submission. I believe it would be a useful tool for all parties to be able to cost proposals which we come up with. Members of the public are often very innovative in what they suggest to us. Sometimes we would say a suggestion is beyond our remit and we are unable to cost it. With this proposal, we might have some mechanism to cost it. We could then see how feasible it is in terms of our budgetary consideration. The new budget oversight committee, once established and up and running, would be a useful tool to deal with the proper scrutiny of budgets and estimates, which we have not managed to do properly in this House, despite changes in the last term that we did not manage to fulfil. I believe our mandate to the oversight we need to have over one the key elements of parliamentary procedure, which is the-----

Acting Chairman (Deputy Bernard J. Durkan): Excuse me, Deputy, I need to correct the record. I may have inadvertently announced the name of Deputy Dara Murphy when I called out the list of speakers earlier. I should have called out Deputy Darragh O'Brien. Deputy Murphy was not on the list.

Deputy Aengus Ó Snodaigh: That is not a problem. There is a whole range of other issues,

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such as the suggestion that the minimum for political groups be reduced to five. A number of submissions were agreed on that issue.

There is a particular issue with the pre-legislative stage of Bills. I was one of those who praised the previous Government in proposing and introducing it. There was a discussion that this would be compulsory or mandatory with regard to Opposition legislation. Thankfully, the report does not reflect that. We are to discuss the matter further but I believe were it to be accepted it would hamper the workings of the Dáil and would kill off some of the innovation and spontaneity of the Dáil and of backbenchers, not only on the Opposition side but also some on the Government side, who respond to events as they happen rather than plan for months or years ahead. I think both are required.

The key change, and one I have argued for over a number of years, is in regard to post-legislative scrutiny. When legislation is passed, it should come back to the committee after it is enacted and is operational in order to have some type of view and to see whether it is doing what was intended. This would mean we would not have the situation we had in regard to the Charities Bill, where the charities regulator was not in place for many years after the Bill had been passed. What is the purpose of the House passing legislation if it is not going to be enacted or followed through?

This will hopefully also be used to look at statutory instruments. There is a problem in that statutory instruments are often passed by Ministers but we see neither sight nor sound of them until they have a negative effect and, then, on all sides of the House, we get lobbied to remove them. If they were at least referred to a committee, it might help to identify problems in advance.

The proposals in regard to committees are welcome. In particular, for a number of years I have proposed the setting up of a coiste ar an nGaeilge agus tá súil agam go mbeidh sé sin in ann an obair atá os a chomhair a dhéanamh i gceart. The Irish language committee has a lot of work in front of it because even though there was a sub-committee on the Irish language for many years, it is now a committee in its own right and will be able to raise and deal with issues which most Deputies believe need to be given greater priority. Perhaps the Minister or Minister of State - hopefully, someone will be appointed today as Minister of State with responsibility for the Irish language - can use that committee to greater effect in order to bring about what I believe is the aim of most parties, namely, to enhance and encourage the Irish language in this country and further afield. I believe the committee has a big job of work in trying to focus in on the Department of Education and Skills in regard to the Irish language.

With regard to Leaders' Questions, it is good that the clock will be used to enforce a time limit. We have all too often sat here and seen either the questioner or the respondent going on a lot longer than I believe is appropriate. This is sometimes just winding down the clock, because we are not getting the answer anyway, but on other occasions, the speaker is going well over the time. I do not believe that is fair either to those coming after us or those of us who are here for Leaders' Questions.

I am not 100% sold on the idea of some parties not having a Leader's Question on each given day and others having two. While I understand proportionality, given that a Leader's Question is supposed to deal with the issue of the day, on behalf of a party, how can there be two of them? We will see how it works but we should consider coming back to this.

A further change I had proposed was that the explanatory memorandum for Irish language Bills would be published simultaneously as Gaeilge. I welcome the fact this is contained in the proposals but I had argued for a further change, which I thought was accepted, which was that this was a temporary step in a full movement towards simultaneously publishing all Bills bilingually, in line with what the EU will do by 2022. It is important that we are ahead of it because it would be to our shame if this House was behind the European Parliament in terms of the use of the Irish language in its legislative work.

Deputy David Stanton: I am pleased to speak on the motion. I attended all the meetings of the committee and, as other speakers have said, it was a revelation to see how people worked together and listened to each other - I agree with Deputy Thomas Byrne in that regard. I believe we have come up with a historic report. Other speakers, such as Deputy Howlin and Deputy Ó Snodaigh, have, like myself, spent many years trying to get Dáil reform onto the agenda and to make changes.

In fairness to the Minister of State, Deputy Paul Kehoe, some changes were made in the last Dáil, although once they are made, they disappear into the workings of the Dáil and people do not see them. Nonetheless, a number of important things happened. For example, pre-legislative scrutiny had a major impact on how legislation was developed, although much of it happened in the committee rooms, down in the dungeons, where I spent many hours and days. Topical Issues were brought in instead of Adjournment Matters, and they were brought to the middle of the day so an issue raised by a Deputy got a better time slot. Leaders' Questions were extended to three days of the week. At the same time, questions under Standing Order 32 were sidelined as they were a waste of time.

Much of what we have to do concerns making efficient use of the time we have and making the House more interactive and perhaps less adversarial. This Chamber is set up to be adversarial whereas the committee rooms are not; they are less adversarial and committee members roll up their sleeves and work and listen. I contend there is consensus on 90% of what we debate here because it is needed by the people and the country and we get on with it.

By the way, one change I would like to see is to the alphabetical listing of Members. For example, if someone's surname begins with the letter S, that person is always at the bottom, which can change things.

The business committee is a huge new innovation. This is in vogue in many other countries across the world. The Ceann Comhairle, known as the speaker or president of the parliament in other countries, has been given a very powerful position in the Dáil. This is not before time. The fact the Ceann Comhairle is now elected by majority and by secret ballot and has a mandate from everyone in the House, enhances that position. The position of the Ceann Comhairle should be enhanced as an independent arbiter and we should examine how this can be done in the coming years. I pay tribute to the Ceann Comhairle and to all the staff who worked with us in the committee to bring this report forward.

A package of Dáil reforms was worked on in almost every Dáil going way back but nothing ever happened because it was a case that all was agreed or nothing was agreed - that was the mantra. Then, when an election came, the whole thing was shelved and had to start again and again. In a previous Dáil, the former Minister, Pat Carey, and myself had agreed a package of reforms but, unfortunately, an election came and they did not come about until the last Dáil. This incremental process is part of that. The intention is that other reforms

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will be needed. Some of these reforms may not work - we will have the unknown unknowns that jump up - and, as others have said, other reforms may have to be tweaked or revisited as time goes on. The budgetary oversight committee is another major reform. My committee did quite a bit of work on that, as did the finance committee under former Deputy Liam Twomey. The OECD was commissioned to carry out a report on this issue, which states:

The relationship between a legislature and an executive goes to the heart of national democratic life. Across the OECD, each country has developed its own traditions, customs and legal frameworks to give expression to this relationship. Similar issues arise from one country to another: How can the parliament best exercise its accountability functions? How should the country balance effective, decisive government action with the deliberative, oversight and control functions of the parliament? How can parliamentary scrutiny enhance trust in the fairness and effectiveness of public policy-making?

The report then looks at specific issues. With regard to the table on page 30, the report states:

The “Index of Legislative Budget Institutions” is a composite metric that compares legislative budget engagement across countries, based on a range of objective criteria. The results ... show that the level of budget engagement by the Houses of the Oireachtas is the lowest observed in any OECD country.

We were the worst when it came to budget scrutiny engagement and oversight. The new budgetary oversight committee and the budgetary office will have major roles to play in changing this scenario. The justice committee engaged in a little of this on a pilot basis and I can tell Members that it will take a lot of time, work and study and involve training for them. This is serious stuff and it will be a whole of year budgetary cycle. It will not be a one-off but will happen throughout the year. The detail is scary. It is badly needed and welcome and we really and truly have to get our teeth into it. Supporting this work will be the independent budgetary office, a major reform which is badly needed. Members and staff will have to be trained for this work. The first point made in the report is on training and the development of Members and staff to strengthen their capacity in financial analysis and scrutiny. It also mentions technical and independent analysis and briefings for committees in scrutinising the budget process. It will also be a major challenge for Departments and Ministers to produce the figures, facts and information in a manner that can be understood and debated in committees. This was one of the problems we came across.

The number required for a group will be reduced to five. When is a group not a group? We probably need to look at this. We have political parties which register as such, with members and councillors, while in the Dáil we have had a technical group which, in the main, was established to enable those who were not members of parties to come together to gain speaking rights. They were mainly Independents and Members representing smaller parties. Now we have another situation developing, where groups are formed which are not technical groups in the House as such. They are political parties in everything but name. We might need to look at this and I said so at the meetings. This is a new departure. They are not parties, but they have the rights of parties. Perhaps if it walks like a duck and quacks like a duck, it is a duck.

A proposal about which we have spoken for quite some time concerns the split between plenary and committee time. It is very frustrating to be at a committee when a vote is called in the House. One must leave the committee and delegates who have travelled long distances must

then wait for 20 minutes. This reform is welcome. Many parliaments throughout the world do this, including in Finland. It is something we need to do to ensure committees have their own time. I am not sure whether enough time is being given to committees. There is provision in the report for committees to meet outside the specific times if they need to do so.

Pre-legislative scrutiny has been mentioned and the justice committee did this a lot. It is very useful. I listened to what Deputy Aengus Ó Snodaigh had to say about Private Members' Bills, whereby something might happen and one might want to table a Bill for political purposes on a particular day. If serious legislation needs to be developed, my advice is to submit it for pre-legislative scrutiny because it is amazing how much one learns. NGOs, citizens and academics can be invited to have an input. I have seen Bills being turned on their head from what the Minister and the Government had initially planned to introduce because of pre-legislative scrutiny. The same could happen with Private Members' Bills. The idea of having a legal adviser giving advice on whether a Bill is constitutional is important. It would be very foolish of the Oireachtas, as can now happen, to force through a Bill, in spite of the Government and the Attorney General stating it is unconstitutional, and then having it shot down in the courts. It might be useful to receive this advice earlier. If the Attorney General states a Bill is unconstitutional, it should be accepted and that should be the end of it. I agree with Deputy Aengus Ó Snodaigh on post-legislative scrutiny, which is important.

A smaller number of members on a committee is envisaged. In the previous Dáil we had more than 20 members on some committees, which is impossible. I have mentioned attendance at committees. It needs to be encouraged in some shape or form. The working group on committee chairmen will be enhanced and given a stronger role and the Taoiseach will appear before it, which is important. We will have 24 committees - seven thematic, 14 sectoral and three housekeeping. We may need to revisit this number, if there are too many. A proposal has been made that one person could chair a number of committees, but we will still have 14. Perhaps some of the thematic and housekeeping committees could be chaired by the same person.

If I understood Deputy Aengus Ó Snodaigh correctly, he spoke about raising one issue during Leaders' Questions. The original intention was that one issue, the burning topic of the day, would be raised. I was here when it was introduced, as was Deputy Thomas P. Broughan. For many years there were rows when a party leader wanted to raise an issue which had happened overnight or recently and could not do so because Standing Orders would not allow it. When the Minister for Finance, Deputy Michael Noonan, became leader of Fine Gael, it was one of the first motions he brought forward and it was accepted at the time. It was a big reform.

Question Time needs to be more efficient and we need to work the clock. On some occasions in the previous Dáil only two oral questions were taken. Everybody should have the chance to ask a question and receive a response. It should not just be spokespersons of parties. Backbenchers need to be allowed to do so also. Questions should be snappier. We should not have long drawn out questions and answers and speeches before questions. Question Time is not the time for Second Stage speeches; a question should be asked.

The powers of the Ceann Comhairle have been mentioned with regard to written and oral questions and Topical Issues. An appeal or complaint can be made to the Ceann Comhairle if a Member believes he or she is not receiving information. I draw attention to one caveat. A Minister should have a chance to correct the record. If someone makes a complaint to the Ceann Comhairle, for instance, where a question was asked about how much had been spent on a particular item and an answer was not given, this is a clear breach and the Minister should

have an opportunity to correct it and should be sanctioned afterwards, if necessary.

Tabling questions during the summer recess has been mentioned for years, decades in fact, and now it will happen. Members will be able to table written questions during the summer recess, which is useful.

Many State bodies and local authorities are not as accountable as they should be to the democratic process. Let us get this done because it is important. We need to revisit this issue.

I suggest everybody be reminded of the protocols in the Chamber. It is very distracting if someone walks in front of the person speaking. We should all address the Chair and not each other across the Chamber. Questions and comments should be made through the Chair. That would lead to a far more efficient way of working and doing business.

I wish to speak for one moment about the rise of populism. Churchill or someone said it had been said of democracy that it was the worst form of government, apart from all of those others which had been tried. I worry a little when I hear people speak about getting rid of and taking down the establishment. What would be put in its place? Does anywhere in the world have the perfect system? I challenge those on the extreme left to tell me where it is. Where is this utopia about which they always speak? I would like to see it.

There is talk of wider political reform. Fianna Fáil has made a very interesting proposal in its document, that when a Member becomes a Minister, he or she resign from the Dáil, as happens in Sweden and France, and replaced in parliament by a parliamentarian. The Minister would do nothing but Minister's work and would no longer be a parliamentarian. It is an interesting idea and it is done elsewhere. Perhaps it is something we should consider, but I believe it would require a referendum.

As I am at it, I will throw this into the mix. Do we really need by-elections? Are they a complete waste of time and money? Do they make major changes to the overall picture? Do they distract us here for one month or longer? Could we do what is done in the European Parliament and elsewhere and co-opt if someone resigns or passes away and get on with it? I am advised that it would probably require constitutional reform but as a wider political reform, it is something we should probably examine.

1 o'clock

Deputy Richard Boyd Barrett: First of all, I welcome the chance to discuss the issue of Dáil reform and make some comments about the wider need and popular thirst for political reform. This is at least a step towards addressing that concern. I pay tribute to the members of the committee who, by all accounts, have worked well together, not withstanding the differences of opinion that they have, in trying to make this Dáil function in a better way.

Some people are sceptical about what is being described as the new politics. Interestingly, the most sceptical people I have met are those in the media, who do not believe for a minute that there can be a new politics but believe that everything will revert to type sooner or later. While I believe there are fundamental policy and ideological differences between many of us on key issues of policy, that does not mean that it is impossible for us to move from the politics of being adversarial for its own sake to beginning to discuss policy and try to solve problems in a serious way and, where necessary, debate genuinely held differences of outlook, philosophy, policy or whatever, and let the public decide on those. I hope all of these measures will move us in this direction. Like others, I want to pay tribute to the staff who are involved in trying to collate all of the opinions on this and work it into a new system for organising the Dáil. I also

pay tribute to the new Ceann Comhairle, who has played a very active and genuine role in trying to move this forward.

Before I get into the specific measures proposed, I want to make a general point. There were probably two things that in general terms drove the political and electoral choices that people made in the last election. One was the consequences of the economic crash, namely, austerity and the anger at the injustice and inequality of it, which was reflected in a fairly substantial, arguably historic, change in the balance of power in the Parliament. The other factor, as well as economic and social concerns, was the question of democracy. It was most popularly expressed in the idea of, and the anger directed against, the fact that people could make promises prior to elections and then do something completely different when they got in here.

This has begun to be reflected in a whole series of civil society-led initiatives calling for radical democratic reform, most notably the One Year Initiative, which calls for citizen-led referendums and provision for a certain number of citizens to be able to require the Dáil to hold referenda on issues about which enough people feel strongly. The idea is that people could petition in sufficient numbers for popularly inspired or people-inspired legislation and force us to address certain legislative proposals that would come from the people themselves. That idea of a direct and participatory democracy, which is not just about an election every five years but about an ongoing engagement between the people and the House of representatives, is something that we really must consider.

This leads me to another point about democracy. Here I quote a brilliant pamphlet James Connolly wrote in 1910 which should inform all of our attitudes towards democracy. I will read just a few parts of it. I cannot read it all because it is a brilliant but reasonably lengthy piece. Connolly said:

All hail...to the mob, the incarnation of progress!

In [its] civilising...work the mob had at all times to meet and master the hatred and opposition of kings and nobles; ...there is not in history a record of any movement for abolishing of torture, preventing war, establishing popular suffrage, or shortening the hours of labour led by the hierarchy.

In the course of [its] upward march the mob has transformed and humanised the world. It has abolished religious persecution and imposed toleration upon the bigots of all creeds; it has established the value of human life.

The rest of it, by the way, is brilliant as well. The pamphlet turns the popular - I would say the conventional - conception of politics on its head. It puts it the right way up, that it is the people who drive change and always have, and people elected to this House - all of us - need a bit of humility about that fact. The words “Teachta Dála” mean-----

Deputy Darragh O’Brien: Messenger.

Deputy Richard Boyd Barrett: That is what we should be. I thank the Deputy for the translation.

Deputy Darragh O’Brien: Deputy Boyd Barrett is welcome. This is the new politics.

Deputy Richard Boyd Barrett: We must take extremely seriously that we are messengers. We are not rulers; we are the messengers of the people, and we must have faith and belief in

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the wisdom and power of the people to bring change, as has always been the case, as Connolly mentioned.

This is absolutely true about the recent election. To my mind, there is no doubt whatsoever that the changed political landscape in here has to do with a level of popular mobilisation and politicisation of the public. There has been nothing in my experience like the level of political sophistication across the public that we have now, and that is a very good thing. The days when anybody could pull the wool over the public's eyes with rhetoric or spin about what he or she does are coming to a close. People are engaging. They are discerning and sophisticated in their understanding of what we do in here, and that is very much to be welcomed. The logic in the long run of this is a much more thoroughgoing democracy that involves direct and participatory democracy and measures like, as Deputy Paul Murphy mentioned, the right of the people to recall Deputies if they do not discharge the mandate given to them during an election. We need to move in that direction.

The specific measures proposed are generally all positive. The new business committee, which will allow the parties to discuss and have an input into the ordering of Government business, is a very positive development. Similarly, the new budget oversight committee and, connected to it, the independent budgetary office could be potentially very good. They would give all parties, those in opposition and in government, serious input into the budgetary process and, hopefully, in line with what I said earlier an opportunity for the public to engage in a serious way with what we do in the process of putting together the budget and to influence our priorities. Although this is an improvement, I agree with earlier comments on the question of the Opposition still not being able to put forward proposals that involve a charge on the State as being problematic. Notwithstanding the constitutional limitations there, we need to push that envelop as far as we can so that there is that opportunity to put forward suggestions on tax and revenue raising and other matters that could be a charge on the State. There was nothing more frustrating for me in the past five years than when proposals of that sort were ruled out of order.

The pre-legislative stage is positive and can potentially offer the opportunity for the public to engage more in the process of putting together policy and legislation and for us to be conduits for the public to engage in that process.

The abstention proposal is positive for reasons that have already been outlined. It creates the possibility at least for everything not to be adversarial where there is not a necessity for that. Regularly, there are Bills where one might agree with some elements of them while disagreeing with others. I sometimes think the Government has done that deliberately in order to make it difficult for the Opposition to say it opposes one aspect but not another and try to put members of the Opposition in a difficult position of having to be in favour or against, even though they have mixed views on the legislation. Hopefully, that can change.

I raise a couple of questions about some aspects of the reforms that I generally welcome. The issue of Leaders' Questions highlighted by Deputy Ó Snodaigh is potentially problematic. On one level, proportionality is important but it is a problem if we have groups having multiple Leaders' Questions on the same day as a result of proportionality. We have never had that. It does not make a great deal of sense, particularly when it will be the case that as a result others, either in the smaller groups or in the technical groups that are likely to be formed, may not get a chance even in the entire week to make a comment on issues of important topical interest. We need to look at that. Fairness requires that groups, such as Fianna Fáil, which is bigger proportionally, should have a bigger share of these but reflecting the diversity of the Dáil also requires

a little rebalancing of that to ensure all voices at least get some chance in any given week to contribute to those leaders' debates.

I would also make a point about Taoiseach's Questions, which has not been touched on at all. Taoiseach's Questions has to change. It is crazy. Often these are not questions and they go on for too long and the answers are nothing but exercises in winding down the clock. There can be answers of up to 15 and 16 minutes for questions. That is bonkers. To be honest, it takes completely from the value of Taoiseach's Questions, which could be a valuable exercise, for it to merely be an exercise in rambling and - what is that expression for just talking to-----

Deputy Marcella Corcoran Kennedy: Filibustering.

Deputy Richard Boyd Barrett: Filibustering. There should be time limits put on-----

Deputy Paul Kehoe: A lot of that happens on Deputy Boyd Barrett's side of the House.

Deputy Richard Boyd Barrett: It does but Taoiseach's Questions was an exercise in serious filibustering on the Minister of State, Deputy Kehoe's, side as well. Let us do something about that.

All of this democratic reform can be undermined by what is going on in Europe at present and the control that the banks and the financial institutions, which the ECB is acting as a conduit for, wield can circumscribe and undermine our ability to function in any sort of democratic way. This was summed up by Trichet's incredible threat, which people really need to think about, to the Minister for Finance, Deputy Noonan, at the beginning of the previous Dáil where he stated that if there was any attempt to burn bondholders, he would let off a financial bomb in Dublin. Let us think about the use of that language. It is not hyperbole to describe that as economic terrorism, that a bomb would go off if one democratically decides to do something the people have asked for, want and have an entitlement to and if that is what the popular will is. We have to seriously address the question of an unelected economic power or unelected financial institutions dictating to democratically elected parliaments.

Acting Chairman (Deputy John Lahart): I thank messenger Boyd Barrett.

Debate adjourned.

Adjournment Debate Matters

Acting Chairman (Deputy John Lahart): I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 23(3) and the name of the Member in each case: (1) Deputy David Cullinane - the need for the Minister for Health to outline why University Hospital Waterford spent more than €20 million on agency staff from 2011-15, if he recognises that this is a consequence of underfunding of our acute hospital network and to outline what plans he has to increase staff capacity in our public hospitals; (2) Deputy Joe Carey - the need to protect employment at the Roche Ireland plant in Clarecastle, County Clare; (3) Deputy Anne Rabbitte - the urgent need for the HSE to expedite the appointment of a paediatrics diabetic specialist at University Hospital Galway; (4) Deputy Declan Breathnach - the need for the passport office to inform the public of the requirement for new applicants to provide a public services card; (5) Deputy Thomas P. Broughan - the urgent need for the Minister for Health to provide full local day services for young school leavers on the autistic

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spectrum in Dublin Bay North and Fingal; (6) Deputy Brian Stanley - the need for a new school to accommodate St. Francis special school on the Borris Road in Portlaoise in County Laois; (7) Deputy Marcella Corcoran Kennedy - matters relating to the Health Service Executive in the midlands; (8) Deputies Mattie McGrath and Seamus Healy - the closure of Suir Pharma Ireland Limited in Clonmel in County Tipperary and the need to save the 120 jobs or to secure a replacement industry; (9) Deputies Clare Daly and Mick Wallace - the humanitarian refugee crisis in Europe and the need for Ireland to lead the way in providing assistance, particularly for unaccompanied minors; and (10) Deputy Pat Casey - to ask the Minister for Transport, Tourism and Sport about the adoption of the transport strategy for the greater Dublin area 2016-35.

The matters raised by Deputies Declan Breathnach, Pat Casey, Mattie McGrath and Seamus Healy and Joe Carey have been selected for discussion.

Report of Sub-Committee on Dáil Reform: Motion (Resumed)

The following motion was moved by Deputy Regina Doherty on Thursday, 19 May 2016:

That Dáil Éireann shall consider the Report of the sub-Committee on Dáil Reform entitled, Draft Final Report of the sub-Committee on Dáil Reform, copies of which were laid before Dáil Éireann on 18th May 2016

-(Minister of State at the Department of the Taoiseach, Deputy Regina Doherty)

Deputy Thomas P. Broughan: I appreciate the chance to make a few brief remarks about the draft final report of the Sub-Committee on Dáil Reform. I warmly thank the Ceann Comhairle for the work he has done along with all the members of the committee, and, indeed, the Oireachtas Commission staff, in bringing forward the report. In particular, I also thank Deputy Pringle, who represented many Independents on that committee. The Ceann Comhairle has held one-to-one meetings with many Deputies, including myself, in relation to the body of reforms that are coming forward.

In general terms, I welcome the general thrust of the report before us. The proposed business committee is a welcome advance. In the past, opposition, and, indeed, Government backbenchers would find out at a few hours' or at a day's notice what the business of the House was to be. However, when a business committee is established, we will know a couple of weeks in advance and will be able to have an input into that, which is very valuable.

A key element of the report relates to the monitoring of legislation. Bills which come to mind include the sale of alcohol Bill, dating back over perhaps a decade and a half, the noise Bill, dating back over a decade and a half, and the foreshore Bill. These all have been on the clár at different times in my time in this House but they have not been implemented. The idea of monitoring and implementing desirable legislation for the people is important.

Late in the previous Dáil or early in this Dáil, I asked the Oireachtas Library and Information Service to prepare a report on an Estimates committee for Dáil Éireann. Our colleagues in the Library produced a fine report which focused on the failure in this regard. It carried on from the OECD 2015 report which showed up the grave deficiencies of this House in monitoring financial legislation and measures. It showed, of course, that we follow the United King-

dom *post hoc* system in budgets, that we measure expenditure through the Committee of Public Accounts, which has done fine work over the years, but we have never had an *ex ante* system whereby a committee would look at possible spending, in this case, for 2017. Through the years, as the Acting Chairman might appreciate, we have had situations in which we discussed the Estimates for 2016 in the middle of 2017, or for 2014 in the middle of 2015. We were always a year behind in considering Estimates and we were discussing money that had already been spent. It is important we get away from this.

I have reservations about the structure of the budget oversight committee proposed. We will have a sectoral finance committee in this area. One of the OECD proposals, reflected in the report the Oireachtas Library staff carried out, was that an Estimates or budget oversight committee would comprise the Joint Committee on Finance, Public Expenditure and Reform and the heads of the other committees. It was a different type of committee and would have had a major input into the structure of the budget during the preparation of Estimates each spring and summer and the bringing together of the budgetary process in September and October. I am not sure the committee will do this or whether it will be going over the work of the sectoral committees in this area again.

I hope the committee will represent a break with the past and give much more input, for example, this year into the budgetary programmes for 2017 and 2018, and however long the Government lasts. It may not reflect the powerful budgetary committees to be found in the Czech Republic, Poland, Portugal, France, Germany, Austria and Italy where they have always had the non-Westminster tradition of invigilating future spending plans of each Department, which I hope the committee will do.

The independent parliamentary budget office could play a major role and there is major emphasis laid on the statutory underpinning of the office. I would make it an independent parliamentary budget supervisor or facility. I think the Parliament should have this role and the fundamental say on the preparation of future budgets through the committee. The role of the office, which was suggested on the independent parliamentary budget, would be proper as part of the budget oversight committee and would be a function of the budget oversight committee, which would have this fundamental independence. I am not sure how it would work or whether it could be another instrument for a Government and powerful interests in society to say certain things cannot happen, for example that we cannot introduce a single-tier health system or a proper child care system given that we do not have the money. I wonder about the independence of the budget oversight committee and putting the independent parliamentary budget officer beside it in a role that might impinge on the work of the committee.

Like other Deputies, I have used the services of the parliamentary legal adviser. It commissioned legal support when Opposition Members were preparing Bills. I welcome the proposal on this, which is valuable. I agree with a previous Deputy on Leaders' Questions. It seems incongruous that a number of leaders for Fianna Fáil could ask questions on Leaders' Questions. It seems to be copper-fastening the idea that Fianna Fáil is both in government and in opposition, which it is. It will be another device to try to help Fianna Fáil to straddle these two roles. It is fair enough that each group or party would have a speaking slot during Leaders' Questions.

Our Dáil has often been criticised as being very family-unfriendly and making it very difficult for families due to the incredibly late hours. The previous Government was famous for holding major debates well after midnight. Major issues have been discussed, usually on Tuesday nights, and have run way late. I wonder about scheduling plenary business up to 10 p.m. I

wonder if it could be scheduled much earlier or if the committee meetings could be scheduled for an earlier part of the day, 7 a.m. or 8 a.m., and be finished earlier to give Members who have families, and their partners, a chance to have a more normal style of life.

