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Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Children and Youth Affairs has completed its consideration of the Adoption (Amendment) Bill 2016 and has made amendments thereto.

Leaders’ Questions

Deputy Micheál Martin: I am sure the Taoiseach will agree that the morale of An Garda Síochána has taken a hammering over recent years and that morale is now quite low among many members of the force. Many issues have achieved a high public profile, culminating in the industrial relations dispute that almost led to an unprecedented strike by An Garda Síochána just over a week ago. It calls into question the competence of the administration of justice and the apparent sense of dysfunctionality in how issues are handled in respect of An Garda Síochána under the justice portfolio.

The latest controversy the Garda is now mired in relates to the vacancies for chief superintendent positions in An Garda Síochána. A competition was held in December 2015 and, arising from that, on 25 May last, the names of the successful applicants were published in Garda headquarters and 18 people were notified by letter of their successful selection to the position of chief superintendent. There are significant vacancies across the force, including in Cork West, the special detective unit, the roads policy unit, the technical bureau, the crime policing administration unit, the central vetting unit, the operational support unit, the Dublin metropolitan regional office, the Garda Reserve and internal affairs. The Government eventually decided to appoint ten chief superintendents and not to appoint the remaining eight applicants, despite that the Government accepted the legitimacy of the competition and of the panel that was selected as a result of that process. The remaining eight who were not appointed would have legitimate expectation of being appointed.

This type of thing damages morale in the force. The O’Higgins report, which examined matters in the Cavan-Monaghan district, was very strong on the issue of supervision and on people being in place in senior, responsible positions to ensure mistakes were not made further down the line and that proper standards and so forth applied. However, these vacancies have existed for quite some time. The issue is that the competition took place under the 2005 Act, and under section 13 of that Act it is the Government’s responsibility to appoint members. The Garda Síochána (Policing Authority and Miscellaneous Provisions) Act that established the
Policing Authority was passed in December 2015. Section 12 of the Act, and the regulations pertaining to it, which would give the body the promotional responsibilities for superintendents and chief superintendents, has not yet come into force, almost 12 months on. While there is always a transition between the old and the new law, it is the Government’s responsibility to appoint in accordance with the Act that is the law of the land. We have paralysis on the appointment of judges and we now have paralysis and indecision on the appointment of gardaí to very senior and sensitive positions. It is damaging to the force and further compounds already serious issues pertaining to the Garda Síochána. Will the Taoiseach explain why we are where we are regarding the failure to appoint these people to vacant positions at senior level?

The Taoiseach: I will explain. The establishment of the Policing Authority earlier this year was the most fundamental change in the Garda Síochána since the foundation of the State. The establishment of the independent Policing Authority was to oversee the performance by the Garda Síochána of its relations in respect of policing services. It has already commenced its work and is holding regular meetings. The transfer of the function is a major signal about the Government’s intent not to have the hand of politics in any of the appointments to senior positions in the Garda Síochána, for perception and for reality. The clear preference of the Tánaiste and Minister for Justice and Equality, Deputy Frances Fitzgerald, is that the authority should have the opportunity to exercise the function as soon as possible. This will give new confidence to the oversight arrangements in place and the role of the Policing Authority.

I agree there should be no undue delay in filling existing vacancies. The Tánaiste is anxious about it and it will be kept under very close review. Section 12 of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 provided for the transfer to the Policing Authority of the appointment of persons to the senior ranks of the Garda Síochána. This was the function, intent and purpose of the Act. This function transfers to the Policing Authority by or on 1 December, a few weeks hence. There is a public consultation. In the interim, the appointment of persons to senior ranks remains a matter for the Government. Earlier this year, at the request of the Garda Commissioner, the Government made a number of appointments to fill vacancies in senior ranks. On 24 May, the Government appointed four members to the rank of assistant commissioner. On 13 July, the Government appointed ten members to the rank of chief superintendent and 18 to the rank of superintendent. Fianna Fáil rightly queried the Government as to why these appointments were being made. I remember having to give instructions to explain to Fianna Fáil that the Government had made a decision to transfer responsibility and authority to the Policing Authority. The appointments were drawn in order of merit from promotion panels which were formed on foot of competitions held by the Garda Commissioner in accordance with the Garda Síochána regulation Act of 2006. The Policing Authority was consulted on the proposal to fill the vacancies and supported the filling of them on the nomination of the Government, as provided by the Garda Commissioner, up to the limit of the agreed strength as approved by the Tánaiste and the Minister for Public Expenditure and Reform under the employment control framework, ECF.

The Garda Commissioner informed the Tánaiste that a chief superintendent retired in September. This, together with the recent departure of an assistant commissioner to take up a post abroad, brings the number of vacancies in the senior ranks to three, including one at superintendent level. The ECF will be increased and, from 30 December, the independent Policing Authority will be in a position to make those arrangements and appointments. I assume the Policing Authority is readying for the opportunity when it arises.

Deputy Micheál Martin: The Taoiseach has not told me anything new. He has basically
repeated what I said, although using different terminology.

The Taoiseach: Deputy Micheál Martin did not tell me-----

Deputy Micheál Martin: The bottom line is that we queried why section 12 was not commenced. It has taken a full 12 months to commence it. Why have the competition? Why write to 18 people telling them they were successful but only appoint ten of them? That is the bottom line. There is one law. The 2005 Act is currently in situ in terms of promotions of superintendents and chief superintendents. The Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 is a new Act and one that we support. We support the idea that the authority would be responsible for promotion to the senior ranks of An Garda Síochána, but the section has not yet been commenced. Why has it not been commenced? Why has it taken 12 months for the Government to get its act together in respect of that particular section of the Act?

This speaks to a dysfunctionality at the heart of the administration of justice. We have all witnessed it in different facets and manifestations. The latest is that we cannot appoint judges now because more reform is sought. There is a basic rule - a bottom line - in terms of the administration of law which is that the existing law is the law of the land until a new law supersedes it. Everyone abides by that clear distinction.

That there would be a competition and the names of the successful applicants would be published and that the Taoiseach would then resile from his duty and responsibility, because it is his duty and responsibility under the existing law to appoint them, is wrong. It damages morale, which is already quite low in An Garda Síochána, and creates division and all sorts of issues. The Taoiseach knows that. What will subsequently happen will create further divisiveness and so on. All of that needs to be avoided in terms of the best interests of An Garda Síochána. We have been supportive of the changes, but they have not been commenced. That is not the fault of anyone except those in government. The responsibility to commence legislation resides with the Government. In the interim, the existing law of the land applies.

The Taoiseach: I accept that Deputy Micheál Martin supported the reason behind setting up of the independent Policing Authority. I consider it the major significant change in policing in the country since the foundation of the State. The reason for the employment control framework was the poor state of public finances. We had no Garda training college. When we were able to reopen it, there were 500 recruits. There are now 800.

Deputy Micheál Martin: The recruits were never going to be appointed chief superintendents.

An Leas-Cheann Comhairle: The Taoiseach, without interruption.

The Taoiseach: The independent Policing Authority will be in a position to make the appointments to senior ranks as and from 31 December. The independent Policing Authority is well aware, as the memorandum for Government stated