The fact that the Parliament is in Dublin makes it much more difficult for all our Members. At some discussions, people said maybe we should take the Parliament outside Dublin, that there might be merit in having plenary sessions in Cork, Galway, Athlone and our other great towns and cities. The Chamber is due for refurbishment, as is the Seanad Chamber, which I would have liked to have been permanently closed. There might be an opportunity to explore this. We need more family-friendly working hours.

Earlier comments about the role of the pre-legislative process were very valuable. Maybe there are too many committees in the draft report. There are 23 committees, although some of them, such as the thematic committees, do not meet often. It seems a large number of committees for a reduced Dáil. I thank the Ceann Comhairle, Deputy Pringle and others who have worked so hard on the report. The general thrust of it will produce a more democratic, transparent and accountable Dáil.

Deputy Marcella Corcoran Kennedy: I am delighted to speak on this historic document as a member of the Oireachtas Sub-Committee on Dáil Reform. We are here because of the mandate which constituents gave us across the country. Nothing was clear-cut and we had to sit down as politicians and figure out what we were going to do. The fact that we have produced this document in a short timeframe reflects the collegial nature of the committee and the fact that it was seen as an opportunity for us to sit down, talk to each other and consider the submissions. Every Deputy had an opportunity to make a submission on it. We even received submissions from external people. There are many opportunities for people to have their say.

I note the collegial nature of the committee. Leaving the heat of the television cameras out of it showed that when politicians sit down and talk to each other seriously and with good intentions, they can reach a consensus on certain topics. The document we have produced reflects this. I pay tribute to the Ceann Comhairle for his excellent chairing of the committee and to the staff who were involved in helping distil all the ideas and find research for us in such a prompt and professional fashion. Without them, we could not have done it. I pay tribute to all the members of the committee, particularly my colleagues who were appointed by the Taoiseach, the Minister of State, Deputy Regina Doherty, and Deputies Eoghan Murphy and David Stanton, all of whom are passionate about Dáil reform and making the Chamber much more efficient and meaningful for the people participating.

The fact that we will be on the clock a little more is a good thing. As a member of the panel of Acting Chairmen, I have seen the frustration on the part of Deputies who were sharing time or who came to the end of a slot to discover that the time had run out because those ahead of them had deprived them of the opportunity and democratic right to speak here because they did not observe the clock. If we are sincere about what we want to do in this new landscape of politics, we will have to have more respect for each other, less grandstanding and be conscious that if a Member is eroding speaking time he or she is depriving another public representative, who is as entitled to speak as that Member, of the opportunity to have his or her say.

I am glad we are building on the work the previous Government did on political reform and, for example, on the process of pre-legislative scrutiny which was introduced. I participated in that on a number of committees and found it very helpful. I believe it influenced the outcome of

the Bills subsequently produced. The fact that we will now introduce post-legislative scrutiny, which is an issue all of us felt strongly about, will make being a member of a committee even more meaningful. It will be a good opportunity for Members of the House who have ideas on legislation to go to the parliamentary legal office to get their heads of a Bill referred to committees and thereby participate in meaningful engagement. That is the reason we are here. Nobody has a monopoly on ideas. Excellent ideas can come from all sides of the House, and that is what we would like to see happen. The proposal to enhance the parliamentary legal office is excellent because none of us realised that the budget allocated for that office each year was not spent.

The other excellent initiative the previous Ceann Comhairle took was to make this Parliament more accessible to the people. If they cannot come into the Visitors Gallery, how can they participate? Previously, they might have had to read transcripts of proceedings or whatever but we now have a dedicated Oireachtas television channel, which is excellent. We also have a dedicated website on which all the legislative programmes can be seen. People can listen live to debates and the fact that we have an Oireachtas app is also excellent. As a Member I find it very useful to check the business that is planned for the coming week.

The business committee proposed in the report, which will reflect the make-up of the Dáil, will put power back into the hands of the Members as they will be able to make decisions around scheduling of business and so on. With regard to the new proposed layout of the Dáil week, luckily I do not have small children but I know colleagues who do and trying to work towards a family friendly situation has been challenging. I agree with the collective voting proposal for Thursdays. I recall Deputies in the previous Administration who felt that if they could have gone home an hour earlier they might have been able to put their child to bed rather than having to wait for a vote that would be called later in the House. I am reflecting on Members who are within driving distance of Dublin. It clearly will not suit all Members but it is a step in the right direction.

As a chair of a committee in the previous Dáil, one of the frustrations I experienced was that members of the committee could be called to a Dáil vote in the middle of committee proceedings. This was most frustrating, especially on occasions when we had invited guests before the committee who were helping us with pre-legislative scrutiny. The Seanad members would have remained at the committee while we had to leave to go to the Dáil for a vote. It was very frustrating. The scheduling of two separate morning sittings dedicated to committee business only will be beneficial to all Members, not only in the efficient management of Dáil business but it will give Members an opportunity to focus and concentrate on the legislation they will be working on. The fact that we have narrowed down the numbers is a good idea. It will give Members an opportunity to become more expert on their areas of interest. I hope that is acceptable and that it will work.

The proposed establishment of a budgetary oversight committee and the dedicated independent parliamentary budget office is a step in the right direction. I imagine it will particularly work in the favour of the Opposition Members. It is something they have wanted for a long time. Previously they had to extract information from parliamentary questions and elsewhere. If they have good ideas they can be professionally assisted in costing their ideas. Nobody has a monopoly ideas but I believe it will be an office that will work very well.

Our relationship with State bodies is challenging. As a public representative, I can vouch for the frustration I have experienced when I have got a reply to a parliamentary question from a Minister to the effect that he or she will have to refer this matter to a specific State agency

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and hopefully it will report back to me in 14 days or so. I found with some officials there was a sense of detachment. When we did some research on this area we discovered that very few State agencies have an Oireachtas helpline, a dedicated line on which Members could raise queries with them. The State bodies will have to adjust to the change. I remember the frustration I felt when I sought a meeting with a person in a State agency, whom I shall not name, and that person refused to meet me. I am a public representative democratically elected and for somebody in a State agency to refuse to meet me is undemocratic. It is a denial of a service for people who asked me to find out something for them when that State agency had the answer and refused to meet me to talk about the matter. That is highly unacceptable. It is the type of issue on which all members of the committee were united. We all had experienced such frustration. If we can put something constructive and positive in place, that should help in that respect.

While there is a great deal I could speak about in the draft report, an important provision is that the Sub-Committee on Dáil Reform will remain in place. Even as we were signing off on this document, many of us were coming up with further topics that we would like to have discussed. This debate provides an opportunity for us to hear the view of other Members. They may come up with ideas we did not consider. We tried to cover as much as we could but we will have an opportunity to revisit issues when hopefully we will get consensus on this draft report next week. We can then consider other topics that were submitted by some of the members of the sub-committee that they would like to discuss further down the line. That is well worth doing. It was very much a collegial committee. The fact that we worked so well together and obtained consensus is something about which everybody can be justifiably proud. I hope that the Members of the Dáil recognise genuine efforts were put in by the members of the sub-committee. There was no attempt to exclude or not take into account the views of the members who had submitted their ideas and who will be contributing to the debate today. We will take all those contributions on board. We will meet next week and if there are amendments to this draft document they will be made and hopefully that will mean we will be able to move forward with it.

A proposal that is worth considering, which would form part of the next discussion of the sub-committee, relates to the Constitutional Convention we had and how that worked very well in dealing with specific items in the Constitution. Other civil society groups are coming up with different ideas and they would like to have a similar process to tease out specific topics. For example, a group of academics are seeking a forum on climate change and it is a question of deciding how that could be put in place. Their concern is to get the engagement of all our politicians and citizens. We are the citizens' assembly in this House. Setting up a forum that is called a citizens assembly might not be acceptable but it could be called something else. The aim would be the same - to engage with our people and politicians in a meaningful way. Of course, we have to start thinking long-term. Dáil cycles are short, but something like climate change is an issue about which we all need to talk. It will impact on every one of us and future generations. Having some assembly, whatever it might be called, is something at which we have to look. It is something at which the next sub-committee will look.

I hope Members are happy with this report. The Irish language was discussed in detail. Those of us who are not fluent are still anxious that an Irish language committee be established and it is included as a recommendation, which is very welcome.

On the grouping system, I hope Independent members of the Opposition will be happy that we have attempted to give them the speaking time to which they are entitled as democratically elected Members of the Dáil. It was frustrating for a lot of them to find they could not get much

speaking time. I know that it is not of much comfort to them, but I did not get much time either as a backbencher in a Government party whereas Ministers got a lot. I understood completely from where they were coming and hope they are happy with the suggestion we have made of reducing the number required to form a group to give them the speaking time to which they are entitled as Members of the Dáil and messengers of the people, as we all are. I hope it reflects the make-up of this new Chamber. I hope the Dáil Members who were not on the sub-committee are happy with what we have done and that we can adopt it next week and move on with all of the excellent ideas in a more collegiate manner. I hope there will be less fire here and more consideration for each other because that is what the electorate expects of us.

Deputy Darragh O'Brien: The purpose of the debate is to hear views from across the House, including from those who were not members of the reform sub-committee. I had the pleasure of serving on it and thank the Ceann Comhairle for his leadership and ensuring a diverse committee drawn from all political viewpoints and strands worked extremely well. It was one of the most efficient committees with which I had been involved in my time here since 2007. In particular, I thank the staff. We had ten detailed meetings at which redrafts of and changes to reports were required, as were minutes of meetings, etc. A great deal of research was carried out in the background and it was not simply based on OECD recommendations. A great deal of the work was done by our own staff in the Oireachtas research service who did a superb job.

I am glad that Members across the House are reading the proposals made, the reform does not stop here. The sub-committee will remain in place. There are some things we want to see changed and which will change and I hope we can bring forward a motion in the House next Tuesday. If it is passed, the relevant Standing Orders to effect the necessary changes will be brought forward on Wednesday. I was speaking at an event earlier on Dawson Street on Dáil reform, in particular, and will discuss Oireachtas reform in one minute. I note to the Minister for Children and Youth Affairs, Deputy Katherine Zappone, who was involved in the previous Seanad and changing how it worked, that there is scepticism, a great deal of it driven by the media, that anything we bring forward may not work or constitute window dressing. We need time for it to work. I put it to colleagues that if the Dáil does not change, it will not work - full stop. The Dáil will not work. In recent years, particularly under the last Government but also under the two before it, the Dáil became, in effect, a rubber stamp for Cabinet decisions. That is not the way Parliament should work, but that was the way it worked under Fine Gael and Fianna Fáil Governments and others. We have a real opportunity to change this.

I listened to the comments and views of Deputy Thomas P. Broughan about how things would work. The reason the independent budgetary office will be set up on a statutory basis is not for it to become an animal of the Government but in order to establish it in law and provide it with independence and power under statute. It will be independent and not part of the Department of Finance. I will go back to that issue in one minute. It is exactly the same with the Office of the Parliamentary Legal Adviser, set up under law. I served as a backbencher in a previous Government and I am in opposition this time out. Even as a backbench Government Deputy, it was practically impossible to bring forward legislation. We did not have the advice required. Any Minister could, as happened this week with the Minister for Finance, Deputy Michael Noonan, in the case of the Central Bank (Variable Rate Mortgages) Bill 2016, assert that legislation might be unconstitutional. While that is fine and it is an opinion he holds, when the Opposition and other Members of the House have access to an independent parliamentary legal advice service which is staffed with properly qualified people and draftspeople, the quality

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of the legislation will stand up. It is a counterbalance to the Attorney General. This office is not being placed in conflict with the Attorney General but will provide resources for all Deputies, in particular Opposition Members, and access to independent parliamentary legal advice. That will be really important for those who wish to introduce legislation.

One of the areas the sub-committee considered involved Private Members' Bills. We will now have two Private Members' slots per week. The issue is what will happen to a Bill once it is allowed through on Second Stage. There is a set timeframe such that within ten weeks of a Bill being passed on Second Stage, it must be referred to a committee. Good legislation will not die on the vine and it will not be possible simply to park it. As there will be real opportunities for Opposition Members to have legislation passed by way of consensus, an onus will be placed on us to ensure legislation is robust and will stand up to legal scrutiny. Hence, there will be an absolute need for a parliamentary legal adviser. The scepticism to which I referred is recognised by those same people and, as such, this change needs to happen.

The sub-committee has tried with the assistance of Members across the House and people outside who made submissions to put forward a reform document that is actually doable. The OECD report referenced earlier showed that we had one of the poorest systems of parliamentary oversight of the budgetary process in the OECD. The introduction of a budget oversight committee is a positive step forward. It is not everything one would want immediately because that cannot be done, but it is a very good start. It will get to a stage where we will have budget committees such as those in the Czech Republic, France and Germany, to which Deputy Thomas P. Broughan referred. However, it will need to be serviced and have the resources of an independent budgetary office. That is crucial. Part of that will be when we try to deal with the new political reality of consensus politics and agree on things as best we can through that office. That will include smaller parties, those on the far left and those with very different views who may have espoused in the past a consequence-free opposition. Thankfully, we do not have far right parties. When Governments brought things in, these parties stated they were awful, jumped up and down, voted against them and went out and stated the Minister was wrong. It will now be incumbent on these Deputies to bring forward alternatives to the policies brought forward. They will have the opportunity to do so through the independent budgetary office to have their ideas and policies costed independently, verified and stress-tested. Should a party, including mine, or an Independent bring forward proposals which stack up, I would like to see the budget committee recommend their inclusion. The Minister for Finance will have to take this recommendation on board. If parties or Independents who have always voted against budgets, come hell or high water, now have some policies reflected in a budget, it will be a step forward and they should consider supporting budgets and financial policy instead of constantly hurling from the ditch, of which people are sick. Although people are sick of big government and the Government controlling everything, they are also sick of those who do not propose realistic alternatives. The independent office will allow for this. I am not saying I am right about everything - God knows I am not - or that my political philosophy is the correct one, as people have different political philosophies, but this is an opportunity to become involved.

The report includes many good proposals. The additional responsibilities and powers for the Ceann Comhairle to be able to state a Minister has not answered a question and to direct him or her to answer it are important. This will apply to oral and written questions. Every quarter what is effectively a league table will be published. Two new Ministers of State - one will be a Minister of State shortly - are present. They are aware that their Departments will be called out if answers to parliamentary questions are not deemed sufficient.

We also considered how State agencies responded to Deputies' queries. I am only referring to Deputies because our remit covered the Dáil specifically. State agencies and Government bodies have a responsibility to reply in a comprehensive and timely way. We will continue to work on this issue to bring about a code or service-level agreement that will apply to some agencies but not others in order that Members who are elected by the people can receive the answers they need.

I listened with interest to Deputy Richard Boyd Barrett's opinions. It is welcome that, in broad terms, he saw many positives in the report. I commend all members of the committee and the Deputy's representative thereon, Deputy Paul Murphy, who did a great deal of good work. As was stated at the last committee meeting, if only the Dáil could work in the way the committee worked. Fifteen people from diverse political backgrounds, with diverse political views and approaches and with diverse personalities worked together well and in a respectful way. We have been able to produce the most significant proposals on Dáil reform in decades and there is no reason that attitude cannot be brought into the Chamber. It must be. Everyone to whom I have listened has stated he or she does not want to see more grandstanding or hear long-winded answers from Ministers, but neither does anyone want to hear long-winded contributions from Opposition Deputies or the person being played instead of the ball, of which there is far too much.

People in the media and the public will have to get used to the Government losing votes - big deal. It happens in other democracies. We will have the real business of the budget, the Social Welfare and Pensions Bill and so on to do. Some parties are not represented in the Chamber at the moment because we are coming towards the end of the debate, but I say to members of the Opposition and Government Members that the use of motions of no confidence as a tactical measure is something through which people see. One should never underestimate the intelligence of the electorate. We have a very sophisticated electorate. It voted for a changed Dáil, on the back of which there have been proposals that will ensure a more mature and collegial parliamentary system. This was one of the reasons, on the Monday straight after the general election while votes were still being counted in some constituencies, my party leader called for the establishment of a reform committee and for reforms to be implemented in advance of a Government's formation. Experience has shown us that Governments of all hues have only ever wanted reforms that suited them. As such, it was important that our work be done in advance of a Government's formation. These reforms are not perfect or complete, but they will provide a good basis on which we can work. If we do not change how we work, cynicism about how we operate in the Chamber which, in many instances, is well placed will grow, we will not be able to do our job and will enter into a cycle of having election after election in which the pressing issues of housing, homelessness and health, to name but a few, will not be tackled.

We must give these proposals a chance. They afford a real opportunity for all Deputies to champion their policy positions. It is incumbent on all Members to propose alternative policies. If people do not like something, great. That is what this is about. They can say they do not like it, but they should propose an alternative. They will now have the opportunity to do this by way of legislation. If these changes are made next week, as I believe they will be, an Independent, Fianna Fáil or Fine Gael Deputy knocking on doors at the next general election looking to be re-elected could campaign on the basis of passing this or that legislation because he or she will have the support of the new offices and facilities that are necessary to ensure a Bill will stack up. This could not be done previously. Since the foundation of the First Dáil, only six Bills that did not emanate from the Government have gone through all Stages in both Houses. This report

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presents an opportunity to ensure much more legislation emanates from across the House. Six Bills is a poor record.

Another issue is that of timeliness in debates and giving concise answers; therefore, I will conclude before my time ends. I do not have a utopian view, as I am a realist, but we must give these proposals a try. I thank my colleagues on the committee.

Acting Chairman (Deputy John Lahart): Just in the nick of time.

Deputy Darragh O'Brien: Two seconds.

Deputy Thomas Pringle: I propose to share time with Deputy Seamus Healy.

Acting Chairman (Deputy John Lahart): Is that agreed? Agreed.

Deputy Thomas Pringle: I welcome the opportunity to contribute to this discussion on the report of the Dáil reform sub-committee, of which I was happy to be a member. It worked hard for many weeks after its establishment and examined all aspects of the reform proposals made to determine which would be workable and could be put in place. The report is comprehensive and significantly positive, although there is a great deal that is negative.

On its positive aspects, the establishment of a business committee is a welcome development. Most Deputies will see that it will provide for useful engagement and a different way of ordering the business of the House. I hope it will wind down some of the control exercised by Government parties.

The parliamentary budgetary office and the budgetary committee will also prove to be a useful change, but that aspect will depend on how Members and the permanent government, as people like to term it, engage with them. They might have to be dragged kicking and screaming if they are to work. I was a member of the agriculture committee in the previous Dáil when a process was introduced, supposedly as part of the Dáil reform process, whereby Departments would engage with committees on the Estimates process. Unfortunately, they only provided documents one hour before a meeting, which did not allow for proper engagement or scrutiny. It is important that the Civil Service and Departments engage with this process and are committed to it, as they have the potential to stymie some of the progressive work that could be done via committees.

Let us consider the change that will allow individual Members to submit amendments to legislation in their own name. In the past, all amendments in the name of a Member, particularly an Independent, had to be submitted in the name of the member of the relevant committee.

2 o'clock Even if committee members did not agree with the amendments, they facilitated their submission so other Members would have them heard on Committee Stage.

Some of us took a hit in doing so. Some amendments tabled in my name but of which I was certainly not in favour did not go down well for me in my constituency. However, that was part of the arrangement of the Technical Group and part of working within it. The new development addressing this is, therefore, welcome. It entitles Members to engage in the committee process or legislative process as a whole, which is important.

There is a serious flaw in this report that is very worrying given the context of the reform and the talk of a new politics and a new way of working in the House. It concerns the proposals on Leaders' Questions and Priority Questions. In very many ways, as will be seen over time,

these questions reflect the public face of the Dáil reform process. Leaders' Questions and Priority Questions are set-piece events in the House.

I was disappointed by how the mood changed throughout the proceedings of the sub-committee. As it got closer to concluding its work and producing a draft report, much of the positive sentiment expressed about groups and new politics seemed to wane quite a bit. With regard to how groupings, Leaders' Questions and Priority Questions would work, we were provided with a document early in the process implying there could be six groups in opposition. Groups with more than 20 Members were regarded as large, groups with between ten and 20 were regarded as medium and groups with under ten were regarded as small. Based on the proposal, the groups of between ten and 20 were to be entitled to two questions on Leaders' Questions per week and five Priority Questions every two weeks. In a two-week cycle, there would be three in the first week and two in the second. This was slightly fewer than what the Technical Group had in the last Dáil but everybody would have been quite happy to regard it as a workable arrangement. Lo and behold, in the past week, an arrangement was submitted and the sub-committee agreed on a change to allow for four questions on Leaders' Questions per day, amounting to 12 per week. However, we see it is now proposed that Fianna Fáil would have six of those and a technical group with ten Members would have one question per week, representing a reduction of 50% over what was discussed previously. This has gone a long way towards undermining belief in the process and how it is evolving.

With regard to Priority Questions, previously a technical group could have five questions every two weeks. Under the current proposal, it would have two questions every two weeks. This shows that very little will change in terms of the public face of the Dáil. It is interesting that Fianna Fáil will now have two questions on Leaders' Questions every day. This shows that party is quite happy to use its numbers to demand the lion's share of Opposition time and yet it would not use its numbers to form or participate in a government. We must, therefore, question how this new politics will develop if this system is allowed to operate.

In fairness to the officials in the office of the Clerk of the Dáil, the difficulty involved not knowing how the groups would be constituted. We will not know until the Standing Orders have been amended, at which point the groups will gel together. Those concerned are operating in a different system and trying to figure out what the scenarios will be. There will have been a very definite and serious rowing back from the work of this sub-committee over the period in which it has been sitting if these proposals are implemented. That does not augur well for the so-called new politics and the change that is supposed to be made to how the House does its business.

We were talking about new politics. It is more than likely that we will end up with six groups in opposition. We should have six questions on Leaders' Questions every day, namely, on Tuesday, Wednesday and Thursday. That would really be new politics, drive change and show the complexion of the House is changing. We would accommodate this in Priority Questions also such that each of the groups would be reflected according to the very public face of the House. However, I am too much of a realist to believe that would be allowed to happen. What happens in politics, and the natural tendency of parties, is to protect parties. That is ultimately what is at stake in the changes that have been proposed by the sub-committee in the past couple of weeks.

As a member of the sub-committee, I do not actually recall its having decided that party groups would always have precedence over technical groups. As I understood the workings of

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the sub-committee, I understood arrangements were to be made on a *pro rata* basis. We will now see that the Labour Party, which has seven Members, will still maintain its dominance, as in the previous Dáil. When technical groups were first established, Standing Orders were amended to facilitate the Labour Party to ensure it would always be called before a technical group.

The proposed changes to the rotas, if implemented on the basis of what we were provided with in the past week, will actually represent a regression. This would call into question my support for the final document that comes forward.

Deputy Seamus Healy: I thank Deputy Pringle for sharing time with me.

This Dáil reform document is effectively a product of the changed landscape resulting from the general election and particularly of what I would call the “people power” we witnessed over recent years, primarily the Right2Water protests that have taken place. The protests have changed the landscape of politics. In mentioning that, it is worth noting that Irish Water has finally come clean today in regard to the payment of bills. The bill paying system has effectively collapsed, with a reduction in payments of 20% over the last quarter.

The document we have before us is like many a document in that it needs to be read in detail. The old saying that the devil is in the detail is one that needs to be taken on board in a very significant way. Unfortunately, I do not believe the document contains the details required to ensure equity and fairness to all groups and individual Members in the House. Certainly, there are improvements in the document. Participating in Leaders’ Questions as a member of the old Technical Group was absolutely frustrating, not only for me but for everybody asking questions, be they party people or Independents. It simply was not possible to get replies; the Taoiseach would answer any question other than the one he was asked. I hope there will be a cultural change in this regard arising from the reform document. However, the questions Deputy Pringle has raised on the number and distribution of entitlements to ask questions on Leaders’ Questions and Priority Questions and to propose Private Members’ business go to the heart of what occurs in this Chamber. It is not at all clear from the document how the arrangement will work.

As I indicated, the devil is in the detail. The document does not make clear how this arrangement will work or if every grouping in the Dáil will receive fair representation. While the document may appear reasonable, it is unclear in respect of the detail provided on the number of groups and the number of questions to be allowed weekly, particularly on Leaders’ Questions. If the proposed system were to operate on the basis outlined by Deputy Thomas Pringle, it would negate the entire document. Having set out to achieve a complete change of culture for this Dáil, we would like more detail on how the proposals will work in practice before deciding whether to accept them.

Every Deputy elected to the House is entitled to speak in the Chamber. We are sent here as Teachtaí Dála - messengers to parliament - to speak and be heard. Every effort should be made to ensure every Deputy and political group has fair and reasonable access to speaking rights. If the changes in train are as outlined by Deputy Pringle, unfortunately, they will not be of any great benefit.

Dáil reform is only one aspect of political reform and both are needed. Constituents must be able to recall Deputies and the right of members of the public to initiate referendums and

legislative change must be reinserted in the Constitution.

Deputy John Halligan: I thank the Sub-Committee on Dáil Reform, whose members were drawn from all political parties, on the wonderful job it has done. It is interesting that some people claimed the election would result in chaos in the Dáil on the basis that too many small groups and Independents had been elected and the variety of Deputies from the right and left was too great. It was argued that this would lead to instability and the Dáil would not be able to function. It should be noted, however, that if one or two parties had secured an overall majority, we would not be discussing Dáil reform today or proposing to give everyone who was elected the right to have a say in the House. Democracy is not so much about the will of the majority but the rights of the minority and that is what is important in this Dáil reform.

Dáil reform was not an issue on the doorsteps during the general election campaign. While people wanted to know what was happening in the Dáil and if it would be reformed, their focus was on other, more substantive issues such as health, education and housing, and rightly so. However, Dáil reform was an issue for many Deputies who believed they were not being treated properly with regard to speaking time and their rights, as individual parliamentarians, to represent their constituents and serve as legislators. The establishment of the sub-committee was important for these reasons.

I have some difficulties with certain aspects of the report. I note that some members of the Technical Group believe the proposals undermine their speaking rights on Leaders' Questions. That would be disappointing and wrong if it were the case because the Technical Group has a substantial number of Deputies and is an integral part of the Dáil. I understand it has ten members, making it a much larger group than the Labour Party. As such, it should have more speaking rights and time on Leaders' Questions and Priority Questions than the Labour Party or any other smaller group, including the Independent Alliance. We must be up-front and honest in that regard. If the Technical Group has ten members, it should be treated as a larger group. This issue should be revisited before a final decision is made on the proposals.

I have always had a problem with Priority Questions. It is an affront to Deputies that we are allowed only 30 seconds to introduce a priority question. These questions are taken in prime speaking time and address issues such as housing or the hospital crisis that affect the entire country. I will be very disappointed if the 30 second period for introducing a priority question is maintained. It is unfair to provide speaking time of only 30 seconds, followed by two one-minute slots for supplementary questions, for a priority question. Alongside Leaders' Questions, this is the most important aspect of Dáil business.

I had the privilege of speaking on behalf of the Technical Group on Leaders' Questions on a number of occasions. It was frustrating at times to be rushed along when raising serious issues in prime speaking time. This sense of frustration was not related to the publicity associated with Leaders' Questions but arose because I was raising important issues that affected us as legislators and the country. The Ceann Comhairle, Leas-Cheann Comhairle and Acting Chairmen must give some leeway on Leaders' Questions because there is nothing more frustrating than being rushed when raising a serious issue, as happened to me on a number of occasions. I recall speaking on the abortion issue when a number of women who had been raped or had pregnancies involving fatal foetal abnormalities were present in the Gallery. I found it offensive that the Chair rushed me while speaking on such an important issue. Some of the women who had come to the House to listen to a number of speakers, including Deputies Clare Daly, Joan Collins and Ruth Coppinger, pointed out that we had not been given adequate speaking time. The

procedures in place for Leaders' Questions and Priority Questions should be re-examined.

I have faith in the willingness of spokespersons, regardless of which party or group they represent, to be honest during Leaders' Questions. I do not expect them to hog the floor or speak for ten or 15 minutes. The three minutes provided to introduce a question on Leaders' Question must be reviewed. Furthermore, the 30 seconds provided to introduce a question on Priority Questions is unfair and not good enough. The procedures in place for groups in the Dáil must also be reviewed to ensure technical groups are given adequate speaking rights on Leaders' Questions and Priority Questions and their speaking time is proportionate to their membership.

I do not see much in the document on the introduction of Bills. I do not like the idea of having a lottery for Bills. Legislation should be prioritised on the basis of when it was submitted. Bills should be placed before the House in order of submission. I understand a controversial Bill I submitted on assisted suicide has been lost in the lottery system for the past two months, although I am not sure where it is. I understand Bills can be submitted on any sitting day and several of these are then chosen every second Friday using a lottery system. This is not fair to Deputies who may wait for a long period for their Bill to come before the House. Legislation should be prioritised on the basis of the time at which it was submitted. This issue needs to be examined.

Dáil privilege is not referred to in the reform proposals. This important issue for many Deputies must be addressed. While I do not argue that Dáil privilege is being abused, I am concerned that a Deputy may make a factually incorrect statement in the Dáil that could have terrible or horrendous consequences for an individual or a family. There must be some balance and checks must be put in place. I believe that if I have something to say in the Dáil, I should be able to say it outside of the House also. I am not saying Dáil privilege should be done away with. It should not be but we need to have some balance and checks. I do not know what these should be but we should think about the issue because of the possible far-reaching consequences of what is said.

Each of the 158 Deputies elected to the Dáil is elected in his or her own right, whatever constituents or ideology they represent, and whatever happens with these reforms, every Deputy has a right to speaking time. We must ensure that right is adhered to. If this means allowing for extra speaking time, so be it. If it means extending hours on a day or sitting another day, that would not trouble me or many other Deputies. Reform will mean nothing if Deputies come into this House and cannot raise or speak on a particular issue, perhaps because they are members of a small group or are Independents who want to plough their own furrow. These Members should have the same right as everybody else to speak, the same right as a Minister, the Taoiseach or any other Member. Dáil reform will be respected and judged on the basis that the person people voted for has the same speaking rights as everybody else. We are in a unique position now and have the ability to make far-reaching changes that will operate to the benefit of not so much Members, but people who pay attention to Parliament and want business and work to be conducted in a businesslike manner.

On one other point, I have noticed that an increasing number of people, like me, have no religious belief or are humanist or atheist. Out of respect, we stand for the prayer here but perhaps we should consider a moment for reflection rather than a prayer. While the prayer is obligatory, it looks disrespectful if a Member remains sitting or waits outside until the prayer is over. We must consider the increasing number of people who do not feel there is a place in this Dáil for prayer. I have nothing against people who want to pray but I do not pray. We should

discuss the possibility of a reflection rather than a prayer, based on the increasing number of people who feel this is an issue.

Overall, we should look again at Leaders' Questions and Priority Questions. We must ensure that speaking time on these issues for groupings in the Dáil is not diluted based on the proportionate numbers in the groupings. Speaking time should not be taken from them because they happen to be a technical group or small party. I am disappointed that it appears that time allowed on Leaders' Questions or Priority Questions for the Technical Group, now a group of ten, may be reduced. That should not be acceptable to any of us.

Deputy Clare Daly: I am glad I objected to the Order of Business earlier in terms of the allocation of speaking time on this issue, as the original proposal would have seen the rest of the House confined to a mere 30 minutes, with the majority of the time given to the sub-committee members. As matters have turned out, the sub-committee members did not use all of their time and we may have enough time to make our contributions. However, the principle of seeking more time was right. I was not pressing for more time in order to take away from the work of the sub-committee members. Tremendous work has gone into this issue over the past weeks and members of all parties and none have given of their time voluntarily to try to make this place a bit more democratic and accountable. There is an urgency to the situation because it is so long now since the election was held and yet we are not up and running. For those of us on this side of the House, the structures around how we are going to get to that are not even clear. This situation needs to end quickly.

I echo the points made by previous speakers that the backdrop to this reform must be seen in the context that these are different times. We are now operating in a system that will be permanently different. The age of the dominance of political parties is over. This is not just an Irish phenomenon but a feature across Europe now. The age of the power of a strong majority is also confined to the dustbin of history. More minority governments, smaller coalitions and new formations coming into being are the order now of the world as we know it. Our structures here do not take account of the new reality taking place. We are at a juncture where we are transitioning from one type of Dáil to another, moving from a situation where the Government had all of the power and dictated everything to a situation where the Oireachtas has more of the power and there is more co-operation in that regard.

It is against that backdrop that we must measure the document before us. We must also measure it in the context of the points made about the need for radical reform. In that context, I welcome the majority of the proposals in the document. Many issues have been touched on already. I welcome the transparency that will be introduced in regard to Topical Issues and the improvements in regard to ministerial questions. I like the fact we will have extra time and that the inadequacy of responses, whether from the Taoiseach or a Minister, will be challenged more. This is really good, as is the empowerment of the Ceann Comhairle to insist on questions being answered. I like the proposal that a list will be published of complaints that have been upheld. However, the list should also reflect the number of complaints that have not been upheld. This would demonstrate how the Ceann Comhairle is implementing the new change in reality. This could be a good change, depending on how it is implemented.

I agree with the points made by Deputy Halligan in regard to the prayer and other broader reform. However, I will confine myself to the document before us and the proposals I do not agree with. I very much agree with and welcome the majority of the proposals. The biggest problem with the document is the halfway house measure that moves from the old system to the

new system without fully taking into account how it will work. For me, it is not workable, fair or transparent. Agreeing we will have a new type of technical group, allowing for more than one such group and for different arrangements and coming together of smaller groupings or formations in the new fluid type of politics is better. However, how can we regulate that when something is changing and in flux? That is difficult. The only way of doing it is on a system of proportionality. There must be an incentive for people to group together, which will allow for a certain order in proceedings. However, what we have in this report is a halfway house.

I am particularly shocked by the example issued yesterday regarding how Leaders' Questions and Priority Questions might work in this new reformed Dáil. In the example given, Fianna Fáil was allowed two Leaders' Questions every day, while those of us on this side of the House, perhaps in a fairly big group, were getting one a week or one a fortnight. This is ludicrous. Informally, people might say that will not happen. However, that was an example produced at the sub-committee yesterday, based on the support of the sub-committee. We must have clarity on that. Even in the Thirtieth Dáil, when Fine Gael and the Labour Party were in opposition, and Fine Gael was a much bigger party than the Labour Party, Fine Gael did not get two Leaders' Questions while Labour Party got only one. It would be ludicrous to operate on that basis.

The reason this proposal has been put forward here is that the allocation of time is being dealt with on a strictly proportional basis. While we must have proportionality, it must be a balanced proportionality. It cannot be taken to ridiculous extremes that allow the biggest opposition party get the bulk, or 50%, of every allocation. That would be ludicrous. I was shocked that the Fianna Fáil members of the group agreed to that proposal and I wonder whether it was a payback for the support in abstaining from the vote for a Taoiseach. We must nip it in the bud. It goes against all of the nice soundings from Deputy Micheál Martin about Dáil reform and about leading the way in that respect. It would not be fair and would be completely unworkable.

If we are in a new era and things are going to be different, how do we encompass that? The only way is to take the groups as they stand and to deal with them on a proportionate basis. By introducing discrimination into the system where parties take precedence, we undermine everything and it makes a mockery of the proposals. It says we are in a new system but we are not really in a new system. People could be elected as a political party comprising a group of five and they would take priority over a grouping of parties that might have more than five. There may be a broad group of parties and Independents in a group of, say, 20 but three or four groups of five come ahead of them in the order in which questions are taken, priority questions allocated and Leaders' Questions given. That is nonsense and nobody could stand over such a situation. I fully support the right of small political parties to regroup and come in under the banner of a new technical arrangement to give themselves an extra leg up in the pecking order on that basis but there has to be some consistency.

The briefings on how the committee was discussing how this reform might be implemented suggested it would be fairer and dealt with proportionately. If the idea is to give greater rights to party members than to Independent Deputies simply by virtue of their being in a political party, then we need to focus on that. The only way we can do that is by removing the relevant clause which gives parties precedence regardless of their size. That harks back to the old days and it is completely unworkable.

We do not know how many technical groups there will be and we will not really know until

people align but that is not good enough either. We do not know how to align and do not know whether or not we are buying a pig in a poke. What is the position if there are 20 of us? Are we to be dealt with proportionately or not proportionately? What are we buying into? In the committee discussions there was a lot of talk about a system in which, for example, a group of between five and nine Members would be treated in a certain way and a group with between ten and 19, or 20 and 29, in another way. That is reasonable and fair and gives us an indication that if we regroup in a certain way there would be a predictable order. However, that is not reflected in the report. How can we sign up to it without the necessary clarity? It is not good enough to say we should form a technical group and then tell us what we are going to get.

Bigger groupings will impact better on the workings of the House, and that is not in any way to slag off anybody else. The past number of weeks have been incredibly difficult for everybody but today's discussion is borderline chaotic with the changes being contemplated. We do not have the regularity in the system we had before because we do not know the structures. I want that section of the report to go and we will move amendments to it on Tuesday if the committee does not agree with the proposal. I thank the committee sincerely for its work and I know it put in a lot of hours. There was really good co-operation and there is a lot of really good stuff in the report. However, it will be meaningless unless the other bit is added in as well.

Acting Chairman (Deputy Alan Farrell): Deputy Seán Crowe is sharing time with Deputy Pearse Doherty.

Deputy Seán Crowe: I welcome the findings of the sub-committee on Dáil reform and agree with others that Dáil reform is overdue. The uncertainty of the Thirty-second Dáil has probably led to the reforms about which we are talking. I congratulate those who were on the committee and there are certainly a lot of positive things in the report. There are a lot of questions on the document and how it is going to roll out. Most of the specific reforms have been debated already and I share the views of my colleagues, Deputies Louise O'Reilly and Aengus Ó Snodaigh, who were on the committee.

This is my third term in the Dáil and I have experience in having attended Whips' meetings. I congratulate the new Whip on her appointment and I know how the Whips office works. At some meetings, anything the Government put forward the Government got and there was no meeting of minds but with the reforms that will have to change.

Acting Chairman (Deputy Alan Farrell): I must interrupt Deputy Crowe. Our guests are most welcome in the Visitors' Gallery but I ask them to visit us in silence.

Deputy Seán Crowe: I have been on different committees. The frustrating thing for a person from a different background is that every committee had a Government majority. That did not help the committee and is not good for democracy. It did not work. I have been a member of delegations on behalf of the Dáil too and I can bring such experience to the debate today.

I welcome the electronic visitors' system being piloted at the moment. It should make the job of the ushers and ourselves a lot easier. It is a much more efficient way of signing in large groups of visitors and there are also welcome health and safety benefits. On my way in I was talking to elected representatives who were still looking for IT equipment, and some are still looking for a room. This should be part of the package. We have known for weeks and weeks that we were coming in here but people still do not have the vital tools for their job and that is wrong.

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Dáil reform is not just about ourselves. We were elected to do our job but I have raised concerns about the length of sitting hours and the short notice some are given for extended hours. We may moan and groan about it but the impact on staff is also important. I have talked to staff, as has everyone else, and they are pulling their hair out thinking about babysitting and various appointments they might have. A lot of the decisions in the last Dáil were based on the Whip. The Government said we would sit until such and such a time but there needs to be some consideration taken of staff. Staff should be part of this process in the future because this House would not operate without their support and input.

People have said there needs to be an inclusive working environment. I remember changes being made to the Chamber because someone in a wheelchair was elected but it is extraordinary that we are only now talking about people with a disability having access. It is not just about people in wheelchairs - it also includes people who are infirm or have a broken leg etc. I am glad those changes have happened but they show the exclusive nature of this Chamber in the past.

The previous acting Acting Chairman was a colleague in my constituency. He has been in the Dáil for just a couple weeks and he is chairing Dáil proceedings, which is a positive thing. However, in all the years I have been in this House I have never seen a Member from Sinn Féin in the Chair. I do not know if it has been offered or whether an offer has been made and not taken up.

Acting Chairman (Deputy Alan Farrell): One can offer.

Deputy Seán Crowe: I am not looking for an offer. If we are talking about an inclusive organisation we need to think about these things. The sub-committee should review international best practices. I do not know whether it will be dissolved after the recommendations we are considering today have been dealt with - I am not a member of it - but we should look at how other parliaments around the world operate. Such a body of research could lead to other reforms. My views in this regard are informed by my experience as a spokesman on foreign affairs. Some of the work of Irish Aid, for example, involves enhancing democracy, accountability and transparency in other parliaments around the world. I suggest we need to focus on such matters here. I am glad we are talking about the establishment of a budgetary committee with support staff to help us to work on budgets. We provide assistance in this regard in other countries even though such supports are not provided in this Parliament. When I travel to different parts of the world, I find it bizarre when we say that best parliamentary practice involves something we do not do in this Parliament. I am pleased we are now talking about doing this.

As I am conscious that my colleague, Deputy Pearse Doherty, is trying to get in, I will conclude by saying we need to make a change so that Ministers no longer reply to parliamentary questions and Topical Issue matters by reading from scripts without showing any flexibility. There has been an attempt to bring about such a change in recent times. If I am talking about the closure of a factory and the consequent loss of jobs, I do not want a script; I want to hear what the Minister is going to be able to do. If we cannot facilitate interaction with Ministers in such circumstances, we need to change the rules governing Topical Issue matters. I have much more to say on this issue, but I will give way to my colleague.

Deputy Pearse Doherty: Ba mhaith liom míle buíochas a ghabháil leis an Teachta Crowe fá choinne a chuid ama a roinnt liom. Cuirim fáilte roimh an tuairisc ón bhfochoiste. Caithfidh mé a rá go n-aontaím le mórchuid de na moltaí atá inti. Má tá athchóiriú Dála le bheith

againn, ba cheart go mbeadh athchóiriú intinne againn fosta ó thaobh na ndaoine a úsáidfidh na struchtúir úra seo.

I am a bit of a sceptic with regard to Dáil reform and political reform. While I welcome the proposals in the sub-committee's report, I do not believe they are groundbreaking measures worthy of taking out our big flags. Some of them are very simple. I refer, for example, to the recommendations that additional time be provided and that Deputies be entitled to get direct answers to questions. In 2004, my party pioneered the campaign for a independent costings unit, which is a big issue for me. We led the charge in regard to that and we received a commitment from the outgoing Government that such a unit would be introduced. We made the point that this was one of the OECD's recommendations in this area also. I think this will be a strong addition to the Oireachtas, as will the provision to us of legal advice.

I welcome the proposal to allow the Ceann Comhairle to intervene when a Minister is not giving a direct reply to a question. I suggest this should be extended to Leaders' Questions. There is no reason to preclude the Ceann Comhairle from intervening when a direct answer is not being given on Leaders' Questions. I cannot understand why Fianna Fáil and Fine Gael do not want that to happen. That is my understanding of what they agreed at the committee. They want all Ministers with the exception of the Taoiseach or the Tánaiste to be under the threat of sanction from the Ceann Comhairle. This week's events were a good example of why we need to apply this proposal to Leaders' Questions.

At present, there is a ruling from the Ceann Comhairle that a proposal to annul a statutory instrument, which is permissible within 21 sitting days, must be taken in Private Members' time. My view is that this is not accurate. As not all Members of this House have access to Private Members' time, and especially not within 21 sitting days, the effect of this ruling is to deny some Members their right to annul a statutory instrument. We have tabled a motion to annul the statutory instrument in relation to the penalty points issue, but the clock is ticking on it.

As I am mindful that my time is running out, I will be brief in speaking about pre-legislative scrutiny. I believe our legislation must be as fit-for-purpose as possible. I am not convinced that the proposals in this regard will work, although I am willing to be convinced. I will explain the difficulty in this regard. If the finance committee, for example, has to consider ten finance Bills that have been proposed by ten different groupings, how will it be able to engage in pre-legislative scrutiny of all of them? Some of them will not proceed to Second Stage or Committee Stage. If the committee has to go through the pre-legislative scrutiny stage in the case of each of them, it will tie up the work of the finance committee completely. I have yet to be convinced with regard to how this will operate in practice. I welcome the recommendation in terms of how money Bills will be addressed by the committee and I have tabled legislation on behalf of my party proposing a constitutional amendment in this regard.

I listened with interest to what Deputy Pringle said about Leaders' Questions. He said that a shift in attitude within the committee had resulted in a proposal to assign the political parties greater roles in Leaders' Questions. My personal view is that on a single sitting day, as many groupings as possible should be facilitated during Leaders' Questions. It is not on for parties to be given an opportunity to raise multiple matters during Leaders' Questions on a single day, while other groupings are denied the opportunity to raise a single issue on the same day.

Deputy Catherine Connolly: I welcome this document and thank the members of the sub-Committee on Dáil Reform who put in a great deal of hard work into it. In particular, I thank

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Deputy Thomas Pringle, who represented the views of the Independents4Change group on the sub-committee. It is a very positive document, by and large, although I intend to come back to some of its negative aspects. It is going in the right direction. Page 2 of the report sets out some of the most positive aspects of the work of the sub-committee. In proposing “more power for parliament”, the report goes some way towards allowing the Dáil to comply with the Constitution, which obliges it to make legislation. I welcome the decision to provide for a parliamentary legal adviser.

I am pleased that there will be an independent budgetary oversight committee which will be able to give particular advice to all of us in the Dáil. I hope to use that committee to examine measures passed by the Dáil that are not poverty-proofed, equality-proofed nor gender-proofed. Many measures are not looked at in terms of the amount of money that is spent needlessly as a result of failing to deal with problems like domestic violence. I have mentioned domestic violence repeatedly in this Chamber and I will continue to do so. The failure of the State to deal with domestic violence is costing €2.2 billion per annum. It seems on the basis of an extrapolation from Northern Irish figures that mental health problems which are not dealt with cost the economy over €10 billion per annum. This extraordinary figure was mentioned in *A Vision for Change*. I hope the new budgetary arrangements will allow Deputies to mention such facts in the expectation that they will be factored into budgetary proceedings. Níl a fhios agam cad atá i ndán don choiste nua don Ghaeilge, ach ar a laghad cuirim fáilte roimh bhunú an choiste sin.

I would like to mention a number of things about which I am very concerned. It occurs to me as I read through the work of the committee and as I watch politicians clapping themselves on the back in regard to reform that if Fine Gael and the Labour Party were seriously interested in reform, they would have introduced reforms over the last five years when they had an overwhelming majority in this House.

Deputy Regina Doherty: We did.

Deputy Catherine Connolly: While these changes could have been proposed in the previous Dáil, they are better late than never. The Government’s change on the road to Damascus, which I welcome, was forced by public opinion when a substantial number of Independents were elected to the Dáil by people who saw the Dáil as totally irrelevant to their lives. These reforms have resulted from the recent general election and from an OECD report that criticised the functioning of this Parliament on more than one occasion. We must acknowledge the outside influences on the Parliament and the Dáil that have forced this welcome change.

I would like to comment on some of the parts of the report about which I am concerned. I have mentioned that there is a substantial number of Independents in the Dáil. This report refers to the importance of giving greater time to Independents to reflect recent changes. However, page 17 of the report proposes that “A party which is a group has precedence over a technical group”. My reading of this and some other references to parties is that they seem to give precedence to parties regardless of how small they are. It appears that a party of five or seven Deputies - five Deputies will be needed to form a technical group - will have precedence over a bigger technical group of ten or 15 Deputies. I suggest that this needs to be examined in the interests of new politics.

This proposal cannot be passed on Tuesday. It would be awful if this reform were to be pushed through by majority vote in the guise of new politics. I do not think that would be acceptable. It would go against everything we have been trying to do on a cross-party basis with

the inclusion of Independents. Consideration must be given to giving precedence to a bigger technical group. If we are going to lose out on Leaders' Questions and Priority Questions, what impetus is there for us to join together? In that situation there is no reason for us to join together with a view to gaining any advantage, not for us but as public representatives who represent the people who put us here.

My next point is not clearly related to the motion but it has a relevance to it. We have just come from a meeting organised by Deputy Clare Daly on the issue of refugees in Calais and Dunkirk. Up to now, that voice has not been represented in this Dáil. As a Deputy, as a mother and as a woman, I was greatly disturbed listening to the horrific stories that were related to us as well as was possible in a non-emotional manner. I recommend to every Deputy in this House to hear what we were told. To tie that back into Dáil reform, there must be space within this Dáil to reflect what people have elected us to speak about, with a view to solutions. Other Deputies and I have been overwhelmed with e-mails asking for leadership on our part and asking how they can take refugees into their homes. That is the good side of Irish society. If Independents are neglected in this overall group, that voice will not be there. I ask, in the spirit of new politics, that what we are saying today is taken on board. We stayed here to make our voices heard and to make our contributions within a positive framework.

This is not a bad document, it is a good one. However, the criticisms must be taken on board. Deputy Thomas Pringle, on our behalf, has made those views known at sub-committee level and we have now come here today and made those views known to the Dáil. I ask that they be taken on board so that precedence is also given to the technical groups and that whatever emerges reflects the fact that no party in this Dáil has an overall majority. That was the wish of the electorate. It gave no party an overall majority, yet the new reform is giving parties a favoured position within the Dáil, which is not what the people asked for. I ask the Chief Whip to go back and look at that. I thank her for the work that has gone into this process.

Deputy Joan Collins: I am happy to contribute to this debate as I believe it is an important one. Like other speakers, I take on board the fact that many people put a lot of work into this. Much of it is very positive and it is a step forward. I will preface that by saying this is not happening because we wanted it to or because anybody in this room wanted it to. We know if that had been the case, it would have happened in the Thirtieth Dáil or in the Thirty-first Dáil. It is happening in the Thirty-second Dáil because the people have spoken. The people explicitly rejected the Fine Gael majority and the party was returned 50 seats. They also rejected the Labour Party and Fianna Fáil got the second worst vote in its history. The people have said to the major parties that they are not accepting what they have had before. They want change. That change has to be reflected in the Dáil and in the structures of the Dáil.

In some ways, we have come a good way on this. I thank everybody who was a part of the sub-committee, including Deputy Pringle, who played a role from our point of view. We have to move away from the idea that "might is right". The people spoke on 26 February and the result has reflected that view.

The good points in this document involving parliamentary questions, the pre-budgetary committee and the way in which expertise will be used to support Deputies in technical groups with tabling legislation are all very positive. There is an aspect at the end of the document about whether the prayer should be changed to a moment of reflection. I ask the sub-committee to take that on board and have a moment of reflection rather than a prayer. Everybody could do their own thing within that space, whatever their religion, creed or non-religion. I am tired of

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walking to the back of the Chamber every time we have prayers. I believe that would be good.

The important part of this, as my colleagues have said, is what has changed since two weeks ago. As Deputy Thomas Pringle pointed out, there was an acceptance of majority groupings of over 20 Members, middle groupings of between ten and 19 Members and smaller groupings. That was to be reflected in the Leaders' Questions and the parliamentary questions. Leaders' Questions are a very important aspect of the Dáil in calling the leader of the minority Government to account. Parliamentary questions are another important aspect of this Dáil. How has that mid-group of ten to 19 gone from having two questions down to one question during Leaders' Questions and from five parliamentary questions every two weeks down to two parliamentary questions every two weeks? Why have we reverted back to the precedent being given to the parties and not to the technical group majority?

This goes back to a point I made a couple of weeks ago with regard to the formation of the minority Government. In the famous book by Lampedusa, *The Leopard*, in Garibaldi's time the middle class realised they were on the back foot. The famous quote is, "For things to stay the same, everything must change". There is a lot of change here but the absolute kingpin of this is how we operate and how we respect the different voices and parties in the Dáil from that point of view. We will be looking for an amendment to reflect what we are putting forward here. We want that to be taken on board before we come to the Dáil next Tuesday. Otherwise, we will have difficulty supporting what is in general a step forward towards the new era that we are supposed to be facing into. The devil is in the detail and that detail must be addressed. I would welcome the point of view of the Chief Whip.

Deputy Eamon Ryan: I am very pleased to have taken part, along with the Chief Whip and the 13 other Members, in this sub-committee. I know it might be a little self-congratulatory and we must be careful about that, but it seems that there was universal agreement across all those who took part and that it was an excellent sub-committee. It worked very well and was an example of collaborative, non-adversarial politics. It was very ably led by the Ceann Comhairle, the Clerk of the Dáil, Mr. Peter Finnegan, and his officials who supported it in a way that worked.

I was very proud yesterday to see this draft report being published. It is not perfect. I am sure there will be suggested changes. One of the interesting and good things in this was that this was acknowledged. It sets the tone for the nature of the work in that we will try some of these things. If they do not work, we will come back and change them. That was the nature in which we started this process and that atmosphere and approach throughout our work has led to what I believe is a very good draft report. It is something I am glad to have made a small contribution towards.

I want to reflect on a couple of comments from those ten or so meetings that we had that stuck with me. One of the later comments was from a meeting in which we were making amendments the day before yesterday. If people read the recognition in the very first paragraph of the Ceann Comhairle's introduction, there was a suggested discussion around the nature of our Parliament. I believe the phrase "Parliament for the people" was a particularly welcome last-minute insertion. It was unanimously agreed across the board that, to a certain extent, we have to turn our focus outwards. We have to open up our Parliament and be as open as we can in terms of how we do our business. We have to be a citizen's assembly in every way.

Another change which came about in the latter stages of the report is the recognition in our

Dáil procedures that we have to open ourselves up and be accountable and provide information about what goes on here in an accessible way. We have to work with any citizens' assemblies or constitutional assemblies that may be formed and be willing to share the democratic systems we have as widely as possible. In the end, a number of people said it during that discussion. I hope

3 o'clock I am not inappropriately making people aware of that information, but there was a strong sense there that we are a citizens' assembly. That is appropriate and true.

Anyone who has had the great fortune of being elected here cannot but have that sense as he or she walks through the gates. There is a certain sense of pride as well as a sense of responsibility that we are here as representatives of our democratic Republic and as ordinary citizens who have been lucky to get the honour of representing our electoral areas and the State.

I believe this will improve the people's Parliament. If we can implement the working mechanisms here, we will serve the rest of the citizens well.

I want to comment on some of the other elements, though by no means all. One of the interesting opportunities in this is how we manage our budgetary process. I am very keen that the proposed select committee can be established very quickly and can deliver what is being asked of it, namely, to give clear recommendations on how our budget scrutiny system will work and to set in place the establishment of the budget office.

One of the reasons that is so significant and important relates to one of the lessons I have taken from all the international reports on the economic crash that I have read, namely, one of the underlying difficulties was that we did not have enough different opinions or different people questioning the conventional wisdom. We all know how, in this Chamber, conventional wisdom can easily form, whereby everyone is chasing the latest story, sees one aspect of it and sees that aspect as the agreed, politically correct approach. It is very important, as we move towards a less adversarial, more consensual form of politics, that it actually delivers what might seem a contradiction, which is that it encourages different views and the unconventional outlook or the awkward question, and makes sure that awkward question gets answered. In regard to the budget process in particular, we need to share the responsibility for how we allocate resources and raise funding, so there is not just a response at the end of autumn to a document that is a *fait accompli*, and the hard questions are asked and answered by both sides of the House.

I believe this would be a very significant and healthy change. However, it would require the Opposition to step up and take a real responsibility. That is not an easy thing to do and it would put many demands on the Parliament but I believe it is something we are ready to do.

Another area where the Opposition will have to step up and take responsibility in a way that has not quite happened in the past is in regard to the provision of additional resources for our legal advisory system within the Parliament. There is also the four hours of speaking time we can now use for motions or to draft legislation that has a real prospect of being delivered. I believe this will require a major step up from this side of the House but it is one I believe we are ready and able to take. To point out the hidden aspect of this, it will also require a major transformation in the way the public service works. For all of us here, this is a significant change but, actually, the bigger change may well be how public servants relate to the Parliament because it will require that - I have to be careful here - rather than them having control of the legislative process from each Department, the legislation may be arriving in a way they have to respond to and interact with in order to make sure that whatever legislation is passed serves our people's needs. That is probably the hidden story here, namely, this is going to be as big a reform of the public service as it is of the political system.

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The further empowerment of committees is very significant. The assessment of Deputy Brendan Howlin, who is a very seasoned parliamentarian - again, I have to be careful with my words - is that, in his time here, there has been a significant increase in productivity with the introduction of the committee system and the structures to support it. He said that when he was first here as a Deputy, almost all the business was done in the Chamber and very rarely was anything done in a committee room. Now, as we know, the vast majority of business is done in committees. I believe the further enhancement of committees and the attention to who is selected and how they are selected is a very important and positive step.

In the talks we have had over those ten meetings, the idea of creating parliamentarians who can be specialists in certain areas is an important development. In past debates about the public service, I remember there was always a commentary about the change from public servants being generalists to having specialist skills. While I would nod and agree, there would be a slight background sense in my own mind that it is politicians who are the pure generalists. I believe it would be appropriate for us, in the very complex policy world we live in, to develop those specialist skills, which is what is set out.

We will have to see how the formation of groups works. It may be difficult, given colleagues who have just spoken say they are unhappy with the nature of the speaking arrangements. We should heed that and listen, in order that, as the groups are formed in the next week, we can judge how they work. We can then look at this in three months or six months to see how it has developed.

To go back to my first days in the Dáil, my very first day was a desperately awkward and embarrassing one because we were engaged straight away in a row about speaking time. We took possession of the Government's front bench seats. I was mortified - my mother was in the Visitors Gallery and I was thinking, "What in God's name are we doing protesting on the first day?" However, my experience of the first Technical Group that was set up at the time with Sinn Féin and the Socialist Party was that this can actually work. We are good at collaboration in Irish politics and we know how to make this sort of consensus politics work. I believe the last seven weeks have shown this. We need to replicate this elsewhere and, if we do that, we may surprise people. As I said in a Dáil contribution a few weeks ago, this is not new politics because we have always done it. It is just better politics and, the more of it we can have, the better for the people of the country.

Deputy Gerry Adams: I welcome the publication of this report. I commend the work of the Dáil reform sub-committee and thank all the members for their work, including the Sinn Féin representatives, Teachta Aengus Ó Snodaigh and Teachta Louise O'Reilly. I also want to thank the Ceann Comhairle for his stewardship of the sub-committee and its work over the past eight weeks. For the record, I agree absolutely with the remarks made by Teachtaí Seán Crowe and Pearse Doherty. Sinn Féin has advocated reform of the Dáil for many years and I am glad that some practical steps are now being taken to address long-standing issues.

The proposal that the Ceann Comhairle should be empowered to rule on the relevance of an oral reply from a Minister is particularly relevant, given this week's point-blank refusal by the Tánaiste to answer important and very appropriate questions about how she holds or does not hold the Garda Commissioner to account over issues arising from the O'Higgins report. The proposed reforms will contribute to a more responsive and relevant Dáil that will, hopefully, be allowed to adequately deliberate and deliver solutions to the real issues of concern for the citizens who sent us here. They will, I hope, go some way to addressing the deficit that we, as

legislators, have faced in trying to ensure that legislative proposals are discussed in a democratic fashion.

As I have said before, however, much more is required if Dáil reform is to be really meaningful. The provision of Northern representation here is something everyone should be supportive of and it should be considered in the next round of matters to be considered by the reform sub-committee. The practice of excluding the introduction of money Bills from the Opposition also needs to be revised and Dáil committees should be afforded the means of introducing legislation.

While changes to Standing Orders and procedures are welcome and will obviously assist us collectively in our work, the reform of the institution more generally, in particular, doing away with some of the more archaic and antiquated practices, is equally, if not more, important. We want to make this Parliament more transparent and citizen-friendly - truly, a people's parliament. That means undertaking a serious review in this place of work of the operation of two bars in Leinster House which function without the normal licensing requirements. It is quite a bizarre situation, apparently covered because we have privilege. This does not take into account the need of ushers and other staff to have proper terms and conditions. The staff here also need to be consulted in all of these matters - the catering staff, the bar staff, the ushers and the others who do a great job, some of whom have been here longer than many of us. They too need to be included in reforming this institution because it is, after all, their workplace.

We have an unacceptable situation with regard to media facilities, which are equally antiquated, given the reporting and consumption of news has changed dramatically in recent years. There are no modern or appropriate media facilities for interviewing Oireachtas Members, particularly backbenchers and Opposition Teachtaí Dála, or for press conferences and other media work. The media should be afforded the means of reporting in as professional and modern a way as possible from these quarters in order that citizens know what is happening.

It is welcome that the Ceann Comhairle has committed to dealing with some of these outstanding matters in the time ahead and that all of these issues will continue to be open for review, discussion and change.

Deputy Mattie McGrath: I am delighted to speak about Dáil reform. Ar an gcéad dul síos, is mian liom mo chomhghairdeas a dhéanamh leis an gCeann Comhairle. I thank the Ceann Comhairle and congratulate him on his stewardship of the sub-committee. I also congratulate the sub-committee which worked so hard. The reforms include more power for the Parliament to plan and make arrangements for its own business, with a new business committee comprising Government and Opposition Deputies who, together, will plan the business of the House on a weekly, sessional and yearly basis. It is very important that we will work together and that it will not be by diktat as happened for the past five years and all that went with it.

We will have better scrutiny of the annual budgetary cycle by a new budget oversight committee which will be supported by a new independent review committee. We need this as we do not have any access to this information. We are just given figures and told to table amendments which are then disallowed because of they would involve a cost to the Exchequer. It is hugely important that we get an explanation for this and that we are told the exact figures and costs.

There will also be an increased role for the Office of the Parliamentary Legal Adviser to allow it to assist backbench Members in drafting legislation and give advice on all legislation

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coming before the House. This is paramount. As an Opposition Member, in the past five years I have tabled five Private Members' Bills. We are left on our own with no assistance. In fairness, the Bills Office is helpful, but after that one is on one's own. On one occasion we brought a Bill before the House, but it was rubbished by the former Minister, Mr. Alan Shatter. I had asked his officials about it but did not get any help. Sin scéal eile. It is very important that these resources are made available in dealing with Private Members' Bills, particularly in this new session because the Government cannot reject them just because of from where or who they come.

The rules on groupings will be changed to allow more than one technical group to be formed. This will enable Independent Deputies and members of small parties to join forces. This is vital. There was a technical group in the previous Dáil and the Dáil before that, but it is welcome that uimhir a cúig is the magic number of Members who can form a technical group. If they can double that number to a deich, they will have a stronger group, but five is a reasonable number and we could not have it any smaller than this.

We will have a rearrangement of sitting times and sitting days. It was vital that this was examined for many reasons, including that we did not waste time. I remember the first time I was here, six or seven years ago, running from committee to committee and back to the Chamber. It is very important that our time be spent more constructively and that we can give time to committees. Members are now expected to be on only one committee; I hope one in which they will be interested and on which they want to be. Committees will be much more powerful and will benefit from this.

Pre-legislative scrutiny will be extended to non-Government Bills, which will increase the possibility of Bills being enacted. This is very important with reference to what I said earlier.

A new Irish language committee will be established. Tá sé sin go hiontach. We need something like this and need it to be meaningful and begin at a base level. Cuirim fáilte roimh an rud sin.

Members will have a facility to formally record their abstention from voting, an option which was not previously available, and state the reason. This is very important. We will have another button to press and it will be like a set of traffic lights, with red, green and orange lights. If Members cannot vote for a Bill but do not want to oppose it outright, they can abstain and explain their reasons, which will be included in the Official Report. This is important because often one is asked why one is an abstentionist. I hate being an abstentionist, but it will give Members latitude. If they are not happy with certain aspects and cannot have amendments accepted, rather than vote against a Bill, they can abstain. This reflects modern day thinking and is reflective of the sincerely held views of many people who might have an issue about which they are passionate.

The sitting hours will be more family friendly. It is proposed to hold a great many votes on Thursday afternoon. I welcome the first aspect of this, about making it more family friendly, particularly for parents who have small children, but I am concerned about banking all votes to take place on a Thursday evening. Will it allow too much latitude for the Government of the day to have its troops here for just one session in order to vote?

Deputy Éamon Ó Cuív: It does not have the troops.

Deputy Mattie McGrath: We accept that, but it may have troops from time to time. We might all support it on certain issues on various occasions. I certainly will, on constructive

items of legislation and business. That is my intention. There is no point in being reckless. If the Government wants to engage and be meaningful, we have to reciprocate. I disagreed with the fact that Private Members' Bills taken on Fridays in the last Dáil were not voted on until the following Tuesday. It was a little strange. It is nice to have the time, but I would not like to see all votes banked and take place in a two hour period to allow backbenchers and others to disappear. It would be a retrograde step.

I have mentioned that pre-legislative scrutiny will be extended to non-Government Bills. Dáil reform comprises many items, which I welcome. It is not one minute too early. It has been promised and promised. The biggest Dáil reform was expected and promised five years ago with the largest majority any Government ever had. It must be welcomed and is not something for which any Government deserves a great clap on the back. The reform is badly needed, wanted and long overdue. A powerful Dáil is a constitutional imperative because it must give effect to Article 28.4.1° of the Constitution which states the Government shall be responsible to Dáil Éireann. It is vital that we go back to this constitutional provision which was included for very good reason. With the economic management committee in the previous Government, accountability left the Cabinet. That committee had four members and was a retrograde step. I hope it has been disbanded.

In 2011 the Government promised radical Oireachtas reform and we all know that that promise ended in the same way as previous promises such as that to burn the bondholders. Professor David Farrell of UCD stated the only reform of any significance made in the Thirty-first Dáil was to introduce pre-legislative scrutiny. He stated that, apart from this one exception, we were left with an Oireachtas that looked much as it did in 2011 and in 1975 when the Taoiseach was first elected to Dáil Éireann. I compliment him on being here for so long. This was not much for an independent observer of some renown to say. Oireachtas reform was one of the central planks of the supposed democratic revolution in 2011. This revolution has been more about style and posturing rather than actual substance.

I welcome the formation of the groups. I am a member of the rural independent alliance. I look forward to working with the Chief Whip and compliment her on her elevation. Our first meeting was this morning. I thank her for her co-operation and generosity of spirit and look forward to moving forward in this vein. I also look forward to working with the other Whips. I was involved in Government formation talks for many days and during those talks the Taoiseach promised several times that we would have a new way of doing business. This has been forced on us by the electorate, thankfully, which chose the formation of the various groups and no one has an overall majority. The Dáil has had to change radically. At least ten times during the talks the Taoiseach said this must happen alongside reform of the Civil Service. This reform should be meaningful and total. It is needed and has been for a long time. There are many good civil servants, and I compliment them for the long hours of work they do in supporting Governments, but it is vital that we get reform in the Civil Service, and not only there but also down to local and regional authorities. We need fewer diktats from Europe and more engagement. The new committee structure under the d'Hondt system will prove to be meaningful. Some people here have given out or made criticisms that it will be too slow. It will be slow like any change, but we must get this leap of faith. We must accept what the people have said and I hope that everybody will put their shoulders to the wheel and that nobody will unduly delay matters. Some smaller parties might not be happy that they will have to make decisions that might not suit them at committees, but sin é agus sin an tslí mar atá sé. Go n-éirí go geal leis an Dáil reform.

Deputy Éamon Ó Cuív: Bhí sé mar phribhléid agamsa a bheith ar an gcoiste seo a bhí ag

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plé le hathchóiriú na Dála, agus is obair fíorthábhachtach í seo.

On the Sunday night of the election I spoke to Deputy Micheál Martin and I said that I thought things would have to change radically, considering the numbers. I suggested to him that night that we needed dramatic Dáil reform and an approach that had not only different rules but a different mindset. The acceptance of the new Dáil of the need to consider things differently is very welcome, but we must be careful that, having written quite a good report, one that is like a Lego set that can be built on, we do not think that that will necessarily change people's mindsets if they do not want to operate this in the full spirit of its meaning. We need much greater accountability from Government but we also need greater responsibility from Opposition. I hope that through debate we might be able to come to well teased out answers to quite complicated issues. Very few issues come forward nowadays that have simple black and white answers. One of the great challenges in politics is to look all the time for the unintended consequence.

As I see the report, there are the big issues, the headline issues, such as the business committee which represents a very different way of operating. I accept that it will be a huge challenge for the Government Whip to operate in a situation in which the business of the House is really decided by the House and not dictated by a parliamentary majority. The simple fact of the matter is that, whether we reform the Dáil or not this time, it would not be possible to do that any more.

The second thing is the whole idea of Opposition and Independent Members being able to put forward legislation but, as we know, putting forward legislation that can be enacted is a very highly skilled business. In the old days the tabling of legislation by Members of the Opposition was a way of highlighting an issue, but one did not really expect the legislation to be enacted. Now the challenge for this side of the House is to produce legislation that is of a quality that could be enacted. That is why the Office of the Parliamentary Legal Adviser will be so important. Until now it gave legal advice more or less to committees, the Ceann Comhairle and the Houses of the Oireachtas Commission. Now we need people who will help to draft Bills, which raises another long-standing issue which we need to address, namely, the lack of trained parliamentary counsel in this country. My understanding from my time in government is that it was hard enough for the Government, through the Office of the Attorney General, to get enough parliamentary counsel. It is very important that we talk to the third level institutions and ensure that there is a stream of trained parliamentary counsel coming forward who can write legislation because being a barrister does not necessarily qualify a person to write legislation, which is a highly technical job.

Maybe the biggest change that will happen - again it is being forced on us regardless of whether we like it - is a whole different approach to the budget. This should have happened long before now. I argued when I was in government with my colleagues that we should change the way of doing business and put it up to the Opposition, I remember saying, to justify the alternative choices that it was saying were there. There is a huge opportunity now with the budgetary committee to do budgets in a different way, a systematic way. It will do away with budget day as we have known it. I hope it will become a *pro forma* and that all of the major issues will be teased out long before they become part of a budget. The fact that other people will be engaged, rather than just the Cabinet, in the discussion of the options in my view should be a help rather than a hindrance to Government and should avoid some of the pitfalls of the past where a small issue could bring down a Government. I often think of the introduction of VAT on children's clothing and footwear. It is fair to say that if the Taoiseach of the time, Dr. Garret

FitzGerald, had known that would be the lightning rod issue, he would have put in another issue or proposal that would have raised the same amount of money, a cent on the pint, for example, or whatever the equivalent would have been in that time. Therefore, I hope we will be able to avoid some of the proposals put forward from time to time that draw the ire of the public. I hope also that this will be a very coherent process. I envisage each Department, sectoral committee and departmental committee considering their requirements and then feeding that into the central budget committee. If one's demands far exceeded any money that was there, that committee would then have to explain how the circle could be squared.

The second part of the report that is very important is the whole issue of our day-to-day responsibility and getting answers to parliamentary questions and to letters. In many cases we should not even have to seek those answers because the public should have been given them in the first place. I believe the Deputy has a role in this regard because we often have expertise in the rules. When people ask, "Why do people go to TDs?" I always say, "Why do people go to solicitors if they are going into a courtroom? They get justice in the court anyway." Of course, people should go to solicitors. It is handy to have one there who understands all the rules and laws. Similarly, I justify the feeling some people have that it is an advantage to be able to go to their local Deputy who, first, can change the law and, second, probably knows a lot about the detail of the various schemes. However, in most cases, if it is a simple query, the person should be given the information in the first place.

When I hear about reform of the Civil Service, I sometimes run cold because we tend to keep changing the structures in this country and we never leave them in place long enough for them to work properly. When I was a Minister I had a rule that if we were drawing up a form in one section of the Department, it had to be given to a clerical officer in a totally different section of the Department, and if that clerical officer could not fill the form with ease, then the form was too complicated for the public. If somebody whose day job it was to create and deal with forms and so on could not fill it out with ease, how the hell could we expect the public to do so? These are simple things that make the world user-friendly.

I believe everybody is entitled to a substantive answer to a letter within a fortnight. I have seen that operate in one of the Departments I was in, and it cut down on the huge amount of wasted time dealing with the reps. Once it got embedded in the mindset that should happen, it cut down on the work. The same goes for the responses to parliamentary questions. It still seems to be the culture in some Departments to try to give as little information as possible and to misunderstand the question if possible. There also seems to be a policy now to say, "I haven't got the information to hand, I will send it on to you when I can." That information should be given and given expeditiously. It is obviously important that Teachtaí Dála only ask questions that are relevant and which they want to use for some purpose and do not ask questions just for the sake of asking questions. That is another big issue. Sa 54 soicind atá fágtha agam, ba mhaith liom a rá go bhfuil an-áthas orm go bhfuil glacadh leis an mholadh go mbeidh coiste ann a bheidh ag déileáil le cúrsaí Gaeilge, ní hamháin i dTithe an Oireachtais ach cúrsaí Gaeilge i gcoitinne, mar níl aon mhaith do choiste de dhaoine nach bhfuil aon spéis acu sa Ghaeilge a bheith ag plé le cúrsaí Gaeilge - oideachas trí Ghaeilge, múineadh na Gaeilge, an Ghaeltacht agus na hoileáin. Chomh maith leis sin, caithfidh breathnú ar an gcaoi go gcaitear leis an nGaeilge sa Teach seo.

One aspect I have found most frustrating in this House over the years is that while I have no problem with people not being able to understand or speak Irish - that is their business - Members who do not understand the language do not extend to Irish speakers the same courtesy they

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would extend in the European Parliament if somebody spoke in a language they did not understand, where they automatically use the earphones to understand what was being said.

Acting Chairman (Deputy Marcella Corcoran Kennedy): The Deputy's time is up.

Deputy Éamon Ó Cuív: This is particularly relevant in that during the years, if we spoke Irish, Ministers could not address the issues one had raised. I hope the Ceann Comhairle will deal with this issue.

Acting Chairman (Deputy Marcella Corcoran Kennedy): The next speaker on the list is Deputy Mick Wallace who is not present. I call Deputy James Lawless who, I understand, is sharing time.

Deputy James Lawless: I am sharing with Deputy Fiona O'Loughlin.

I welcome the reforms in the Dáil. As a new Deputy, I suppose I know no different to the previous arrangements. However, as an observer of the House and being in the political process for some time, I would be familiar with them.

I commend my party colleagues, Deputy Éamon Ó Cuív who has just spoken and Deputies Thomas Byrne and Darragh O'Brien, for their part in this, as well as all the parties. I understand it was a constructive collaborative process. As a previous speaker stated, the House works well when it works and the political system has produced a positive outcome in this case.

It always puzzled me how the separation of powers did not appear to work in this House, as it was designed. The machinery of State is designed with an Executive, a Parliament and a Judiciary, each keeping tabs on the others. The Judiciary is certainly independent and the Executive is ultra-independent but it appeared that the Dáil had little role to play in those checks and balances. I have known Deputies of different hues who have recounted experiences of arriving in the House in different terms and finding themselves essentially surplus to requirement and voting when the need arose. Sometimes it did not matter whether they were in government or in opposition. If one was in the Executive, one was all powerful but if one was not, one was cast out into the wilderness where one had little role to play. That is a most unfortunate and undesirable situation and these Dáil reforms are engineered to address that and from my reading of the report, they appear to do so.

We all have individual mandates. All of us, as Deputies, and all of us who belong to groups, parties and technical groups have rights and responsibilities. It is a positive step in that regard to put in place those checks and balances and to enable the Parliament to act in this way.

We saw the first example of it last night with the Fianna Fáil Private Members' Bill on mortgage interest rates. It was good to see that Bill going through and, to an extent, history being made. Let us hope we see many more issues raised by all sides in the House. I am sure there will be agreements and disagreements but each party has the right and the opportunity now to contribute constructively to those.

Other Deputies said it is fair to say this is not a normal workplace. The arrangements in the workplace here take a little getting used to. Having said that, Deputies and the system are accommodated. It amuses me to an extent that it appears that the sitting hours are designed for the pony and trap era more so than the modern day - Tuesday, Wednesday and Thursday, with a late sitting on a Wednesday. My understanding is it dates back to Daniel O'Connell coming

up from the country on his horse and cart but, obviously, that no longer pertains. However, the working arrangements mean that the constituency matters of Deputies, including me, take precedence on Monday and Friday, with legislative duties on Tuesday, Wednesday and Thursday, and these complement each other. That same system has appeared to work well - water has a way of finding its own balance.

I would make an observation on the Thursday votes, an issue Deputy Mattie McGrath also mentioned. My understanding of the proposal is that back votes will be bundled together into a Thursday sitting, perhaps a two-hour window when Deputies will come into the Chamber to vote *en masse* on different issues. I appreciate wiser and more experienced heads than mine have studied this and come up with the formula based, presumably, on experience, trying to minimise time wasted in sessions and trying to be more efficient about operating business. Coming from a local authority background where votes were commonplace as well, I would voice one concern. Sometimes there is a moment in time during a debate when there is a particular drama, there is a particular passion in the chamber and minds are concentrated, and then votes occur. I wonder a little about postponing the votes for two or three days or maybe even a week and voting on maybe 20 items in one slot. It seems a little artificial. I wonder is it overly mechanical and would one's mind be concentrated to the same extent as in the live debate, although time will tell.

I mention the budget review office. This is a welcome and sensible move. My understanding is that the United States Congress has had such an office in place for a couple of decades. Approaching budget time in recent years, it has become a political performance, asking whether one had one's proposal costed by the Department of Finance. This provoked much discussion and the Department became a sort of *de facto* budgetary review office. Now a formal one is being put in place and that seems to be a welcome, positive and sensible move.

Deputy Fiona O'Loughlin: As another new Deputy, with Deputy James Lawless, and as someone who spent many years in local government, I have certainly found that the best way of achieving progress was through consensus and collaboration. I viewed the proceedings in the Dáil from afar and was always struck by their adversarial nature, while understanding the need for Government and a strong and constructive opposition. One of the most important aspects of the Dáil is the fact that it is the people's assembly and no matter what background any one of the 158 Deputies comes from, every one of us has a mandate that needs to be understood and respected. In fact, on my first day in the Chamber, which was 10 March, I was delighted when my party leader, Deputy Micheál Martin, placed such strong emphasis on Dáil reform. It was key for my party in terms of looking at the possibility of supporting a minority Government. Perhaps the Dáil reform that we see before us now was a positive and unintended consequence of the situation that we all found ourselves in after the people voted on 26 February, following which, as the House will be aware, there was no clear result.

I commend the report. At the end of the day, all of us want to have a strong Legislature, independent of the Government of the day, that can impact on policy and oversee Government action. That is vital to an effective Parliament. We want to address the issues people all over Ireland are facing.

I thank all the Deputies from all parties and none who were involved in drafting the report. It is important we agree to review it on a timely basis and that we continue to reform. True reform is ongoing; it should never be once-off. We need to constantly tweak things and see what we can do to improve the business here.

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The idea of changing and ensuring separate committee time from plenary time is important. Unfortunately, we saw recently during a particular debate that many observers took to social media straightaway to bemoan the fact there were only ten Deputies in the Chamber. Afterwards it was realised that 62 Deputies contributed to that debate. It behoved Deputies to point out that, in fact, there were important committees meeting at the time. The fact that the times will change will be very helpful to those of us who want to be active on committees and during plenary sessions.

I particularly welcome the measures to empower Dáil Deputies with a strong committee system. With 23 committees, there will be much work for all of us to do in ensuring it will be a strong, robust system. The legal resources and independent economic analysis that will be before us will be particularly welcome and help us all to do our work better. The implementation of reforms such as a new budget committee and pre-legislative scrutiny is especially welcome. The work that has been done will help us on an ongoing basis. These changes are against the backdrop of a formal confidence and supply arrangement in supporting a minority Government. My party was very pleased to have been involved in it and is looking forward to helping to implement the suggestions made in the draft report, after it is accepted on Tuesday.

Deputy David Cullinane: I welcome the Minister of State's speech and the report of the sub-Committee on Dáil Reform. It has been published and we have had time to examine it and take statements on it. We have had false dawns on Dáil and Seanad reform and new politics. People have heard it all before and will want to see how it works out in practice. There is a responsibility on all of us, in government and opposition, to make the new politics work and ensure whatever reforms we agree to are implemented, not just as words in a document but also in deed. I welcome the opportunity and the many positive proposals made in the reform report.

While my party and I have long argued for smaller parties and technical groups to have as much speaking time as possible, we must protect the integrity of political parties. We put ourselves forward as members of parties and receive our mandate as a party, whereas Independents do not put themselves forward as members of parties. There is a difference between political parties and Independents. While I support Independents coalescing in a technical way to get more speaking time, it must not infringe on or diminish the speaking time available to and the opportunities in the Dáil of political parties which are elected in a different way, as we seek to support, as best we can, smaller parties and the number of technical groups which might emerge from the new dispensation. This is especially true in the case of Leaders' Questions. All of the main Opposition parties must be able to ask questions of the Taoiseach every day when the Dáil sits. This applies to Fianna Fáil, Sinn Féin and all of the parties in government and opposition. We can disagree on where Fianna Fáil lies; we are certainly in opposition and it is right and proper that, as the lead Opposition party, our leader have the opportunity to question the Taoiseach every day there are Leaders' Questions.

I will focus on two elements of the report that will impact on my work as spokesperson on public expenditure and reform. One is the recommendation to establish a committee to examine budgetary matters, which is welcome. The Minister of State said, "No longer will the budget be a Government-only document." I am not sure I agree. While we can have an input, unless the Government is going to take on board all of the very practical, realistic, deliverable proposals which we and other groupings have put forward in the past in our alternative budgets, we will not have a budget document which has the support of everybody. We must realise and acknowledge there are political and ideological differences on economic, fiscal and budgetary policy.

Deputy Regina Doherty: Never say never.

Acting Chairman (Deputy Marcella Corcoran Kennedy): Through the Chair, please. The Minister of State should not respond.

Deputy David Cullinane: We can work constructively together. We can try to reach consensus where we can. I embrace this. However, I have sat through many committee meetings and discussions with Ministers at which we have proposed very credible, realistic, deliverable alternative fiscal, social and economic policies and they have been knocked back. I do not agree with the policies of the more conservative parties and we will not achieve total agreement on all issues. It will still be the Government which brings forward budgets. If we have more of a role in the process, I agree with and welcome it as a concept.

I support the proposal to establish an independent parliamentary budget office. This is very important. One of the false debates we have had has been about whether the alternative budgets presented by a number of Opposition groupings have been costed. Every year we send our proposals to the Department of Public Expenditure and Reform which responds with costings, yet the Government tells us they have not been fully costed. Over and over again we have asked to have our full alternative budgets costed by the costing unit to dispense with the false debate and deal with the substance of the proposals made. This should be extended to the policy documents parties put forward. If they want to have their policy documents costed, this should be embraced and facilitated. We are up for it; we want it and do not want distractions. Unfortunately, distractions have been part and parcel of politics for far too long, with claims that our proposals have not been costed or questions about who costed them. Let us agree on how it is to be done and the shape of it and then ensure it happens.

Not only should we cost proposals, we should examine the impact any budget proposal made by the Government or the Opposition would have on people. We have had report after report from the Organisation for Economic Co-operation and Development, OECD, EUROSTAT, the Central Statistics Office, CSO, think tanks and many other organisations such as the National Economic and Social Council, NESC, and the Think-tank for Action on Social Change, TASC, which have shown that income inequality in the State has increased year on year, especially owing to the policies of the previous Government. More people are living in poverty; there is greater income inequality and the gap between rich and poor has increased. This is because of the budget policies that have been put in place. We must not only cost the individual budget proposals made by the Government and the Opposition, but we must also have social and economic impact assessments made and ensure they are poverty and equality-proofed. Far too many proposals and budgets have been passed by the House which put more people into poverty. When the talking was done and the independent analysts made their analysis, we saw that they were unfair, unequal and would drive more people into poverty and create even deeper inequality. Let us use the new dispensation, the budget committee and the independent finance office not just to cost proposals but also to examine their impact on citizens and to equality and poverty-proof them.

In broad terms, I welcome the new initiatives and proposals. We need to give them fair wind. I very much hope it is real and that we will see it all work out in practice the way many people have said it will. My party and I are up for it. It is hoped, however long this Dáil lasts, that we will be able to say we made a difference and changed how we do business in the House for the better of the people outside the Chamber.

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Deputy Maria Bailey: I thank the Acting Chairman for giving me the opportunity to speak. As a new Deputy, although not a new politician, I appreciate the level of work the reform document has taken and the inclusivity that has occurred on the part of all parties in the House to reach this point. It sets a very good standard with which to begin the new Government session and is a good base from which to work. I always like to start any new endeavour from a solid foundation and the document provides it.

It is also very welcome that the Dáil will have additional powers to plan and make arrangements for its business with a new business committee that will comprise Government and Opposition members who will plan the business of the House on a weekly, sessional and yearly basis. That will lead to a more effective and productive Dáil.

I am very supportive of the new budgetary oversight committee that will be assisted in its work by a new independent budget office, which will lead to a more transparent process for all. As the previous Deputy said, if a proposal made across the floor is practical, costed and worthy of further exploration, I am sure my party will look favourably at it. However, I have been party to many local budgets, 12 in Dún Laoghaire-Rathdown, where people had aspirational ideas but did not find the money in the budget document to implement them, or found they would be to the detriment of proposals made in another part of the document. If a proposal is constructive and properly costed and would not be to the detriment of another measure of good standard or quality, I am sure it will be looked at favourably.

I commend the planned increased role for the office of the parliamentary legal adviser, which will assist backbenchers in the drafting of legislation they wish to bring forward. The report also recommends the establishment of a Dáil business committee to give all Deputies, irrespective of to which party they belong, a greater voice and allow a fair distribution of Dáil time between the Government and the Opposition.

I commend the rearrangement of sitting times in order that, wherever possible, the proceedings of the House will not clash with committee meetings. That will allow Members to attend both and be more effective in their endeavours. It will also make the committees more productive. Making the membership of committees smaller will allow for greater debate and more effective use of time.

As a working parent, like most of my generation because of exorbitant house prices, I very much welcome the introduction of more family-friendly hours. As politicians, we all accept the erratic hours we work which we come to expect, but for non-elected staff, this will allow for a better work-family balance also.

The reforms allow for increased time in the Dáil for Leaders' Questions, Taoiseach's Questions and questions to Ministers. The pre-legislative scrutiny of Bills has been strengthened, with interested individuals, experts and civil society groups now being involved in the legislative process from the beginning.

A number of changes are proposed to Dáil procedures which, among other things, will enhance the public's understanding of what goes on in Parliament. For instance, Members will be able to have an explanation included in the Official Report as to why they voted in a particular way. Also, for the first time, they can be recorded as abstaining in particular votes. Votes will take place at a particular time each week and when a Member asks about promised legislation on the Order of Business, the relevant Minister may reply when requested to do so by the Tao-

iseach.

I very much welcome this Dail reform process. It is a very good start in this new term.

Deputy Pat The Cope Gallagher: I am pleased to have the opportunity to contribute to this debate on the final draft report of the sub-Committee on Dáil Reform. I congratulate the Members all sides of the House who contributed to this important report.

I was first elected to the House in 1981. Only three Members of the class of 1981 are still in the House, with the Taoiseach having been a Member of the class of 1975. We have come a long way since, but we have come further in the past few weeks than we did in the past few decades. Back then we had to walk through the lobbies for every vote, as we did not have the electronic voting system now in place. At the time there were no select committees, which meant all Stages of Bills, including Committee and Report Stages, were taken in plenary session in the House. That did not make much sense, but that is the way business was done and we possibly make some progress.

We would not be debating this draft report if one, two or three parties had received an overall majority in the general election. Some might say we would be doing this any way, but we would not. The electorate shaped the Thirty-second Dáil which is radically different from any previous Dáil. This is my ninth time to have been elected to the House. I was also elected three times to the European Parliament and a few times to my local authority. Therefore, I very much welcome these reforms. All members of the sub-committee devoted much of their time to working together and they came up with this important document.

The option of doing business in the usual way is a non-starter. We realised this when the votes were counted and we knew what the make-up of the new Dáil would be, but this is not new to me. I am accustomed to it having spent from 1994 to 2002 and from 2009 to 2014 in the European Parliament. It had 500 Members representing an area that stretched from the Atlantic to almost the Ural Mountains, from various backgrounds and who spoke various languages, but we succeeded. There are only two languages spoken in this country and I am delighted that in the future all Bills will be produced in Irish and English simultaneously. As Members of the European Parliament, we attended various committees. Legislation initiated by the European Commission was passed to the committees and sometimes the amended legislation was almost unrecognisable when returned to the Parliament. We ensured legislation was improved as a result of our consideration.

With many others, I was invited to make a submission to the sub-committee. Drawing on my experience in the European Parliament, I took the opportunity to do so. My proposals were twofold, namely, that we increase and strengthen the role and rights of individual Deputies and provide the services required by them. There is no point in strengthening the role of Deputies unless we provide the backup services required. We must also increase the powers of the Dáil and provide for its full and meaningful involvement at all Stages of the legislative cycle. I believe we will see this happen in the coming weeks and months.

What does strengthening the role of a Deputy involve? The electoral system in Ireland is very different from the systems in place throughout Europe. There were times when we might have wished we could be elected under a list system, but I am a great supporter of the system we have in place. Regardless of whether a party is popular, it is important that the people can vote for the individual they wish to represent them. That means citizens expect their Deputy to be

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accessible at all times. That is the reason we are in this House. Teachtaí Dála are the eyes and ears of the people. We are messengers of the people and come here to express their views. As such, we should be accessible to represent their views and concerns in the Dáil. The system that will be in place until the final draft report is adopted by the House does not allow that to happen.

I am very impressed by the way in which the draft report is presented. It is readable, simple and understandable. It is in a language anyone can read and understand. There will be a cost, but what is the cost of democracy? Resources will be required to implement the proposals made in the report. The Secretary General will produce detailed proposals for the Houses of the Oireachtas Commission in accordance with best practice, but whatever the cost, they will be as prudent as possible. I am also impressed that there will be an opportunity, whether in six or 12 months, to review their operation. We will await the outcome of that review, but I am sure the committee that will have responsibility for reviewing their operation will be happy to make whatever amendments are necessary to ensure they are workable.

I am delighted to see the number of committees, of which there will be 23. It is important from my perspective go bhfuil coiste ansin a bheidh ag amharc i ndiaidh chúrsaí na Gaeilge agus chúrsaí na Gaeltachta. Ní bheidh an coiste seo fite fuaite leis an Roinn ina bhfuil Rannóg na Gaeltachta anois. Beidh sé neamhspléach ó sin. Nuair a bhí mé féin mar chathaoirleach ar an gcoiste, bhí sé measctha le spóirt, turasóireacht agus le Gaeilge. Ní raibh sé sin maith go leor. Molaim go mór iad siúd atá ar an gcoiste seo gur mhol siadsan go mbeidh coiste ag amharc i ndiaidh chúrsaí Gaeltachta.

As I am sure many have said, the budget and finance committee is all important as is the parliamentary budget office. This is all new although, of course, the sub-committee drew on the experience of other countries. It is important to remember in speaking about the Office of the Parliamentary Legal Advisor that we currently have a facility to advise Members which is provided by the Commission through the independent Office of the Parliamentary Legal Advisor. There is backup in the House but in the past, we perhaps did not avail of it as often as we should have.

The d'Hondt system is an ideal one whereby the parties with the most Deputies will have the first choice and so on and then Members will indicate to their Whips which committees they want to sit on. I am not opposed to committees being smaller because they can be just as effective if they are but that does not deprive, as is the case in the European Parliament, any Member of the opportunity go in and make a contribution or to vote as an alternate when the full committee member is not there. The Chief Whip might look at the following, which I have read in the printout we got. It is the split between plenary and committee time. It states they will not overlap but also that committees will meet from 5 p.m. to 8 p.m. on Tuesdays while there will be plenary sessions of the Dáil from 2 p.m. to 9 p.m. on Tuesdays. Perhaps there is a typographical error there. It is only a detail.

My constituency colleague, Deputy Pearse Doherty, made reference to the following which we discussed prior to today's debate. We have a very serious situation along the coast whereby on 10 March 2016, the former Minister for Agriculture, Food and the Marine, Deputy Simon Coveney, introduced a statutory instrument on fisheries in the Houses. There are 21 days to address that. Everyone in the House, including the incoming Minister, Deputy Michael Creed, wants to ensure that can be amended. It provides that immediately someone might appear to have broken a rule, penalty points will be imposed. If he or she goes to court, the court cannot

throw out those penalty points. While the Minister knows this, we do not have an opportunity to discuss it. I note to the Chief Whip that there are six sitting days left in that regard. We do not want to find a decent Minister, Deputy Creed, in an embarrassing situation given that most Members will vote to rescind it. I ask the Chief Whip to take note of it and to speak with her Minister. We like to win votes but I am anxious that we move on.

Deputy Jim Daly: I am grateful for the opportunity to contribute to the debate today on the subject of Dáil reform. It is right to commend the sub-committee members who gave of their time so generously, led by the Ceann Comhairle, to deal with the issue. I congratulate the politicians and political parties who put this matter very much to the fore of the new Dáil. I compliment them on the body of work that has been presented to us. There are a number of interesting initiatives in it which will hopefully result in more efficient governance by all of us on all sides of the House in getting our business done. Hopefully, it will make things more interesting and there will be more interaction with the people we have the good fortune to represent.

It is important to look at the interpretation of reform and what we mean by Dáil reform. To broaden out the context slightly during this debate, I note that someone once said change was not reform any more than noise was music. We have to keep our focus on what we are really talking about when we talk about Dáil reform. It is very easy to assume that Dáil reform is the same as political reform. What people are looking for more than anything else is political reform and we must ensure that the steps we take *vis-à-vis* the Dáil and reform of the institution. It may merely be change and may not be what people are looking for. We have to be very cognisant of that. The most significant reform delivered to the body politic and the establishment was the last election. People looked in from the outside and saw a Government with a massive majority. It seemed to them that these guys could decide that we should all go down on our hands and knees going into mass on a Sunday and vote that through with its big majority. The people did not like the look of that and delivered in spades a very different dynamic in the election through a very different Dáil. They made sure that we had to recognise that and move with them.

I have spoken in the House before about, and continue to lobby for, menu-option politics. That is what people want to see. The political class and political people are always behind the curve and the people are ahead of us. People are not stupid but we can treat them like that sometimes in thinking we can get away with talking out of both sides of our mouths. That has been a habit and a trait of politicians for a long time. People do not want populist politics which is not real and honest with people and which just rolls along saying what people want to hear on a given day. People want to hear the truth. They prefer to hear the facts. That is the kind of reform and real change that is being looked for by the electorate out there. They have started that journey with this recent election and I have no doubt they will continue with it. They are well able to decipher what they want as they go along the way.

A previous speaker referred to one of the most welcome developments, which is that committees will be smaller. It is a very positive step. This next Dáil will constitute a very exciting opportunity. For those of us fortunate enough to be in here, it will be really interesting and challenging. On a political level, it will be much more rewarding for those of us engaging in the process. The new powerhouse and real avenue for, and locus of, change will be the committee system. Those committees will take on a new life of their own. It is a little bit difficult. People do not get the whole idea of this large room here and why there are so many empty seats all the time. Journalists can play on that and play up the empty seats but we all know the reality that this is a very different Chamber. It is not interactive. We make speeches and people

listen. There is no two-way cut and thrust, there is no debate and there is no real engagement and, therefore, not many issues are moved on solidly here. In the committees, where we get to challenge, question and query what is going on, we make significant progress in advancing policy. Smaller committees will be even more welcome and effective. I look forward to playing my part in that regard.

Deputy Lisa Chambers: I welcome the reforms and, like the last speaker, I congratulate and commend the committee that took the time and effort to put them together. The reforms have come about via cross-party support and the work of members representative of the whole Dáil and, in essence, of the country. It is a very positive start to the new Dáil that these reforms have come about through collaboration and an interest in seeing things done differently and more efficiently.

I welcome the fact that committee structures are being strengthened. Like the last speaker, I agree that smaller committees is a better way to go. From any job that one does, one knows that makes things much easier. In my experience as a member of Mayo County Council, smaller groupings were far better and far easier to work within. One definitely had more scope to get one's ideas across and to work better with people. As such, this is a very positive step forward and a positive change.

We have heard the terms “political reform” and “Dáil reform” bandied about for a number of years. There was a feeling among the public and some public representatives that reform was something that we discussed but did nothing about and that it was not possible to achieve reforms that made our Parliament work better. As such, this report is a positive step forward in how we do politics and represents a crucial change in how the country operates. It shows the public that, when there is buy-in, collaboration and support from across the House and an appetite to work differently and better, it can be done. It sets a good tone for how the Dáil will operate.

I welcome the fact that we pursued this project on foot of what is a numerically different Dáil and a changed country. While many people were uneasy and frightened by these changes, given that change can be difficult, something positive has been produced. I hope that people see the positive aspects of the different political situation in which we find ourselves.

I also welcome the budget and finance committee and the fact that the budget will have more input from all Deputies, recognising the mandate of each individual and political party in the House. This is important. In recent years and further back into the history of Irish politics, there was never scope for dissenting views and little scope for minority views, small parties and individuals. This represents a change in terms of taking on board all views, even those that one does not want to hear or do not align with one's own. This is forcing that to happen, which is a positive.

While the d'Hondt system can be time consuming and cumbersome, it is practical and fair and recognises the mandates of Deputies and parties. It gives greater respect to the decision of citizens in voting for their local representatives. That is positive. While it may take us longer to get things done and we may need to put in more hours of work, we should not be concerned.

These reforms represent an opportunity as well as a change to how we work. I appreciate that, as a new Deputy, I did not operate under the old system and it may be easier for a first-time Deputy to operate under the new one, given that it is all one knows. For some, the change may

be more difficult than for others. Getting used to changes in how things operate is always a challenge, but the buy-in from all representatives in the House in order to make things work better sends a positive message to the public to the effect that this is not about rhetoric and saying one thing while doing something else, but that we are committed to these changes. I am proud and privileged to be a part of them.

It could be construed as showing a lack of experience of working in the House, but I am looking forward to keeping an open mind and being prepared to understand and take on board the views of others as best I can. It is important that the House not operate in a bubble, although avoiding that can be difficult. Often, one is surrounded by like-minded thinkers, people from one's own party or social group or one's friends. It is important that the new Dáil challenges all Members to get involved in committees and debates on legislation where they must listen to and take on board others' views even if they do not agree with them. It might present an opportunity for some people to change their views on certain issues. I hope that it will minimise the negative impact that groupthink can sometimes have on the House.

I welcome the changes. They are a positive step. I look forward to working within the new structures with all of my colleagues to ensure that this works. It is prudent that we review this reform at a later stage, for example, in a year's time. We are not infallible and may not be doing everything correctly. We are making decisions based on our current information. We may have got some matters wrong and others right, but it is prudent that the entire Dáil review how the reform works. It is positive that we are open to making whatever changes are necessary.

Deputy Noel Rock: I congratulate the committee, which worked on a cross-party basis to produce a document of great substance. That substance is clear for all to see. The comments from Deputies who welcomed and scrutinised it were welcome. The review period of one year is worthwhile and useful.

In the broader context, Deputy Jim Daly's remarks have much merit. The public has made a demand for political reform, including of the Dáil. In my few weeks as a Deputy, I have had the pleasure and pride of representing my area and of opening the doors of this great institution to allow people in to see the work that we do, including that which does not come across in the media as it should. We all work very hard, but communicating that to the public is sometimes difficult. That the people whom I have brought to the Oireachtas have acknowledged the amount of work that we do and how hard the Dáil works everyday is incredible. Through these reforms, we can continue that work but in a visibly more cohesive way. They will have an impact by making politics more accessible to people as well as more professional and businesslike. The proposed timetable will make it easier for parliamentarians to define their workloads and divide their work between the representative side of politics, which is a fact of life for Deputies, and the parliamentary side of politics, which is why we are in the Dáil and seek election.

I welcome the budgetary oversight committee. It is necessary and worthwhile and follows on from the OECD report on budgetary oversight by Parliament that was produced in autumn 2015 and effectively recommended the precise path that we are pursuing. We will have a more European way of deciding budgets. There will be fewer big bang and red briefcase moments, or red CDs as is now the case, and more scrutiny, oversight and collaboration from all sides of the House in putting together budgets and examining how each Department intends to spend. This should be welcomed by all sides.

The increased importance of committees is a fact of this Dáil. That this matter is amply

covered in the document is also important. The use of exclusive committee time underscores committees' increased importance and means that people will not be moving between them and the Dáil Chamber and can instead devote their attention and time to committees. This is worthwhile.

It is useful to have a defined period for votes. The time-slot of 45-minute or thereabouts on Thursday, starting at 12:45 p.m., is in the European mould, whereby the European Parliament effectively has all of its votes in one block. That is probably the best way to handle matters if we want a more professional and businesslike Parliament. It is what the public want to see. They want Deputies to focus on the work at hand and, as Deputy Jim Daly stated, more robust debates. Given the fact that this is an 158-person Chamber, there is little scope for interaction and back-and-forth debates. In a committee environment, though, there is more scope for same and to scrutinise the nitty-gritty. With more committees and a greater focus on them, that can be achieved. It will produce good policy-focused outcomes for the Parliament and the public at large. This can only be welcome.

The ability to abstain from votes is touched on in the document. There has been a great deal of focus on this and abstaining will be useful in this Parliament, but there will also be an ability to attach a note or state a reason for a given vote. Context can always be helpful and understanding the reason a person votes in a particular way can absolutely be helpful. For parliamentarians, it is useful. It is important that we be seen as thinking parliamentarians, as people who think about their votes and who have reasons for voting the way they do. Being able to record reasons is an absolutely welcome and useful step in this regard.

The ability to have two rounds of parliamentary questions answered during the summer recess will be helpful. Although the summer recess means a slowing down of business to some extent, the business of people's lives does not stop, nor do their questions on certain matters. Therefore, being able to submit a parliamentary question and receive an answer during the summer recess, however long it may be, is useful. I certainly welcome this.

The publication of deferred replies feeds the appetite for greater transparency and scrutiny. This is one aspect of the document that has not really been touched on in the media, but it is worthwhile mentioning it.

I thank the sub-committee for its work. The document is tremendous. It has been drawn up with cross-party support. A great deal of time and effort was devoted to it by Deputies on all sides and this should be commended. I welcome the changes proposed. Like Deputy Lisa Chambers, I welcome the fact that a review is to be carried out in a year. We have no time to rest on our laurels and as good as the document is, its recommendations may not work entirely as envisioned. I welcome the document and the ability to review it. Once again, I thank the sub-committee.

Deputy Bernard J. Durkan: As a former Whip and someone who has been around this Chamber for a couple of years, I should make some comments on the points made in the document. With every turn in the road, there comes a need for change. If one keeps going straight, one ends up in the fence. The general election saw the people bring about change in a certain direction. It is very difficult to figure out what was intended, but the draft proposals encompass, in so far as possible, a means of accommodating the intentions of the people when they voted. The reforms bring much more power to the Parliament than it had but with power comes responsibility. I point this out for everybody's sake. There might have been a suggestion in

some of the earlier speeches today to the effect that one could have power without responsibility and blame somebody else if things did not happen in accordance with one's wishes. It is not that way, unfortunately. The reform proposals are a great opportunity for everybody to take responsibility and become involved in the serious and responsible process of governing. There is now a partnership between the Parliament and the Executive, the Government. Neither can exist without the other and neither can exist without the help, advice and support of the other.

Deputy Thomas Byrne mentioned the role of the Attorney General. He is correct in saying the Attorney General is the legal adviser to the Government. Nobody else has this role. As the Deputy rightly pointed out, disclosure of the Attorney General's advice would make his or her position impossible in the event of a court challenge. In fact, that happened some years ago when an opinion was offered that entered the public arena and was used very effectively by an opposing counsel. As we know, the job of the opposing counsel when it has its day in court - no disrespect to the legal profession - is to do the best it can for its client, whoever it may be. Counsel does not get paid to sit down, accept or acquiesce but to do a job, namely, to win. Those of us who have been in court will know this is how it works.

It is no harm to remember that this change brings about power and also responsibility. Reference was made to the tyranny of the European Union. In case we are misleading ourselves, I must point out that the tyranny of control from the European Union is not tyranny in itself but a mechanism put in place to ensure fiscal stability and cohesion. It is put in place to ensure no administration in Europe can take off on a tangent that creates the kind of liability we saw created in this country and a number of others in the past ten years. That should never happen again. Those who believe it could not happen need only consult some of the other governments across Europe that have been similarly affected and afflicted. Some governments in other parts of Europe were adamant in the past few years that they had a different and better system than others, that there would be no pain and that they could abolish what has been called "austerity". Unfortunately, it did not work out that way and they had to revert to continuing in the same old way. To protect our interests in the future, it is significantly important that we act responsibly and that responsibility begins in this Chamber. If we act responsibly, these reforms will be very successful. The country will benefit, as will the European Union. While many people have commented on bureaucracies in every country and advocated that they be abolished, all the checks and balances were introduced for a particular purpose, namely, to eliminate potential damage to what some people nowadays call "the system". As the system may mean the integrity of an economy, country or the European Union itself, we cannot afford to be irresponsible. I hold no brief for the divergent views now exploding across Europe on the extreme right and the extreme left. I reminded the House of the consequences of taking this tangent in the past. I will not hesitate in predicting disastrous consequences if these tendencies continue.

Better scrutiny of the annual budgetary cycle by the new budgetary oversight committee should be welcomed. Deputy Brendan Howlin mentioned the pre-legislative discussions in committee in the past. Without a doubt, they were useful. However, because of the smaller number of members on a committee by comparison with the number in the House, it is always possible the committee may be influenced by submissions made to it to an extent greater than represents the total membership of the House and the Government together. We need to ensure in the future that the committee system will not disproportionately drag the House in a particular direction. I have seen pre-legislative discussion result in legislation with which I could not agree at all. If I had been a member of the relevant committee, I certainly would not have agreed with it. That does not mean to say I am right, but if one had the opportunity to debate

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the subject, one could at least say one had participated, that it had not worked out and that, for whatever reason, better minds had thought differently.

I remind Members that in earlier days in this House, when I was a lot younger, we had much longer debates, but we got through legislation just the same. I do not know whether we had longer sitting hours, but I do not believe we had. There was less time spent dealing with the edges of the debate and we got straight into it. There was a revolving debate across the House as the day passed. The sitting was suspended at lunchtime or not, as the case may be, and Government and Opposition speakers alternated throughout the day. It was a quick way of getting through the various participants. I am not suggesting for one moment that we should copy the European Parliament because, as Deputy Brendan Howlin rightly stated, there is no possibility of addressing an entire issue in any debate in the space of 30 seconds. It cannot be done; one merely makes an interjection. That would do us no great favours.

Speaking of time, as there are only two minutes and 20 seconds left in this slot, I cannot go through all of the bullet points in the paper. I have always believed everybody has the right to speak in the House. I speak as one of those who has probably been ejected from the House more often than others for refusing to accept decisions on information it was believed should have been available to a Member. Given my experience in the House, I expect my knowledge of what is or is not in order is as good as that of anyone else. I am reminded of the song, “I Fought the Law and the Law Won”, because I did not win most of those bouts and spent long periods outside the House. I believed, however, that it was something I should have done at the time and about which I had the right to protest, which I did in the way I believed was necessary. I believe some of the reforms coming to the fore are a response to the issues I raised in my inimitable fashion over the years.

I did not agree with the introduction of Topical Issue Matters in the middle of a sitting day. In the old days, when a Minister was reticent about supplying details in reply to a parliamentary question and the questioner was dissatisfied, the latter immediately informed the Ceann Comhairle that the matter would be raised on the Adjournment that night. This helped to concentrate the minds of the questioner and Minister and an accommodation would generally be found because neither party wanted to return to the House at 11 p.m. The arrangement reached would accommodate all sides, including the House. This was an efficient system that worked and may well return.

In principle, I accept and embrace the need for change and hope the proposals work. If a review is required after six months, I hope it will be done because history shows that a year can be a long time in politics.

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty): I thank colleagues from all parties and Independent Deputies for their contributions. I speak on behalf of the sub-committee, rather in my capacity as Government Whip. It was a privilege to be a member of the sub-committee. The Chairman, the Ceann Comhairle, and all members of the sub-committee invested a great deal of time and effort in its deliberations in recent weeks.

I welcome the thorough and comprehensive contributions made by all sides in this debate. It was interesting to listen to the various issues raised by the parties and Independent Deputies.

The proposals in the draft report will strengthen the foundation upon which changes will be made to the national Parliament next week or the week after and, I hope, for many years

to come. This Dáil in particular will benefit greatly from many of the proposed reforms. As a result, responsibility will be shared among all elected Deputies which will, I hope, provide Ireland with a stable and inclusive Parliament. Inclusivity is just as important as stability in this regard.

As several speakers noted, there have been many attempts to reform the Dáil in recent decades. The final report on Dáil reform which will take into account the views expressed today will result in some of the most representative changes in how we do politics. This will be achieved thanks to the willingness of members of the cross-party sub-committee to work together to reach consensus, despite our differing views. This was most impressive and emphasises that while Deputies adhere to different political ideologies, we can achieve consensus on what is in the best interests of the House. It should be noted in this regard that many commentators, specifically in the media, did not believe consensus was possible. We have shown again that it is possible.

The sub-committee will meet again on Tuesday, 24 May when it will give full and deserved consideration to all of the points raised by Deputies today. We hope the meeting will conclude with the adoption of the reforms, after which changes will be made to Standing Orders in the coming weeks.

I thank my counterparts and members of the sub-committee for their dedication and commitment to ensuring that this Dáil will be stronger and more accountable and its Members more empowered than ever.

The outcome of the recent general election delivered a message to everyone elected to the Dáil that people want politics to be done in a new way. I believe we will all embrace this message. All elected Members have an interest in the issue of Dáil reform. The changes that will be made to Dáil Standing Orders in the coming weeks will provide a framework within which the House will work in the next few years and may well set the standard for decades to come. I thank the Ceann Comhairle for allowing this debate to take place and extending the time provided to facilitate all Deputies who wished to make a contribution.

Acting Chairman (Deputy Declan Breathnach): It is proposed to adjourn the debate until next Tuesday.

Deputy Thomas Byrne: Is the sitting due to continue after Oral Questions?

Acting Chairman (Deputy Declan Breathnach): Yes, the Adjournment Debate will follow questions.

Deputy Thomas Byrne: Will further business be concluded before the House adjourns today?

Acting Chairman (Deputy Declan Breathnach): Other than Oral Questions and the Adjournment Debate, there is no other business scheduled to my knowledge.

Deputy Thomas Byrne: I have heard media reports that there may well be other business before the House adjourns.

Acting Chairman (Deputy Declan Breathnach): The Chair has not been informed to that effect.

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Deputy Thomas Byrne: Has the Government Chief Whip been informed of any business to be taken at 6 p.m.?

Deputy Regina Doherty: I have been in the Chamber all afternoon, as the Deputy is aware.

Debate adjourned.

Ceisteanna - Questions

Priority Questions

Special Educational Needs

1. **Deputy Charlie McConalogue** asked the Minister for Education and Skills to address concerns over the long waiting times for Special Needs assessment by the National Educational Psychological Service; and if he intends to implement the new system of allocation of resource teaching hours allocation, that is currently being piloted on a national basis in September 2016. [11137/16]

Acting Chairman (Deputy Declan Breathnach): I understand Deputy Thomas Byrne is substituting for Deputy Charlie McConalogue.

Deputy Thomas Byrne: Deputy McConalogue has been appointed Fianna Fáil Party spokesperson on agriculture and I have succeeded him as the Fianna Fáil Party spokesperson on education. It is a privilege to assume this important role and I thank my party leader, Deputy Micheál Martin, for my appointment. This role has had great resonance over many years in my party in terms of various achievements. Today, I will ask a series of important questions that were tabled before my appointment, the first of which relates to concerns about the long waiting times for special needs assessments. Is it the Minister's intention to implement nationally the new system of resource teaching hours allocation currently under pilot?

Minister for Education and Skills (Deputy Richard Bruton): I congratulate Deputies Thomas Byrne and Carol Nolan on taking up their new responsibilities. Like me, they are new to the job, although Deputy Nolan has an advantage over us in that she has worked in the education system. I am sure, however, that Deputy Byrne and I will be fast learners.

Deputy Thomas Byrne: With 506 pages in the ministerial brief, it may take some time to master it.

Deputy Richard Bruton: It is good to see a man from the royal county.

Support from the National Educational Psychological Service, NEPS, is available to every recognised primary and second level school. NEPS, in consultation with schools, prioritises children for support, consultation and-or assessment who have failed to make adequate progress despite an appropriate continuum of support being delivered for these children. Under its model of service, NEPS focuses on building school capacity by encouraging schools to engage in initial assessment, educational planning and remedial intervention for pupils with learning,

emotional or behavioural difficulties. Teachers may consult their NEPS psychologist should they need to at this stage in the process. Only in the event of a failure to make reasonable progress in spite of the school's best efforts in consultation with NEPS will the psychologist become involved with an individual child for intensive support.

The support NEPS provides to schools and students is vital. The programme for a partnership Government has committed to invest additional resources in this area, with the objective of bringing the total staff up to 238 educational psychologists, an increase of 25% over the lifetime of the Government. This will allow NEPS to increase its level of support to schools.

The National Council for Special Education, NCSE, has a statutory role under the Education of Persons with Special Educational Needs Act to provide me with policy advice on matters concerning the education of persons with special educational needs. The NCSE identified that the current model for allocating resource teachers to schools is potentially inequitable because access to the range of professional assessments required for the diagnosis of low incident disabilities is not always readily available to those who cannot afford to access them privately. The council also advised that the current model can lead to unnecessary labelling of children from a young age.

The council has proposed a new resource teaching allocation model which will, when introduced, remove the formal requirement for diagnostic assessment to access additional support. A pilot of the model is taking place across a number of schools in advance of implementation in the school system generally. As the pilot is still under way, it will not be possible to implement the new model in all schools in the coming year. The pilot has been developed in order to test the model and to allow for the practical effect of the application of the new model in the 47 pilot schools to be evaluated.

A review of the pilot has now commenced. This will allow us to take into account the learning experiences of schools, principals, pupils and the views of parents over the course of the pilot. On conclusion of the review, a decision will be taken on the timeframe for the full implementation of the proposed new allocation model.

Acting Chairman (Deputy Declan Breathnach): Before I call Deputy Thomas Byrne, I remind Members that there is no lead-in to questions under current Standing Orders. The Minister has two minutes for an initial reply and there are four minutes overall for supplementary questions and replies, with a one-minute limit on each supplementary question.

Deputy Thomas Byrne: As this is my first day putting questions to the Minister, I do not expect to take up too much time. I am still learning the ropes in respect of procedure.

This is a serious issue and I am glad the pilot scheme is not being rolled out nationally yet. Learning support resource teaching should be based on need. Many schools would face significant reductions and pupils with special learning needs would have to do without support if this system was introduced on a national basis. If we used the analogy of medical care, it would be equivalent to basing the allocation of such care on general area demographics rather than patient need. Will the Minister outline when it is proposed that the pilot scheme will end, when the report relating to it will be submitted and when he will have results in that regard?

Deputy Richard Bruton: The reasons for moving to the other system are outlined in my reply. The council responsible for special education needs feels resources are required for children to be professionally assessed, but the parents of many children are unable to afford that.

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Therefore, some children's needs might be undetected. The new model takes into account not only children who have had an assessment within the school but also those who may be waiting for an assessment. Therefore, it looks at the whole school, the make-up in terms of children and the likely need. It avoids all the time and effort that goes into evaluation and puts the resource into the school. Obviously, the programme must be tested to see whether it will work and any transition will need to take account of the sensibilities expressed by Deputy Thomas Byrne. It is believed that a whole-school approach is better, and that the best approach is for the school to take special education seriously and integrate it right across its programmes. That is the thinking behind this pilot programme.

The review of the pilot has commenced, but I do not have a date for when it will be available. It will not be available for the coming September but should be available after that.

Deputy Thomas Byrne: More progress could be made if additional resources were provided. The Minister has outlined some of the resources that will be provided - that there will be more educational psychologists and more resources for the NEPS in order to reduce waiting times for assessments. I see that as the best way to reduce inequality, give everybody a chance and ensure that whatever resources are available are directed on the basis of the need of the individual child.

In recent years we have got used to considering the best interests of the child, not the best interests of the demographic. It is acknowledged that there is an issue in regard to the tests. In some cases it is not a question of having the financial resources that people can have assessments done earlier, but rather of sacrificing everything else to pay for them

Deputy Richard Bruton: I understand that in the 47 schools in the pilot programme there has been a significant investment of support to ensure the resources, including special needs assistants, resource teachers and learning support teachers, are deployed in the best interest of the entire school population but that they are focused, in particular, on children with special needs. The schools are using the additional resources to cope and are doing so on the basis of a whole-school rather than carving it out. It is believed that is better and that it gets the schools to develop policies and practices that are good for inclusion of children with special needs.

While I understand the criticisms being made in regard to moving from the rigid allocation model to a broader one, it is believed a school will better serve its pupils if they are not faced with a long wait for assessment and if the proposed practice is integrated in a new way in schools, taking on board the advice of the council. This best practice advice is being piloted and, hopefully, that will allay the Deputy's fears.

School Guidance Counsellors

2. **Deputy Carol Nolan** asked the Minister for Education and Skills the funding he will allocate to increase the number of guidance counsellors in second level schools from September 2016; and if he will make a statement on the matter. [10947/16]

Deputy Richard Bruton: The programme for Government contains a commitment to reintroduce guidance counselling to secondary schools.

The current budget provides an improved staffing allocation to second level schools for the

purpose of enhancing guidance provision. This improvement takes effect from next September. It brings the basis of allocation from 19:1 to 18.7:1 for the 2016-2017 school year. This improvement of 0.3 in the pupil-teacher ratio, PTR, allocation is a restoration of 50% of the teaching resources that were removed when the allocation of guidance posts was brought within quota.

The delivery of the 50% restoration through a change in the staffing schedule will allow each school to determine how best to allocate the additional resources to meet the guidance needs of the school. The circular issued earlier this year by my Department outlining the allocation of teaching resources clearly stated that this additional resource is to complement existing resources in order to best meet the guidance needs of the school in line with the school's guidance plan.

At the time of the guidance cuts, all 195 second-level schools in DEIS were given targeted support by a more favourable staffing schedule of 18.25:1. This was a 0.75 point improvement compared to the current PTR of 19:1 that applies in non-fee-paying second-level schools.

That was a very important protection for the cohort of our schools in DEIS most in need of support. DEIS schools will also further benefit from the 0.3 improvement to the staffing schedule which will give them an enhanced allocation on the basis of 17.95:1 in respect of the coming school year.

In the next budget I will consider the best approach to further meeting the commitments in the programme for Government.

Deputy Carol Nolan: Guím gach rath ar an Aire, an Teachta Bruton, ina ról nua. I am a little disappointed that there is only 0.3% improvement in terms of staffing. The cut to the service has been a huge difficulty for schools and has put students at a significant disadvantage. We are talking about students of 17 years or 18 years of age who have career choices to make. These are children who need proper guidance and support.

I am disappointed that more support is not being provided and I urge the Minister to consider improving on the percentage increase mentioned, particularly in the case of disadvantaged schools. These schools need more resources. I welcome the restoration provided for in the programme for Government, but I would expect a higher percentage increase. The Education Act 1998 requires that students have access to appropriate guidance to assist them in their educational and career choices.

Deputy Richard Bruton: I may have misled the Deputy somehow. Some 50% has been restored. In other words, half of what was lost has been restored. The 0.3 relates to the pupil-teacher ratio. It refers to the improvement in the teacher ratio. Some 50% of what was lost has been returned to the schools and they have the discretion to allocate that resource as they choose. The guideline encourages them to use it for support. I agree with the Deputy that support in the area of career guidance, educational guidance and personal and social development, which are the essence of the counselling service, is really important to pupils. That is why the programme for Government has reintroduced guidance counselling. It is also worth looking at how we can improve that. Having come from the enterprise brief, I believe access to career guidance can be considerably improved by giving better information from the industrial sector and by utilising people in other employments to supplement what is done by the school teacher within the school context. It is an area in respect of which I would like to think outside the box

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to develop career guidance, which is only a part of the counselling service.

Acting Chairman (Deputy Declan Breathnach): I ask Members to proceed with questions rather than statements.

Deputy Carol Nolan: That 0.3% of the staffing schedule, in the context of the pupil-teacher ratio, is not enough. I do not think the 50% referred to is enough either. We are not meeting our obligations under the Education Act if we only put back 50% of teachers. I urge the Minister to look at it again to see if it can be improved on.

Deputy Richard Bruton: I do not disagree with the Deputy but we have come through a period when there were a lot of cutbacks in education. We are now trying to rebuild that and that means putting back resources as and when we can get them. I have to knock on the door of the Minister for Public Expenditure and Reform to try to get money and there are demands from all the other services, including health. I appreciate the Deputy's concern and it would certainly be my intention to work to improve the situation.

State Examinations Reviews

3. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his proposals for progressing with reform of the junior certificate; if students in schools that have not implemented the new junior cycle English curriculum will automatically lose 10% in their English examinations in 2017 if their teachers do not agree to engage with the new assessment; and if he will make a statement on the matter. [11138/16]

(Deputy Richard Bruton): The new framework for junior cycle 2015 offers a significant opportunity to improve the experience for learners, to broaden the range of competences which they acquire and to facilitate more flexible teaching, catering to the different needs of students with ongoing feedback.

The Department has set out a schedule for the roll-out of this new approach across all subjects over a five-year period. Before the introduction of any subject, there is a process of development of detailed subject specifications by the NCCA. There is also a dedicated programme of professional development for teachers which includes guidance on teaching and learning methods, supports for the new methods and the assessment approach.

As the Deputy knows, English was the first subject and the three-year cycle started in September 2014. The first students emerging from this cycle will receive their new junior cycle profile of achievement in autumn 2017. The profile of achievement will record outcomes from a broader range of learning experiences across the three-year programme. It will include the outcome of the two classroom-based assessments as well as the separate final State-certified written examination. The final written examination result will incorporate the result of an assessment task based on the student's own written evaluation of his or her learning experience on their second classroom-based assessment task, and that is worth 10% of marks. It is intended that the profile of achievement will also include other learning achievements, including learning on short courses, other experiences and events and achievement in the area of well-being.

Students currently in second year who have not completed their first classroom-based assessment will, as agreed with the teacher unions, have the opportunity to complete this early in

the first term of the coming school year.

It is a matter of deep regret that the ASTI has failed to deliver on the 2015 agreement with their leadership. Their continuing refusal to co-operate with the new framework is impacting on current junior cycle students of English.

I have also received a letter from the general secretary of the ASTI, dated 9 May, indicating that the ASTI looks forward to engaging with me on a number of named issues, including junior cycle reform.

I welcome the indications of the ASTI in this regard. If the ASTI requires further clarifications on any aspects of the published framework, I am happy to facilitate its request. My Department has already clearly signalled that it is willing to support the ASTI in revisiting this issue with its members. I intend to make contact with the ASTI to arrange for an appropriate engagement in follow-up to the letter of 9 May.

Deputy Thomas Byrne: What will the consequences be for the exam results of those students in ASTI-staffed schools if this issue is not resolved? In support of the ASTI, the Minister's predecessors had a very bad approach and attempted to railroad through these reforms. We all know of the controversy of the past number of years in that regard. I am glad to hear the union is willing to meet with the Minister but if I was a parent of a junior cycle student, which I am not yet, I would be very concerned if this was not an urgent and a priority matter. There will be significant stress, even at this point, on students who might eventually miss out. Can the Minister indicate what exactly the consequences are and when he proposes to meet with the ASTI?

I appreciate the Minister is only two weeks into the job and needs a bit of time but this must be one of those issues requiring immediate and urgent attention because of the consequences, which I hope he will outline.

Deputy Richard Bruton: To be fair to the Department and my predecessors, a lot of work has gone into trying to accommodate the introduction of the junior cycle. I understand that detailed negotiations took place, which amended it and did away with some of the biggest concerns the teachers had about assessing their own pupils in a certified State exam. Agreement was reached with the two trade unions, the TUI and the ASTI. In the case of the TUI, it was accepted, but in the case of the ASTI, it has not been accepted. However, the door is always open to proceed. The new junior cycle is in the best interests of pupils and I welcome the willingness of the ASTI to discuss the matter.

It is a State-based examination. The examination board sets the outcome and it has assigned 10% of the marks to this written assessment of the student's experience. If the student does not provide that, it means those marks will not be available to him or her. It has been agreed that this need not occur until next year, so it is not a matter of immediate pressure.

Deputy Thomas Byrne: I understand that but it still is a matter of deep regret that students' exam results will be put in peril if the Minister and the ASTI do not sort this out. The 10% in question will be missing from next year's results and that is a matter of deep concern. It needs to be sorted out by September at the very latest, so we need to get the skates under everybody. I am glad the ASTI has offered to engage and I encourage it to keep at the Minister and the Department for their own sake. I hope, and expect, the Minister will ensure the issue is resolved because of the potential consequences for students. They do not need that stress because of dif-

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ferences between the ASTI and the Department. The leaving certificate is far more significant than the junior certificate but the junior certificate has its role and those who are studying for the junior certificate at the moment see nothing else. They should not have this hanging over them.

Deputy Richard Bruton: I agree that this is disappointing, so late in the day. This process started in November 2011 when the NCCA published its document Towards a Framework for Junior Cycle, which was very much welcomed as a hugely positive approach, to move away from rote learning and the final examination to value a broader range of experience. Much work was done to get that agreed. It has been agreed by one union and I hope the ASTI can also come to an agreement. It is to the benefit of pupils and it is also to the long-term benefit of teaching to be able to facilitate this approach to learning.

Special Educational Needs Service Provision

4. **Deputy Carol Nolan** asked the Minister for Education and Skills the sections of the EPSEN Act he will progress; when he will decide if individual education plans are a mandatory requirement; and if he will enforce compliance with the time limits required under the Disability Act 2005 and the regulations in terms of the assessment of need. [10948/16]

Deputy Richard Bruton: A number of sections of the Education for Persons with Special Educational Needs Act 2004 have been commenced, including those establishing the National Council for Special Education and those promoting an inclusive approach to the education of children.

Under the programme for a partnership Government, I will initiate consultation with stakeholders on how best to progress sections of the Act which were introduced on a non-statutory basis.

At present, all schools are encouraged to use education plans. The departmental inspectorate's advice is that the majority of schools are now using some form of individual education planning for children with special needs.

In line with circular 30 of 2014, schools are required to put in place a personal pupil plan, including a care plan, for each pupil availing of SNA support. While it is awaiting the full implementation of the EPSEN Act, the National Council for Special Education, NCSE, has published a number of policy advice papers which make recommendations aimed at developing a better or more effective alternative to the current resource allocation model and moving the system towards the ultimate implementation of the EPSEN Act. As I said to Deputy Thomas Byrne, the alternative model is being piloted in 47 schools. The ideas that will come out of that pilot will be used to make progress with the implementation of the EPSEN Act. The implementation of the Disability Act and the timeframes for assessments of need under that Act are primarily matters for my colleague, the Minister for Health, Deputy Harris.

Deputy Carol Nolan: I understand the Minister's point about the establishment of the NCSE, but surely there should be a mandatory requirement for an individual education plan for each child. I am very familiar with classroom planning, having worked as a teacher for 12 years. I am aware that class plans and subject plans are mandatory, but it seems to me that the arrangements are looser in the area of special education. I have worked with teachers in the

special education sector, just as I have worked as a learning support teacher. Most teachers are excellent, in fairness. I am interested in the connotations in this regard. We talk about inclusivity and equality in education, so why not make this a mandatory process? It would make far more sense to do this in tandem with the work of the NCSE and everything else that is happening. The assessment of need, for example, ties in with education to a significant extent. I have spoken to the Minister of State with responsibility for disability issues about this issue. As the assessment of need includes educational need, it is an intrinsic part of education. For that reason, I believe both Ministers should be working on it. The compliance rate in counties Laois and Offaly at the moment is just 9%. These assessments tie into the education area because they have an impact on a child's education.

Deputy Richard Bruton: As the Deputy knows, the EPSEN Act sets out very distinct statutory requirements around assessments, plans, services and appeals, etc. Essentially, the system is evolving to the point at which all of these clear legal requirements can be met. A pupil plan must be in place before a special needs assistant can be allocated to a school in respect of that pupil. The Department is using the existence of a personal pupil plan as a condition for accessing some of the key supports that may be gained by a child. We are doing our best to roll this practice out. We are piloting the new allocation process, which involves new approaches to teaching special education within our schools. We are hoping that as these pilots evolve and we learn from them, we will be in a position to implement the statutory requirements. It takes learning to move from one to the other. Work is needed at school level if the service is to evolve. In fairness, there has been a huge increase in the allocation of resource teachers and special needs assistants in recent years as Governments have been putting in place the infrastructure to underpin the personal planning approach.

Deputy Carol Nolan: I thank the Minister for his response. I appreciate that efforts are being made. I would stand firm in my view that not enough is being done. I believe these plans should be mandatory. I would like to see a commitment from the Government to a higher rate of compliance with the requirement for assessments of need, particularly in counties Laois and Offaly, which are failing miserably to meet the targets set out in the Disability Act. It is not good enough in this day and age. We talk about equality and inclusivity in education, but we need action rather than lip service. Many of the plans and templates I have seen are based on a deficit model, which lists the child's needs and failings. It has been suggested that individual education plans, which include the child's strengths, should be made mandatory. That is where we need to be coming from. Society creates barriers for children, especially children with special needs.

Deputy Richard Bruton: I agree with the Deputy. The way to implement this Act is to increase the number of resource teacher posts. The number in question increased by almost 2,000 between the 2011 and 2016 school years. There has also been a substantial increase in the number of special needs assistants. An additional 1,500 special needs assistants have been provided. This infrastructure will support the delivery of the service that will underpin the personal planning. The Deputy and I are both keen to see that service delivered. The allocations I have mentioned are being used to help schools to develop personal plans. We are using the advice of the council, which is the expert in special education, to try to put in place a model that will successfully support children in these schools. There is a lot of work going in here. Continual increases in the resources being invested will be needed. I have committed in the programme for Government to a review of this area with a view to trying to improve it.

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Apprenticeship Programmes

5. **Deputy Charlie McConalogue** asked the Minister for Education and Skills how he will double the number of apprenticeships by 2020; and if he will make a statement on the matter. [11139/16]

Deputy Richard Bruton: Ireland needs to develop a highly valued apprenticeship path in new areas of opportunity while also meeting the growing demands in certain traditional areas. This approach is central to our ambition to facilitate the growth of modern manufacturing and service sectors. The new programme for Government plans to accelerate the work that was initiated by the previous Government by putting in place a specific plan to realise the ambitious apprenticeship target that has been set. Registrations in the 27 existing apprenticeship trades are increasing following a number of years of decline. The number of registrations has almost doubled since 2012 and now stands at 3,153. There is an expectation that this number will continue to increase as economic activity continues to grow in traditional sectors.

When a comprehensive review of the Irish apprenticeship system was undertaken in December 2013, the key recommendation was the establishment of an apprenticeship council. As Deputies are aware, this happened in November 2014. The council's first task was to issue a call for proposals for new apprenticeships from industry bodies and education and training providers. More than 80 proposals were received, all of which were evaluated against a set of criteria. The council assigned category 1 status to 25 proposals which were deemed to be at an advanced stage of design, planning and collaboration. It is working closely with the groups to develop these proposals into sustainable national apprenticeships. It is envisaged that up to nine of them will be in a position to move to enrolment in 2016, with the remainder being rolled out in 2017. The council is working with those involved with the proposals that were given category 2 status to develop a pipeline of new apprenticeships. The timing of further calls will also be considered. The achievement of these ambitious targets will require commitment from a number of key stakeholders and will depend on strong employer demand. I am confident that we will deliver on our targets and that learners, employers and our economy and society will benefit strongly as a result.

Deputy Thomas Byrne: The Minister has outlined the work of the Apprenticeship Council. The programme for Government contains a commitment to doubling the number of apprenticeships and providing a total of 31,000 places by 2020. We sincerely hope that is much more than simply an ambition. I would say it is not enough to set targets. The number of apprenticeships is led by the level of demand from those who want to qualify in certain trades and from the industries that require apprentices. Speaking of industries, are there any plans or prospects for the State and for State bodies to take on apprentices and to offer them apprenticeships? It is certain that there would be demand in various State organisations, such as the Office of Public Works, OPW, for the provision of apprenticeships. Will the Minister comment on that?

Deputy Richard Bruton: Traditionally, apprenticeships were solely demand-led and were confined to the traditional 24 trades. As I said in my initial reply, it is exciting that proposals have been made in respect of 80 new trades by a new batch of employers who are willing to participate. While the roll-out of these proposals will depend on the willingness of employers to take people on, we must also develop the training modules to support them. Partnerships are being forged between various agencies, including education and training boards, private training bodies and institutes of technology, which are developing these programmes. The first

batch of 25 programmes will come on stream in the next academic year. We will back that up with a further 35 programmes from category 2. If we can make such a move, I expect that we will double the level of participation in traditional apprenticeships while developing a whole new area of apprenticeship. This will allow us to become more like countries like Germany. We all admire the way in which the industrial sector there has partnered with the education sector to develop a strong route of apprenticeships which is highly valued. I believe we need to develop such a model here.

Deputy Thomas Byrne: That is certainly the direction in which we want to go. As the Minister said, apprenticeships are highly valued.

In terms of the traditional apprenticeships, there are severe shortages at the moment at a time when we do not need shortages. Is there anything specific being done to address that deficit in traditional apprenticeships?

Deputy Richard Bruton: I would certainly support State bodies getting involved. If one goes back through the full list of over 80 proposals, there are State bodies involved. These are very significant and important sectors of industry.

The take-up in traditional apprenticeships has doubled since 2012 and we are planning for a very substantial increase in the take-up of those. We are planning for the additional spaces to be taken on. I hope that growth will continue and it will be supported by my Department. The real thing is to try to broaden into new areas of apprenticeship as well so that it can become a valued route for people to support the technical skills that we need in modern manufacturing and services. Coming from my old job, it is a very important area that we can develop.

Acting Chairman (Deputy Declan Breathnach): I remind Members that supplementaries are given by way of questions.

Other Questions

Third Level Fees

6. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills to report to Dáil Éireann on his plans to reform third level fees; his plans to increase accessibility to third level courses; and if he will make a statement on the matter. [10712/16]

Deputy Richard Bruton: The Government recognises the importance of higher education to Ireland's economic future and social development, as well as the huge impact a higher education experience has on the lives of individuals. In considering the best way forward, the previous Government established an expert group to examine future funding requirements for the higher education system and to present options for developing a sustainable long-term funding strategy for the sector. This group has completed its work and its report will be considered shortly. As signalled in the programme for Government, it is the intention to consult the cross-party Oireachtas committee as part of the process for formulating a plan for the future of this sector. The Government is also committed to enhancing equity of access to higher education. Participation rates for under-represented groups have increased steadily in recent years but there are still some groups that remain very under-represented. The new national plan for

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equity of access to higher education, for 2015 to 2019, provides a framework for widening access further and contains ambitious targets for the participation of those from certain socio-economic backgrounds, people with disabilities and mature learners. The implementation of this plan, along with a series of other commitments with regard to promoting access to higher education, have been outlined in the programme for Government. This will complement the significant work that is already underway to ensure that our higher education institutions are representative of Irish society.

Deputy Thomas P. Broughan: Is the report the Minister referred to the report that was promised by the former Minister for Education and Skills, Deputy Jan O'Sullivan?

I will deal with accessibility first. Is it not a fact that there are still important areas of the country, such as the Minister's constituency and mine, where there are postal districts in which third level take-up is still less than 20%? In areas of mid-west Dublin, it is the same situation. What immediate steps is the Minister taking to try to redress that?

It has been estimated that the third level sector is about a €1 billion short of the necessary funding. Many lecturers - something like 75% - are not full-time employees. In that context, what is the Minister's attitude towards the expert group on the future funding of higher education, which proposed income-contingent student loans based on the Australian model? I would be strongly opposed to that. I believe in Exchequer funding in this regard. What does the Minister propose to do?

Deputy Richard Bruton: I fully agree with the Deputy that we need to increase participation from groups that are not well-represented, including areas of particular disadvantage. The targets that are set envisage an increase of about one third in the participation of disadvantaged groups. They have been set out in different areas across students with disabilities, mature students, various socio-economic groups and so on. They are at the heart of the strategy I mentioned. That is something that, as part of the programme for Government, we will be implementing. The report on funding to which the Deputy referred is the report by Mr. Peter Cassells. That report, with all the options, outlines a number of different routes that could be taken. The three routes it has proposed, as I understand, will be brought before the Oireachtas committee so that the Dáil, as a collective, can form a view as to how we should proceed.

Deputy Thomas P. Broughan: Early intervention is clearly critical on the accessibility side to encourage deprived families to be able to support children towards third level education. Is the Minister aware of the programme that is piloted in our own constituency, the Preparing for Life programme of Northside Partnership, which revealed huge developments for children in our constituency when additional interventions occur? I wonder if that is something the Minister could expand on a national basis.

The impact of the austerity policies of the last Government and the previous Fianna Fáil-led Government on the third level sector has been deplorable. Is it not a fact that if one was to look at league tables of universities, our third level institutions seem to be tumbling down them? Trinity College Dublin is something like 75th and my own alma mater, UCD, is down to 150th. Is that not a direct result of what the Minister's Government and the previous Government did to our third level sector?

Deputy Richard Bruton: I agree with the Deputy that that pilot scheme run by the Northside Partnership is exceptional. It is an example of how we should proceed. Among the 30

actions that are committed to in higher education access one is to build on those kinds of approaches to try to build pathways for children who might otherwise find it difficult to get to higher education. It involves mentoring, looking at non-progression in some of the important transitions in education and looking at the recognition of prior learning in order that people who might have left education without the qualifications that would normally be required can get back on the train. There are many interesting areas there that I hope we can accelerate. I am very anxious to see improvements in those areas.

School Admissions

7. **Deputy Thomas Pringle** asked the Minister for Education and Skills if he is committed to the repeal of section 7(3)(c) of the Equal Status Act 2000, in order that a child or family cannot be discriminated against when accessing State-funded schools on the basis of their religious beliefs; and if he will make a statement on the matter. [10714/16]

Deputy Richard Bruton: While changes to the Equal Status Act are a matter for the Minister for Justice and Equality, the question raised by the Deputy is related to school admission policies. There is a commitment in the programme for Government to publish a new school admissions and excellence legislation, taking account of current draft proposals. The published draft legislation for school admissions did not envisage any change to the Equal Status Act. This is a complex area to legislate for and I note that the previous Oireachtas Joint Committee on Education and Social Protection, when considering the issue, acknowledged the potential tension between Article 42 of the Constitution on education and Article 44 on religion. Progressing the new admissions legislation will provide the Oireachtas with an opportunity to tease out these issues. I look forward to working with Members on the basis of partnership.

Deputy Thomas Pringle: I thank the Minister for his response. This is an issue that probably proves the law of unintended consequences. When the Equal Status Act was initially being proposed, it was seen at the time that this section would protect minority faith schools and ensure that they would be able to continue and not lose their ethos. There has been a reverse effect in that the majority of faith schools are using it as a way of restricting access to the schools. The Minister referred to legislation on school admissions policy. Surely that can address this issue. Specifically, when does the Minister propose to bring forward that legislation so that it can be discussed? What contact does the Minister's Department have with the Department of Justice and Equality with regard to this section of the Equal Status Act, the impact it has had and the potential unconstitutionality of it?

Deputy Richard Bruton: I hope to bring forward this legislation at an early date. Considerable work has been done on it within the Department. The Constitution provides that the State acknowledges that the primary and natural educator is the family and it provides for the rights of parents. It then goes on to say under Article 44 that the State shall not impose any disabilities or discrimination on the grounds of religious profession. Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations. They have the right to manage their own affairs etc. There are rights to be balanced in introducing legislation in this area. I look forward to discussing with the committee of the Dáil how best we should do this. There is no doubt that we need to improve admission policies, given that there are some practices that I believe parents find particularly difficult. We need to bring more clarity to the way admissions policy is implemented, which would be

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the purpose of the legislation. It would, for example, outlaw having long waiting lists, which would clearly discriminate against someone who had only recently moved into an area. There are many issues we need to deal with. I look forward to meeting the committee to discuss them.

Deputy Thomas Pringle: I am sure the Minister is aware of the survey carried out by EQUATE which showed that 77% of respondents did not think a school should have the right to refuse admission to a child based on his or her religious denomination, while 87% thought the State had a responsibility to ensure children did not experience religious discrimination in the school curriculum. The Minister might expand on how the legislation he is introducing on school admission policies might resolve these conflicts in the context of rights. It is okay to cover long waiting lists in terms of their not being allowed as a basis for discrimination, but this is a fundamental policy whereby children are potentially discriminated against based on their religious denomination. I would be interested to hear the Minister expand on how these issues can be resolved in the legislation without looking at the Equal Status Act.

Deputy Richard Bruton: General legislation will provide that schools cannot refuse admission to a child on grounds of religious belief. However, if a school is oversubscribed and there are too many children, the current legislation allows it to choose a child of its denomination over a child who is not of that denomination. A school cannot turn away someone because he or she is Muslim or has special needs and so on. This will be enshrined in legislation. The issue arises where a school is oversubscribed and concerns whether a school of a particular denomination can have, as a criterion for choice, the issue of religious faith. Clearly, that is the issue we will have to discuss at the committee in terms of how it can be done, bearing in mind the right of churches to run schools which is recognised in the Constitution and to protect the ethos of their schools. We need to tease out this issue and I will be happy to do so with the committee. I am sure the Deputy will engage with it.

Preschool Services

8. **Deputy Clare Daly** asked the Minister for Education and Skills if he is aware of the integrated preschool unit at a school (details supplied); his plans to ensure its survival at that location and to expand services of this nature further to more communities. [10709/16]

Deputy Richard Bruton: On the specific preschool referred to by the Deputy, I understand the community facilities provided on the site in question initially provided accommodation for a preschool but that, following its closure, a new preschool has been opened in two classrooms in the school. It should be noted that under Circular 16/05, issued in 2005 on the use of school premises during the school day for purposes other than regular school business, the prior approval of the Minister should have been sought in order that the overall needs of the school could be accommodated. Proposals to the Minister to allow use of accommodation during the school day have been facilitated in the past, provided a school's current and future accommodation needs are not compromised and the consent of the patron has been received. In the case of Holywell national school, future accommodation needs for the primary school intake will take precedence over the needs of the preschool. A proposal from the school concerned will be considered in that regard.

In facilitating the establishment of preschools in schools, or co-located with schools, my Department looks favourably on the establishment of preschool facilities on school sites. However, there are a number of complex issues that need to be considered in such arrangements.

These issues, including property, governance, insurance and liability, are being considered as part of a review within my Department of the requirements to be established in the use of school premises for preschool services and the preparation of guidelines on same. My Department is seeking legal advice on certain aspects and, when this advice is received, it will be considered by officials in my Department with a view to putting arrangements in place to facilitate this matter.

Data held by Pobal which administers the ECCE scheme on behalf of the Department of Children and Youth Affairs indicate that in the region of 369 preschools funded under the scheme are co-located with schools.

Deputy Clare Daly: The specific building and preschool are linked with Holywell Educate Together national school. It was originally opened by the Fingal County Childcare Committee using under-utilised and non-used classrooms in a growing school. The facility now provides two sessions of ECCE morning and afternoon classes in the school. It is a preschool that is fully integrated with the existing school in a school which has a 68% non-Irish population, making it the 14th most diverse school in the country, although it does not have DEIS status. As far as I am concerned, this preschool is a model. It is taking in children and providing accessible child care, preschool hours, a wraparound service and after-school facilities at affordable prices for parents in the area. It employs seven local people and because it has had the premises and not had to rent rooms, in the past year alone it has generated €25,000 which has been put back into the school which is in a deprived area. It is a role model, but its future is in jeopardy because, as the Minister said, by 2018 the full complement of classrooms will have been filled. It is, therefore, looking for the Minister's assistance. His predecessor visited it. Will the Minister go out and look at this case and how the model can be rolled out to other schools?

Deputy Richard Bruton: I am very sympathetic to the Deputy's point and believe the Department recognises the value of integrating the service. From a narrow point of view, the Department is committed to having a 24-classroom school to provide the education service which is its responsibility. I believe the difficulty was that no formal request had been made by the school before it opened. Nonetheless, I am certainly very sympathetic to the case the Deputy is making. Obviously, the Department has to seek legal advice and look at some of the other issues involved. I hope a solution can be found, but I do not have enough details at my disposal to say how a resolution can be put together.

Deputy Clare Daly: I hope it can. The young preschool children have been fully integrated into school life at an early age and special needs problems are identified early. The preschool follows the same teaching methods engaged in the primary school and has been brilliant in terms of the children's development, not least in terms of the financial benefits to the school in an area where it would be hard to fundraise through voluntary contributions or in other ways. The preschool understands the need for the main school to grow and take up the spaces. The land is available for the provision of two extra classrooms which the preschool believes would cost no more than €160,000 and allow the preschool to accommodate the numbers it is taking in. Because it is run on a non-profit basis, it is employing people with local skills and providing local parents with sustainable employment. It is a win-win. I like the Minister's soundings and hope they are genuine. While I do not mean that in a bad way, I hope we can engage and take this forward. I know that the former Minister, former Deputy James Reilly, had engagements in this regard, as had the former Minister, Deputy Jan O'Sullivan

Deputy Richard Bruton: Clearly, I would like to be able to resolve the issue but, equally,

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I understand my Department has a statutory obligation to provide school places, not preschool places. Given its budget which I know is highly limited - we read in the newspapers about how limited it is - the Department has to concentrate on its statutory responsibility. There are constraints on a Department in providing facilities for something that essentially is outside its area of responsibility. The Deputy makes a persuasive case, but I cannot make commitments. I will have to explore what can be done.

Educational Reform

9. **Deputy Jim Daly** asked the Minister for Education and Skills the steps he will take to progress the establishment of an education ombudsman, as referred to in the agreed programme for Government; and if he will make a statement on the matter. [10711/16]

Deputy Richard Bruton: As the Deputy will be aware, A Programme for a Partnership Government provides that the role and power of an ombudsman for education, to whom a parent could complain and appeal on foot of a decision made by a board of management, will be examined by the relevant Oireachtas committee to ensure its consistency with the need to ensure better local decision-making and accountability to parents. The programme also provides that the Government will introduce a stronger complaints procedure and charter for parents and commence the fitness to teach provisions of the Teaching Council Act. Both of these commitments are part of a continuum, because having a dedicated ombudsman with a power to deal with parental complaints would be a residual but potentially important function where local resolution has failed. The relevant Oireachtas committee will need to consider both programme commitments together. Work already under way in the Department envisages legislative change to section 28 of the Education Act 1998, and creating an ombudsman with powers to externally review school actions would require new legislation that could be progressed in tandem.

Deputy Jim Daly: I thank the Minister for his response. I appreciate that it will be put before the next Oireachtas education committee, but this has already been discussed at length and quite substantially by the previous Oireachtas education committee, where it received unanimous support from all parties. Every member of the previous committee was supportive of the initiative. I met the Secretary General of the Department and his senior team on this matter during the lifetime of the previous Dáil. I will stop short of saying this is craved by parents who want an avenue. The board of management is a dead bolt at the end of the road, with no further avenue of appeal for parents, and this cannot continue. I am particularly interested to know the views of the Minister and whether he is supportive of the establishment of an ombudsman for education. At present we have an Ombudsman for Children, but this office does not adequately deal with the issues and challenges arising in the Department of Education and Skills.

Deputy Richard Bruton: My ideas are only in development and I do not want to give personal views. We are committing to a charter for parents and we want to see a stronger complaints procedure. We also want to see schools developing the capacity to deal with these problems. I note that, under section 28, guidelines were to be put in place and agreed with schools for dealing with complaints, but section 28 remained a dead letter and it never happened. Clearly there were problems with the Department getting what would have been a system for resolving this. The Deputy is correcting in stating that there needs to be some response.

Generally, an ombudsman provides a recommendation which does not have the force of law. Would such an ombudsman deal with this issue through a recommendation to a school? The

Deputy's Bill may envisage an ombudsman going beyond this and not just dealing with recommendations but making binding decisions. These issues need to be teased out. To a degree I am speaking off the cuff because I do not know enough about this.

Deputy Jim Daly: I appreciate that the Minister is reading into his brief at present, and that is perfectly understandable. I urge the Minister to give his attention to the matter I have raised. I published the legislation during the lifetime of the previous Dáil. It is quite comprehensive and goes into considerable detail dealing with the various avenues, and it is ready to go to committee. I appeal to the Minister on behalf of those parents who feel aggrieved and have nowhere to go with their grievances. This is the issue I have been championing for the past five years. Parents with a grievance have nowhere to go. The board of management is the final stop and if it states, for example, that one child cannot play with another, there is nowhere for a parent to appeal it. The Department has a hands-off approach, as does the inspectorate. Everybody has a hands-off approach if the board of management - which in many schools is the principal, if we are to call a spade a spade - decides something. If the principal decides something the board of management merely rubber-stamps it. I appreciate the Minister's commitment to pursue the issue and bring it before the education committee as soon as possible.

Deputy Richard Bruton: As I understand the existing law, the Department does not have the power to instruct schools to follow a particular course of action in regard to individual complaint cases. The Deputy is referring to a gap where there is no appeals mechanism beyond the board of management. How to structure it is a matter that we will have to tease out in committee to see where such a role should fall, how an ombudsman would work and how his or her recommendations would be implemented thereafter. I recognise the sincerity of the Deputy's concern and it is certainly something to which I will give priority attention in the Department.

Special Educational Needs Service Provision

10. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he is satisfied with the adequacy of provisions in the special needs sector, with particular reference to the number of teachers, special needs assistants and school places; and if he will make a statement on the matter. [10757/16]

Deputy Richard Bruton: Spending on provision for children with special educational needs has been prioritised in recent years, despite the enormous pressures on the public finances. Funding for special education provision in 2016 will amount to €1.4 billion, which is equivalent to approximately 17% of the gross overall current allocation for education and training. This has increased by 10% in the past two years. It provides for a range of supports and services, including additional learning and resource teaching support, access to care support, special transport arrangements, building adaptations, enhanced capitation, the purchase of specialised equipment and the services of the National Educational Psychological Service. The funding also provides for enhanced levels of capitation in special schools and special classes and additional teacher training, and home tuition support for pupils with special educational needs who are awaiting a school placement.

This year, 12,040 special needs assistants are available for allocation to primary and secondary schools to the end of the 2015-16 school year, which is an increase of almost 14% in the number available since 2011. There are currently more than 11,800 learning support and resource teacher posts in mainstream primary and post-primary schools, providing additional

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teaching support to pupils with special educational needs. The National Council for Special Education, NCSE, has allocated 6,832 resource teaching posts to mainstream schools this year, which is an increase of 29% since 2011. In addition, more than 150 new special classes have been opened for the 2015-16 school year. The combination of supports provided in mainstream schools, along with the increased special school and special class provision, mean that school places are available for all children with special educational needs, regardless of their level of need. There is still along way to go and, as committed to in the programme for Government, I plan to examine the adequacy of the present policies and provision and their scope for improvement, particularly with regard to speech and language difficulties and early intervention.

Deputy Bernard J. Durkan: Arising from the Minister's reply, does he remain committed to re-evaluating the requirements? In light of demographic changes, is he is satisfied regarding the adequacy of the provision of school places, particularly with regard to teachers and special needs assistants? Is he satisfied that throughout the country in all circumstances he will be able to meet the needs as presented by various school authorities?

Deputy Richard Bruton: The purpose of the review is to assess the extent to which the needs are being met. The reply I gave outlined the provision in place and, to be fair, there has been a significant increase in resource teaching, special needs assistants and the number of special classes. The number of pupils served has considerably increased, so far more children with special needs are being supported in our schools. Clearly, this is an area where the need is always growing and there are undetected needs that we are only identifying. This is an area in which we can never say we have met all of the needs. The establishment of the national council has helped to develop policy and improve the capacity of schools to support children, particularly in the mainstream. I hope the evolution of a new model for allocating support to schools will see a step forward. It is being piloted in 47 schools and if this proves a success I hope the lessons learned can be moved to other schools to enhance the service.

Deputy Bernard J. Durkan: Does the Minister believe it is possible to meet the needs in particular areas throughout the country where specific pressure for school places has arisen and where, annually, parents find themselves having to look for alternative places for their children, whether it be because of a need for resources or a diagnosis of autism? That involves both teaching and accommodation requirements which may need to be met in the short term. Does the Minister think that would be possible, given the resources available?

Deputy Richard Bruton: There is, of course, always pressure on resources but there is a provision in the admission to schools Bill that it will not be possible for any school to turn away a child on grounds of his or her special needs. That implies a commitment to support children in the schools to which they seek enrolment. The figures speak for themselves. There has been a huge expansion in support services to match the needs of children who need support. I expect that the pressure on resources will continue and there will be a continuing allocation. Having special education needs organisers, SENOs, has given children and their parents a specific point of access and I hope that system is proving its value. As I said, I will review this and if there are weaknesses, either regionally or generally, I will certainly take note of the Deputy's concerns.

Deputy Bernard J. Durkan: I thank the Minister.

Delivering Equality of Opportunity in Schools Scheme

11. **Deputy Clare Daly** asked the Minister for Education and Skills if the updated action plan for educational inclusion will examine the possibility of increasing the designation status of delivering equality of opportunity in schools school to incorporate more schools into the scheme. [10710/16]

Deputy Richard Bruton: The action plan for educational inclusion, known as DEIS, was published in 2005 and now provides support to 836 schools serving a total of 169,500 pupils. There are 103,233 pupils in 646 schools at primary level and 66,237 students in 190 schools at secondary level.

The DEIS programme has been implemented in partnership with schools and other Government Departments and agencies such as Tusla, which manages the home school community liaison and school completion programmes, and the Department of Social Protection, which is responsible for the school meals programme.

After ten years in operation, the programme is being reviewed by my Department in consultation with key stakeholders and includes an education partners forum next Monday.

The review is looking at all aspects of DEIS, including the identification process for the inclusion of schools in the programme, the range and impact of different elements of the school support programme and the scope for increased integration of services provided by other Departments and agencies in order to improve effectiveness.

The programme for a partnership Government has committed to publish a new updated action plan for educational inclusion within 12 months. Subject to Government approval, it is intended to start to implement actions arising from an updated plan in the 2017 to 2018 school year.

The number of additional schools to be included in the programme will be determined by a new identification process for this purpose, which is currently in development.

In the meantime, I do not propose to make any changes to the current programme, including the addition of further schools.

Deputy Clare Daly: I welcome the fact the programme for Government includes a particular focus on DEIS schools, with a commitment to deliver some proposals within 12 months, but my concern is that a year is a long time in the lifetime of a child. This time last year the Minister's predecessor was telling me much the same thing, that she had commissioned a review into the whole area of DEIS. It has been widely commented on that this programme was actually beginning to deliver success and that the range of disadvantage was diminishing. I have a quote here from a teacher who attended the INTO national conference this year, who talks about the cuts in this area:

The saddest part...is that the areas targeted were beginning to work: children from DEIS schools showed improvement in [testing], participation in third-level was increasing, and children from marginalised Traveller communities were beginning to see education as a realistic pathway [to a better future]. Then we [decided to divert] resources and the good work started to unravel.

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There is a huge urgency in this. Many schools are losing out because they are not getting this status which they should get.

Deputy Richard Bruton: This is a valuable programme. Just before I came into the Chamber, I was reading some of the evaluation work that has been done on the programme regarding the impact on literacy and so on and clearly it is an area in which I have a very strong personal interest in trying to improve. When I was education spokesman previously, I focused particularly on early school leaving and disadvantage and there is a scope to develop new approaches in this area. The review is timely and I hope we can learn some valuable lessons from it and apply them in the next school year - not the one starting this year - which has already been provided for in resourcing terms.

Deputy Clare Daly: It is a very valuable programme. Part of the problem that has been identified is that only half of disadvantaged children attending DEIS schools receive the targeted resources and that some DEIS schools are not receiving extra funding. The Society of St. Vincent de Paul has been very clear on this in highlighting the narrowing gap between DEIS and non-DEIS schools. However, we need to do more and consider broader areas where children from areas that are not considered disadvantaged are attending schools in those areas and are not getting the supports that they need. The criteria have not been reviewed since 2005 but Ireland is an incredibly different place from then and schools that are maybe in areas that are not seen as disadvantaged are, such as the one in Swords I mentioned earlier, 68% of whose population were not born in Ireland. We need to be more flexible in dealing with the criteria to take account of different schools in different areas.

Deputy Richard Bruton: I accept what the Deputy said. There is a particular problem regarding children who are disadvantaged but who are not in DEIS schools and that is clearly one of the topics that has been signalled for specific review. That will be examined. Equally, as the Deputy said, there is scope to consider how effective the intervention measures are. It is important not only that we designate schools as disadvantaged but that we also make sure that the interventions actually help the learners to achieve, as she said, standards achieved in other schools or by other children. We must, therefore, make sure that the programme interventions are tailored to the needs of the child because at the end of the day, we are trying to make sure that the child has better prospects through these interventions. The review is worthwhile in this regard.

Special Educational Needs Service Provision

12. **Deputy Charlie McConalogue** asked the Minister for Education and Skills to address concerns over the long waiting times for special needs assessment by the National Educational Psychological Service; and if he will implement the new system of allocation of resource teaching hours, which is currently being piloted on a national basis, in September 2016. [10836/16]

Deputy Richard Bruton: Support from the National Educational Psychological Service, NEPS, is available to every recognised primary and second-level school in Ireland. NEPS, in consultation with schools, prioritises children for support, consultation and-or assessment who have failed to make adequate progress despite an appropriate continuum of support being delivered for those children.

Under its model of service, NEPS focuses on building school capacity by encouraging

schools to engage in initial assessment, educational planning and remedial intervention for pupils with learning, emotional or behavioural difficulties. Teachers may consult their NEPS psychologist should they need at this stage in the process. Only in the event of a failure to make reasonable progress, in spite of the school's best efforts in consultation with NEPS, will the psychologist become involved with an individual child for intensive support.

I believe that the support NEPS provides to schools and students is vitally important. The programme for a partnership Government has committed to invest additional resources in this area with the objective of bringing total staff up to 238 educational psychologists, an increase of 25% over the lifetime of the Government. This will allow NEPS to increase its level of support to schools.

Additional information not given on the floor of the House

The National Council for Special Education has a statutory role under the Education of Persons with Special Educational Needs Act to provide me with policy advice on matters concerning the education of persons with special educational needs.

The NCSE identified that the current model for allocating resource teachers to schools is potentially inequitable because access to the range of professional assessments required for the diagnosis of low incident disabilities is not always readily available to those who cannot afford to access them privately. The NCSE has also advised that the current model can lead to unnecessary labelling of children from a young age.

The NCSE has proposed a new resource teaching allocation model which will, when introduced, remove the formal requirement for diagnostic assessment to access additional support.

A pilot of the model is taking place across a number of schools in advance of implementation in the school system generally. As the pilot is still under way it will not be possible to implement the new model in all schools for the coming school year.

The pilot has been developed in order to test the model and to allow for the practical effect of the application of the new model in the 47 pilot schools to be evaluated.

A review of the pilot has now commenced. This will also allow us to take into account the learning experiences of schools, principals, pupils and the views of parents over the course of the pilot.

On conclusion of the review a decision will be taken on the timeframe for the full implementation of the proposed new allocation model.

Deputy Thomas Byrne: This question was submitted before I was appointed and is very similar to the first question we put down. There is probably no particular need to further discuss it today, except to say that the issue of these long waiting lists is an absolutely critical one the Government must address, along with the point that we discussed earlier, that the needs of the child must be central to all of this and not necessarily the demographics if the waiting lists are to be addressed and if everybody is to have equal access to those assessments.

Deputy Richard Bruton: As we discussed earlier, we are approaching this in a number of ways and we are planning to increase the staff in NEPS by 25%. We are also considering the model of allocation of resource teachers to try to move away from the requirement to have these assessments for every child and to move to a situation where the school itself, having regard to

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the range of children, even those who have not yet had assessments, would win the allocation of resources. We hope that would take a bit of pressure off and make sure that children whose parents do not have access privately to a psychologist are not put at a disadvantage. We hope this model will improve by increasing the resources, making it a simpler and more friendly model for parents and their children and improving the outcomes for everyone.

Deputy Thomas Byrne: It is an issue which we have debated a number of times today and to which I will return in my role. I thank the Minister for his courtesy to me today on my first day in this spokespersonship.

Teachers' Remuneration

13. **Deputy Carol Nolan** asked the Minister for Education and Skills his plans to review the two-tier payscale that leaves newly qualified teachers substantially underpaid in comparison with their counterparts. [10765/16]

Deputy Richard Bruton: The Government has committed to establishing a public service pay commission to examine pay levels across the public service, including the entry pay levels to which the Deputy refers. The Government recognises the importance of being able to attract quality new entrants to the public service, particularly so in important professional areas such as education.

The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted. Under the Lansdowne Road agreement, the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road agreement. The Lansdowne Road agreement did not address the issue of pay of new entrants.

My Department continues to seek to engage with teacher unions on issues of mutual concern and has recently reached agreement with INTO and TUI in respect of a number of items, including discussions to improve the position of teachers on fixed-term and part-time teaching, a robust review of in-school management structures, and an increase in the quantum of the extra so-called Croke Park hours which do not have to be worked on a whole-school basis. The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

	PRE-2011 EN-TRANT SCALE 1/1/10 TO 31/12/15		PRE-2011 EN-TRANT SCALE	2011 EN-TRANT SCALE 1/1/11 TO 31/6/13	2011 EN-TRANT SCALE 1/7/13 TO 31/10/13	2011 EN-TRANT SCALE 1/11/13 TO 31/12/15		2011 EN-TRANT SCALE	2012 EN-TRANT SCALE 1/2/12 TO 31/6/2013	2012 EN-TRANT SCALE 1/7/13 TO 31/12/15	2012 EN-TRANT SCALE
1	30,904	31,213		27,814	27,814	27,814	28,092		30,702	30,702	31,009
2	31,972	31,972		28,775	28,775	29,256	29,549		32,198	33,168	33,168

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	PRE-2011 EN-TRANT SCALE 1/1/10 TO 31/12/15		PRE-2011 EN-TRANT SCALE	2011 EN-TRANT SCALE 1/1/11 TO 31/6/13	2011 EN-TRANT SCALE 1/7/13 TO 31/10/13	2011 EN-TRANT SCALE 1/11/13 TO 31/12/15		2011 EN-TRANT SCALE	2012 EN-TRANT SCALE 1/2/12 TO 31/6/2013	2012 EN-TRANT SCALE 1/7/13 TO 31/12/15	2012 EN-TRANT SCALE
3	33,041	33,041		29,737	30,702	30,904	31,213		33,168	33,950	33,950
4	34,113	34,113		30,702	31,924	31,972	31,972		34,136	36,576	36,576
5	35,775	35,775		32,198	33,168	33,041	33,041		36,576	37,795	37,795
6	36,853	36,853		33,168	34,136	34,113	34,113		37,795	39,251	39,251
7	37,929	37,929		34,136	36,576	35,775	35,775		39,251	40,700	40,700
8	40,640	40,640		36,576	37,795	36,853	36,853		40,700	42,160	42,160
9	41,994	41,994		37,795	39,251	37,929	37,929		42,160	43,380	43,380
10	43,612	43,612		39,251	40,700	40,640	40,640		43,380	44,996	44,996
11	45,222	45,222		40,700	42,160	41,994	41,994		44,996	44,996	44,996
12	46,844	46,844		42,160	43,380	43,612	43,612		44,996	44,996	44,996
13	48,200	48,200		43,380	44,996	45,222	45,222		44,996	47,225	47,225
14	49,996	49,996		44,996	44,996	46,844	46,844		47,225	47,225	47,225
15	49,996	49,996		44,996	44,996	48,200	48,200		47,225	47,225	47,225
16	49,996	49,996		44,996	47,225	49,996	49,996		47,225	47,225	47,225
17	52,472	52,472		47,225	47,225	49,996	49,996		47,225	50,170	50,170
18	52,472	52,472		47,225	47,225	49,996	49,996		50,170	50,170	50,170
19	52,472	52,472		47,225	47,225	52,472	52,472		50,170	50,170	50,170
20	52,472	52,472		47,225	50,170	52,472	52,472		50,170	50,170	50,170
21	55,744	55,744		50,170	50,170	52,472	52,472		50,170	53,423	53,423
22	55,744	55,744		50,170	50,170	52,472	52,472		53,423	53,423	53,423
23	55,744	55,744		50,170	53,423	55,744	55,744			53,423	53,423
24	55,744	55,744		50,170	54,339	55,744	55,744			58,765	58,765
25	59,359	59,359		53,423	55,514	55,744	55,744			59,940	59,940
26						55,744	55,744				
27						59,359	59,359				

Deputy Carol Nolan: I am disappointed with that response. The Minister did not mention at any stage that he has met any of these newly qualified teachers. I have been in contact with

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many of them from my constituency and they tell me they are finding it difficult to afford mortgages and basic living conditions. It is unfair that these teachers have been put in that position. Teachers go above and beyond the call of duty. It has caused division in staffrooms throughout the country that there is a two-tier pay scale and it needs to be addressed urgently. I urge the Minister to meet groups of newly qualified teachers to hear their stories.

What is the timeframe for the establishment of the commission the Minister mentioned? I would also like clarity in terms of the restoration of allowances. The Minister stated that will be subject to co-operation. To what co-operation will it be subject? As I stated, teachers go beyond the call of duty and they have been fulfilling the criteria in terms of so-called Croke Park hours and everything else that goes with it. I would like clarity on that point as well.

An Ceann Comhairle: Unfortunately, time has elapsed. Perhaps the Minister would correspond with Deputy Nolan on the information she has sought.

Written Answers follow Adjournment.

Appointment of Ministers of State

An Ceann Comhairle: Iarraim ar an Taoiseach fógra a thabhairt mar eolas don Teach.

The Taoiseach: I wish to announce, for the information of the House, that the Government today appointed the following Ministers of State:

Minister of State with responsibility for European affairs, data protection and the EU Single Digital Market - Deputy Dara Murphy

Minister of State with responsibility for financial services, eGovernment and public procurement – Deputy Eoghan Murphy

Minister of State with responsibility for tourism and sport – Deputy Patrick O’Donovan

Minister of State with responsibility for housing and urban renewal – Deputy Damien English

Minister of State with responsibility for Gaeltacht affairs and natural resources – Deputy Seán Kyne

Minister of State with responsibility for food, forestry and horticulture – Deputy Andrew Doyle

Minister of State with responsibility for employment and small business - Deputy Pat Breen

Minister of State with responsibility for training and skills – Deputy John Halligan

Minister of State with responsibility for mental health and older people – Deputy Helen McEntee

Minister of State with responsibility for health promotion – Deputy Marcella Corcoran Kennedy

Minister of State with responsibility for the Office of Public Works and flood relief – Deputy Sean Canney

Minister of State with responsibility for the diaspora and overseas development aid – Deputy Joe McHugh

Minister of State with responsibility for regional economic development – Deputy Michael Ring

Minister of State with responsibility for communities and the national drugs strategy - Deputy Catherine Byrne

Minister of State with responsibility for justice with special responsibility for equality, immigration, and integration – Deputy David Stanton.

These appointments are in addition to the three Ministers of State who were appointed when the Government was formed: Deputies Regina Doherty, Finian McGrath and Paul Kehoe.

In making these appointments today, the Government has decided to expand the number of Ministers of State by three compared with the number in the previous Government. In doing so, the Government will, in line with its programme for Government commitments, place a stronger emphasis on important policy areas, especially the Department of Health to which four Ministers of State will be attached to work to deliver real improvements in this vital public service, and with the appointment of a Minister of State with specific responsibility for flood relief which reflects the urgency of making progress in this area.

I am confident that all those appointed today will work hard with the members of the Government and the House to ensure the intensified engagement between the Government and the Oireachtas and its committees, which will be provided for in the new Dáil reform process, is effective in the interests of all the people who we are elected to serve. I wish all those appointed good fortune and good luck in their respective Departments.

Deputy Thomas Byrne: Can we respond to the Taoiseach?

An Ceann Comhairle: Deputies cannot. I am sorry.

Deputy Thomas Byrne: I would like to respond to the Taoiseach because he might recall the Minister, Deputy Richard Bruton's statement.

An Ceann Comhairle: It is not provided for Deputies to respond. I am sorry. We are proceeding to matters selected for Adjournment debates.

Adjournment Debate

Passport Applications

Deputy Declan Breathnach: I thank the Ceann Comhairle for this, my first opportunity to speak on the Adjournment and, indeed, to ask questions of the Minister for Foreign Affairs and Trade. I wish the Minister well in his reappointment to his post and look forward to working

with him and his departmental officials during the lifetime of this Dáil.

I pay tribute to and thank all those who work in the Passport Office with whom my office has almost daily dealings. It can be a place of frayed nerves and anxiety for the public, usually due to time constraints, deadlines and a fear that a holiday, business trip or sometimes unforeseen need to travel will not happen. That said, the integrity and security of passports should never be compromised to expedite a person's needs. I was informed, prior to becoming a Member of this House, to expect a spike in passport requests. As a newbie, as it were, I certainly can testify to that.

The holiday season may be upon us, but my issue relates to recently announced changes in the passport service by the Department effective from 29 March 2016. These changes relate to the requirement for first-time applicants for passports aged 18 and over and who are resident in Ireland to have public service cards, PSCs, for identification purposes and also the requirement to have PSCs for applications from adults whose passports were issued prior to 2005 and which have since been reported lost, stolen or damaged.

In the past two weeks, my office has been inundated with calls from regular and late or delayed requests for urgent passports, but I am beginning to experience the new PSC requirement as posing an even more difficult problem. I believe the problem will be further exacerbated unless the Passport Office takes a number of proactive steps to highlight further the need for the PSCs in the categories I mentioned.

I will give an example of the anxiety experienced during the past week by an 18 year old schoolgirl looking forward to a school trip abroad. She had applied to the Passport Office in good time and answered all the questions on the official passport application. However, her application was returned to her unprocessed six days before her departure date and she was informed by the Department of Social Welfare that the processing of the public services card would take an average of seven working days. While I understand the delay in processing the public services card due to the photo matching process, this schoolgirl may not be able to travel with her friends on the school trip.

While I am aware of the uniqueness of every passport application form, in that it has a bar code system, what steps has the Minister taken to withdraw all the old application forms from Garda stations, post offices, libraries and the Passport Office? Are the updated forms that highlight the new requirements and change it available in these locations? Citizens are still completing the old forms, unaware of the changes, unless they happen to consult the Passport Office website, and their *bona fide* applications are being returned with insufficient time to secure the valid passport due to the need for the public service card.

Is there a new passport application form with the new rules on it? Will the Minister consider relaxing the two rules for a specified period in order to enable the public to be better informed about the process? Will he ensure all places where passport application forms are available will conduct proactive advertising campaigns in conjunction with the Passport Office on the needs of the public services card when applying under the two categories I have mentioned? Finally, bearing in mind that 50% of our population have public services cards, equating to 2 million people, and that projections from the Department of Social Protection estimate that an additional 1 million people will apply for the card in the near future, surely there is a job of work for both Departments to give more attention to the need for the card and alleviate all additional stress on those needing passports or other services into the future.

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I thank Deputy Breathnach for raising this important issue. The Irish Passport Office, and the Department of Foreign Affairs and Trade as its parent Department, are committed to ongoing reform and innovation to enhance and protect the integrity of the Irish passport booklet. Our passport booklet is widely recognised as being one of the most secure in the world. Protecting its reputation and, in the broad sense, protecting Irish citizens, requires ongoing reform to guard against passport fraud and identity theft. This House will be well aware that in today's modern world, criminals are highly mobile and their criminal empires can straddle national borders. There is a duty and an obligation on the State to guard against passport fraud, identity theft and ensure the measures we have in place are appropriate and effective.

Since 29 March 2016, my Department has required all first-time passport applicants who are resident in Ireland and are over 18 years of age to hold a valid public services card. The decision to use the public services card as a key step in establishing the identity of adults applying for a passport for the first time is in line with a Government decision of July 2005 which approved, in principle, the use of the public services card for identity verification by all public bodies. This new requirement also applies to the small number of adult applicants whose last passport was issued before 1 January 2005 and which is reported as lost, stolen or damaged. The measure is an important step in the fight against fraud and identity theft, and in our overall efforts to protect the integrity of the Irish passport. It will ensure the identity of first-time applicants for Irish passports is further verified to a high standard.

The public services card is used increasingly as an efficient and secure means to access Government services, including social welfare services, and for the purposes of free travel. Already more than 1.8 million public services cards are in circulation. This new requirement was announced by my Department on 10 March and received extensive press coverage. Information notices have been posted in the Passport Offices in Dublin and Cork, as well as in Department of Social Protection offices, to advise customers they will be required to present a public services card when applying for a passport. These information notices were also circulated to all Garda stations. My Department's website advises first time applicants of the requirement for this card and answers frequently asked questions.

However, I am conscious that we should avail of any and every opportunity to highlight this new measure and I would be grateful for the assistance of Members of the Oireachtas in this regard. I thank Deputy Breathnach for his initiative in raising the issue in the House. In the coming days I will circulate guidance in respect of passport application procedures and I will include a notice about the passport application and renewal process, including the public services card requirements, that Deputies might display in constituency offices throughout the country. The new requirement to hold a valid public services card dispenses with previous photo identification requirements for passport purposes such as a certified copy of a driving licence or college identification. It also dispenses with the requirement for proof of name.

As I mentioned, there are more than 1.8 million public services cards in circulation, but where a person does not have a public services card and falls into the category of people requiring one for passport purposes, he or she can apply for the card through a secure process of face-to-face registration at the offices of the Department of Social Protection. There, customers will be required to produce relevant documents to complete the public services card registration. An online appointment booking service is available at www.mywelfare.ie. The new measure applies only to first time adult applicants and in cases of passports issued before 1 January 2005 which are lost, stolen or damaged. It does not apply in the case of applications for renewals of

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passports or to applications for children.

I will take this opportunity to highlight an important message about applying for passports. Turnaround time for passports can vary depending on seasonal and other factors. This year we are experiencing a very significant and sustained rise in the demand for passports. Among the reasons are a projected significant increase in outbound travel from Ireland. This surge is putting major pressure on the Passport Office and we have taken mitigating steps. It is best practice for prospective travellers to check the expiry date on their passports well before booking a trip.

Additional information not given on the floor of the House

It is particularly important to keep an eye on the validity for children's passports given that it is shorter than for adults. For first time applications, prospective travellers should allow at least six weeks for the passport to be processed due to the additional security measures pertaining to first time applications. It is essential that passport applications are properly completed and any support documentation replied is included. Of course, we will do all we can to ensure that cases of genuine emergency are dealt with. There is a huge amount of information available on the Passport Office website and on its Twitter account and I would urge the public to consult my Department's website for information on passports and for travel advice.

Transport Policy

Deputy Pat Casey: I congratulate the Minister, Deputy Ross, on his appointment. It is great to have two residents of County Wicklow at the Cabinet table. I also congratulate Deputy Andrew Doyle on his appointment as Minister of State. Surely, we will have no problems in Wicklow from now on. I remember the Minister, Deputy Ross, attending Fine Gael meetings in my hotel in Glendalough when he was the chosen one for Fine Gael for Wicklow. It is nice to see that, once again, he has become the anointed one.

The Minister will appreciate my concerns and worries. In his time as a public representative in County Wicklow, transport infrastructure was a live issue, and he will be able to directly relate to this crucial element of Wicklow's development. Who writes the rules of the game? Heretofore, it was said that transport for an area was planned by regional and county planners, considering national spatial factors and other factors, and then the National Transport Authority, NTA, delivered the transport infrastructure. From reading the strategy, it is strongly evident that the NTA believes it is setting the rules on spatial planning for regional and county planning. This is a game changer, and destroys the ability of county and regional authorities to develop in a planned and strategic manner.

The Minister has a track record of tackling unaccountable institutions and I hope he will continue in that vein, now that he has the power of a Cabinet position. The Minister has referred to the staff in Departments as mandarins. I assure him that, on foot of my interaction with those employed by the National Transport Authority, NTA, and the National Roads Authority, NRA, they no longer see themselves as mandarins, they actually think they are gods.

This document clearly does not serve the requirements for the development of the greater Dublin area. It is more suitable as a Dublin metropolitan strategy. The recently published programme for Government commits to rural development and urban regeneration. We need to fulfil both those needs in County Wicklow. This national transport plan destroys the ability to

do so.

Wicklow, as the Minister is aware, has always suffered due to its proximity to Dublin and this has become more evident now as we continue to pile 22,000 people, or 42% of the workforce, on to the N11 and N81 daily, causing major implications for traffic. Wicklow needs to achieve a self-sustaining jobs ratio of 65% to 70% of its working population. This ambition feeds the objectives in the draft Wicklow county development plan, which is consistent with regional planning guidelines, is backed by the local economic and community plan and is supported by the Regional Action Plan for Jobs. Again, this Government has set a target of there being 135,000 jobs outside Dublin by 2020.

The sole purpose of the plan is to address the issue of self-sustaining job ratios but the NTA has no regard for this objective and wishes to escalate the problem more by continuing to drive economic growth into the Dublin metropolitan area at the expense of the Wicklow, Kildare and Meath. The NTA states with respect to lands that are not approximate to the existing committed public transport infrastructure that no significant development should happen on those sites and the distance mentioned is 2 km. The Minister knows the geography of Wicklow very well and I ask him what implications this will have on economic development. All of Wicklow's train stations, with the exception of that in Rathdrum, are located on the coast. There is nothing within a 2 km radius of Bray available without developing the Fassaroe site. The proposed extension of the Luas line has been dropped from this flawed strategy and Greystones, Wicklow town and Arklow will all lose out because of the lack of available land. As for west Wicklow, there is no mention of it in the strategy. It has been completely forgotten.

Another example in this context is that of the film industry. It was identified as a unique industry to Wicklow where Wicklow plays a strong role nationally and has two major studios at Bray and Ashford. After significant evidenced-based research and analysis, the future needs of this industry were identified in the appropriate zoning adjoining the current studio in Ashford, which is proposed in the current draft county development plan.

An Ceann Comhairle: I must ask the Deputy to conclude.

Deputy Pat Casey: That is an example of evidenced-based strategic planning that benefits everybody. Who does not want it to happen? The NTA is determined to demolish this plan. One might ask why is that the case? It is to protect the carrying capacity of the N11.

An Ceann Comhairle: I thank the Deputy.

Deputy Pat Casey: I just want to add a final comment.

An Ceann Comhairle: No, the Deputy cannot do so. I must be fair to everybody. I call the Minister to respond.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I thank the Deputy for his kind remarks and congratulations. I am not quite as grateful to him for reminding me of my past, which I have been trying to hide in recent days and for a very long time. I suspect the Fine Gael Party regards it as a chapter in its past of which it is not particularly proud either-----

Deputy Mattie McGrath: The Minister is back home.

Deputy Shane Ross: -----but today we are where we are and we are happy where we are.

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Deputy Casey is correct. I find a great deal sympathy with what he said because I am a native of Wicklow. My mother, many of my relations and I still live there. I will address this in a different manner in the future. I will look at it as a native who is very familiar with the problems the Deputy is discussing because of my associations there.

The critical eye with which I have looked upon the agencies to which the Deputy is referring remains but I am certainly not going to say anything rash or foolish in these early days in office. I am simply reading myself in with regard to the NTA and other agencies and what they do and say. I will be meeting representatives from those agencies in the next ten days.

One of the key functions of the NTA, under section 11 of the Dublin Transport Authority Act 2008, is to “undertake strategic planning of transport”. In carrying out this function, the Transport Strategy for the Greater Dublin Area 2016-2035 was prepared by the NTA in accordance with the relevant legislative provisions, primarily section 12 of the Dublin Transport Authority Act 2008. The NTA consulted widely in preparing the transport strategy. As well as consulting all local authorities during the preparation of the strategy, the process also included two public consultation phases, one at the commencement of the preparatory work and a second in respect of the details of the draft strategy.

The purpose of the strategy is to provide a framework for the planning and delivery of transport infrastructure and services in the greater Dublin area over the next two decades. The greater Dublin area covers the four Dublin administrative areas as well as Kildare, Meath and Wicklow. In preparing the strategy the NTA is required to have regard to a number of matters. These include: the national spatial strategy; demographic and transport trends across the greater Dublin area; the national plan for capital investment, Building on Recovery: Infrastructure and Capital Investment 2016-2021; local authorities’ development plans; and the regional planning guidelines for the region prior to their replacement with a regional spatial and economic strategy.

Of particular significance are the regional planning guidelines for the region. It is a specific requirement of the legislation that the NTA ensures that the transport strategy is consistent with the regional planning guidelines and subsequently with their replacement - the regional spatial and economic strategy. The NTA does not have statutory responsibility for land use planning in the region. This is the role of the local authorities, the regional assemblies and the Department of Housing, Planning and Local Government at a national policy level. This is fully recognised and stated in the transport strategy, which also states that the “role of the Strategy is to establish the framework for transport provision necessary to achieve the land use vision set out in the Regional Planning Guidelines”.

As required under the legislation, the NTA liaised with the Eastern and Midland Regional Assembly during the preparation of the transport strategy. Following consideration of the draft transport strategy by the regional assembly, it provided confirmation that the draft transport strategy was considered with the regional planning guidelines for the greater Dublin area.

Many of the existing planning and transport problems across the greater Dublin area, which have resulted in unsustainable patterns of commuting and increasing congestion, stem from a lack of integration between planning and land use. It is important that a much more integrated approach is developed between these two areas, both now and into the future. Existing legislation seeks to achieve this by requiring, on a statutory basis, consistency between strategic transport planning, in the form of the transport strategy, and regional level land use planning,

currently in the form of the regional planning guidelines which will be replaced by a regional spatial and economic strategy.

An Ceann Comhairle: The Minister's time has elapsed. The balance of his reply will be included in the Official Report.

Deputy Shane Ross: That is fine.

Additional Information not given on the floor of the House

The transport strategy does not seek to limit jobs development in Wicklow or to reduce the jobs to population ratio envisaged for the county. For the purposes of the transport strategy, the NTA was required to devise a reasonable forecast of both population and employment, and their distributions, that is likely to pertain in the horizon year, 2035. This forms one of the inputs into the strategic transport model, a tool which assesses the impacts of the strategy's proposals. As such, it is part of a transport planning technique, and has no bearing on the spatial planning policies that may be pursued by the regional assembly or a local authority. However, it is worth noting that the inputs to that strategic transport model do envisage that employment levels in County Wicklow will increase by approximately 38% by 2035, when compared with the last census year for which data was available, which was 2011. If employment levels rise above this, the transport strategy can adapt to that through the provision of additional transport services or the earlier development of the infrastructure provisions. In addition, the strategy is subject to reviews and updates every six years and at each review point adjustments can be made to reflect the relevant circumstances at that time.

Job Retention

Deputy Mattie McGrath: I thank the Ceann Comhairle, sa chéad dul síos, for allowing Deputy Healy and I to raise this matter on the Adjournment. The risk of job losses in Suir Pharma is a body blow for the workers concerned. The workers in Clonmel have been aware that things are not going well for a number of weeks. I was contacted by them approximately three weeks ago but I could get no engagement from the company. There are 134 jobs at stake and the High Court appointed a liquidator this week. That is a big blow.

This company has been in Clonmel for more than 40 years. It started off in Old Bridge. I salute the entrepreneurs who set it up, the visionaries and the different companies - of which there were many - that owned it over the years. Suir Pharma has had several owners since it came into existence. Last year it was sold to a Slovakian group, Saneca Pharmaceuticals, by Munich restructuring company Mutares for an undisclosed amount. That is the where I believe the kernel of the problem lies. That company is not engaged in pharmaceuticals; it is involved in speculation, as it were, because it is an investment company. We do not know where or what. The competition authority is toothless and negligent here and I will be bringing forward a Private Members' Bill on that. Companies like this, with a fantastic workforce for over 40 years, cannot treat their workers like this. It is shameful and downright wrong. I salute the pharmaceutical and other industries in Clonmel, which we are fortunate to have. They have provided good employment over the years and good business for Clonmel and Tipperary and County Waterford, but an attack on and plundering of a viable and valuable company by vulture companies and funds is happening. The workers are being treated appallingly and we need stronger legislation to ensure that they cannot just be told on a Monday night having had their

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wages paid 24 hours early that the company is running for cover, going to the High Court, seeking a winding up and turving the workers out on the road. The valuable service they have given, their families and their communities deserve better than that. It must not be allowed. I appeal to the Minister to get her departmental agencies, the IDA and Enterprise Ireland, involved to deal with the company. There are still 30 jobs on the site at Clonmel Chemicals which has a planning application in for a new warehouse. There is a viable industry here. We must bring in legislation to stop this ransacking. It has happened in other areas in Tipperary and other parts of the country. Companies are not interested and are treating people and communities appallingly.

Deputy Seamus Healy: The staff at Suir Pharma in Clonmel were treated appallingly by this company. I met some of them at lunchtime on Tuesday and they were shocked at the difficulties which had arisen and the fact that the company had gone to the High Court at 11 o'clock that morning, appointed a provisional liquidator and had that person on the site with his security people before lunchtime. Many of the workers have been with the company since it was founded 43 years ago at the Gashouse Bridge in Clonmel and they have given huge and loyal service. The manner in which they have been treated is appalling. In effect, this was done behind their backs and they now face the loss of their jobs and of being paid only statutory redundancy.

There is a huge problem in relation to the takeover of this company by Sanika less than 12 months ago. I ask the Minister to investigate the situation whereby this purchase of the company appears to be of a predatory nature and with the sole purpose of closing Suir Pharma. I ask the Minister not only to look into that but to tell the House whether the company notified the State agencies as to the difficulties it said were there. If so, when did it do that and what action did the State agencies take? Did the company avail of grants from the State agencies and the Department and, if so, will those grants be repaid? Will the Minister ensure that this type of predatory purchasing by foreign companies will be stopped and that the workers will get reasonable redundancy terms? They are only being offered statutory redundancy and, indeed, it appears the State will have to pay it. The workers are entitled to decent and fair redundancy payments having provided service over the years.

Minister for Jobs, Enterprise and Innovation(Deputy Mary Mitchell O'Connor): I thank Deputy Mattie McGrath and Deputy Seamus Healy for giving me the opportunity to speak on this matter. I am very conscious of the impact of this on the affected workers at the Suir Pharma plant in Clonmel and on their families as they now face an uncertain future. The Government regrets very much that these jobs will be lost. It will be a significant blow for Clonmel and the surrounding area. Unfortunately for long-standing centres of pharmaceutical production like Clonmel, the wider pharmaceutical industry is undergoing significant upheaval in terms of changing trends and technological developments. There has been a significant incidence of mergers and takeovers which has contributed to surplus capacity internationally. In addition, the advent of bio-pharmaceutical products and a move away from large volume production of some traditional medicine types which are being replaced by lower volume niche products with more specialised applications has led to disruption in the industry.

This contract manufacturing company in Clonmel has gone through several changes of ownership over recent years. Hopes were high for a stable future when the previous German owners sold it to Sanika Pharmaceuticals, a Slovakian based company, last summer. Unfortunately, the new owners have faced significant financial challenges in recent times and decided they cannot continue to support the operations any longer. In all such cases and despite our best efforts, the ultimate decision rests with the company which will make such a strategic decision in the best interests of wider company objectives. Through the IDA, my Department has

engaged intensively with the company to seek a plan for a sustainable future. Just last month, my predecessor, Deputy Richard Bruton, discussed the issue with a senior executive of the company. However, the owners maintained they could not keep the operation going.

I have asked the IDA to pursue identifying a new buyer for the plant actively and the agency will work proactively with the liquidator in that regard. The IDA will highlight the attractions of this facility for its existing client companies and potential new investors. It is encouraging that several companies have already visited the facility and we hope further interest will be generated. In addition to the IDA's efforts, I have arranged that Enterprise Ireland will assess whether the facility would be of interest to any of its client companies. I am keen to ensure that the resources of the State are put at the disposal of the employees to ensure that they are easily able to avail of relevant services. I have therefore arranged that the inter-agency group which was established following the Ranbaxy closure in Cashel will now work to assist the Suir Pharma employees regarding entitlements and training opportunities. It will also help them to pursue new employment opportunities.

I appreciate fully that it has been a mixed time for the pharmaceutical sector in south Tipperary. Regrettably, the Ranbaxy plant in Cashel closed some time ago, but we have had notable success with the IDA to deliver a new investor for the former Johnson and Johnson plant in Cashel with the arrival of Amneal. That company is now building up its workforce and hopes to employ approximately 300 staff when full production is reached in due course. That has been a very positive development in the region. It is particularly notable that the medical technology sector has a very strong presence in south Tipperary thanks to the work of the IDA with both Abbot Ireland, which employs more than 1,100 staff, and Boston Scientific, which employs over 800, having a very positive economic impact. The Government is only too well aware of the discrepancy in growth between the major urban areas and the less populated regions. As a result, we launched last year a regional Action Plan for Jobs. The purpose of the initiative is to identify a range of actions aimed at facilitating each region to achieve its economic potential. The Government will pursue job creation initiatives in Cashel and the IDA will continue to seek and attract other investors.

Job Retention

Deputy Joe Carey: I thank the Ceann Comhairle for selecting this important matter. I welcome the new Minister for Jobs, Enterprise and Innovation to the House. Last Tuesday, the workforce of the Roche plant in Clarecastle received confirmation from representatives of its corporate headquarters that talks with a prospective purchaser that had been ongoing for nearly six months had ended without agreement. The breakdown in the protracted talks leaves an uncertain future for the plant and the 240 people directly employed there as well as the large number of contractors who also work there.

The news was unexpected. All indications from the negotiations were positive and it was widely understood that a deal would be concluded and, in turn, the plant's future and the valuable employment it had provided for more than four decades would be secured. More than two months ago, Roche Ireland signed a letter of intent with the prospective purchasers that tied the two parties into a period of sole negotiation. The two commercial companies also signed confidentiality clauses around the negotiations. Given the ramifications of a failure to close the deal when it seemed done, many questions must be asked. Since they have not been answered

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by Roche, the company has an obligation to come clean to the workers and explain why the deal failed, but that has not happened. At the very least, Roche must inform the Department and the IDA of why the deal collapsed. This information is critical and its disclosure could be vital in providing a way forward for the plant.

Since the news broke, I have spoken with many workers, their families and people in the community. There is shock and despair. I have spoken at length with Roche's managing director in Clarecastle, I have met the Minister and her Department's officials, and I met the IDA today. It is critical that every effort be made by the IDA, in conjunction with Roche, to identify a new buyer for the plant. It is critical that every resource be available by the Department to help in finding a solution.

A great deal of change has occurred in the pharma sector in recent years and there has been a move away from the traditional method of manufacturing, with a focus on producing lower volumes with higher potencies. This transition has resulted in Roche's decision to divest itself of its interests in four plants in Clarecastle, South Carolina, Spain and Italy.

I call on the Minister to direct the IDA to redouble its efforts and to seek a new buyer for the plant relentlessly. Every option should be explored, including the possibility of reopening negotiations with the contract manufacturer that had been engaging with Roche in recent months. Will the Minister travel to Roche's headquarters in Basel with the IDA to impress upon it the need to re-engage fully in the process of seeking a buyer? If Roche is not 100% behind that process, a buyer will not be found.

The importance of this manufacturing plant to the economy of Ennis, Clarecastle, County Clare and the mid-west region cannot be overstated. It is the largest single employer in the greater Ennis area, contributing €20 million to the local economy in salaries alone. Roche has also been a major supporter of community development and is the main sponsor of Clarecastle GAA, the Clarecastle day care centre and many other clubs and voluntary organisations across the county.

I call on the Minister to do everything in her power to ensure that as many jobs as possible are saved at the plant. I look forward to working with her, her officials, the IDA and all public representatives in County Clare to achieve this goal.

I also congratulate my constituency colleague, Deputy Breen, on his elevation to the role of Minister of State with special responsibility for employment and small business. I look forward to working with him in his new role in trying to resolve this important issue.

Deputy Mary Mitchell O'Connor: I thank the Deputy for raising this issue. He has contacted me numerous times in recent days. My first thoughts are with the affected workers at the Roche plant in Clarecastle and their families as they face an uncertain future. We regret the job losses that may arise. Yesterday's announcement that negotiations for the transfer of the Clarecastle facility to a global pharma company had ended without agreement was disappointing. The factory has been in operation since 1974, providing substantial levels of employment. The company is proposing a gradual wind-down of the operation. Unfortunately, if no buyer is found for the plant, it will be closed fully in 2019.

The pharmaceutical industry is going through a significant upheaval in terms of changing trends and technological developments. The advent of biopharmaceutical products and the move away from large-volume production of some traditional medicine types, to be replaced by

lower-volume niche products for more specialised applications, has led to some over-capacity in the industry. Unfortunately, the factory in question was configured and equipped for large-volume production. The company has made a strategic decision to close it, as well as three similar plants in other countries. In all such cases, the ultimate decision rests with the company, which makes a policy decision in the best interests of its objectives.

Since the original decision on divesting the Clarecastle facility was announced in 2015, and availing of the significant wind-down period, IDA Ireland has worked closely with the company to introduce potential buyers. A strong contender was identified and intensive negotiations took place between it and Roche, but just this week the discussions ended without agreement. Unless a new buyer can be found, the factory will close. IDA Ireland will continue to market the facility's attractions to its client companies and potential new investors. The gradual wind-down period will provide a welcome window in which to redouble efforts to pursue this objective.

Despite some localised job losses in the pharma sector in recent years, it is worth pointing out that the sector has adapted well to a fast-changing landscape. Between 2000 and 2015, employment numbers in agency-supported companies in the pharmaceutical and chemical sector increased by 11.5%. In addition, the profile of the Irish industry has changed significantly, with considerable levels of investment by companies. We now have an impressive footprint in the growing pharmaceutical-biopharmaceutical sector. The IDA has achieved considerable successes in the recent past. These include the former Pfizer factory in Cork, now operated by Hovione; another former Pfizer plant in Dún Laoghaire in my constituency, now operated by Amgen; and a further plant in Ringaskiddy that has been taken over by BioMarin. There have also been successes with companies in Athlone and Tullamore. It is of local interest that the former Dell factory in Limerick city was taken over by the pharma company Regeneron, which has been actively recruiting recently.

The Government is only too well aware of the discrepancy in growth between the capital and the regions. As a result, we have developed the regional action plans for jobs, a development that was driven by my predecessor, the current Minister for Education and Skills, Deputy Bruton.

Yesterday and today, I undertook a trade and investment mission to Athlone, Sligo and Limerick that was organised by Enterprise Ireland as part of its global sourcing initiatives. The objective is to maximise sale opportunities for Irish small to medium-sized enterprises, SMEs, with multinational companies based in Ireland. The Government's job creation efforts were illustrated in the latest CSO employment data, which show that unemployment rates have fallen to 8.4%.

I met Deputy Carey and the new Minister of State, Deputy Breen, in the Department on Tuesday and I facilitated a meeting between them and the IDA. I also extended an invitation to Deputies Dooley and Harty. That meeting was held in my Department this afternoon and I understand that the four Deputies and the IDA had a useful and detailed exchange of views. The IDA will redouble its efforts to ensure that another buyer is found.

The Dáil adjourned at 6.40 p.m. until 2.30 p.m. on Tuesday, 24 May 2016.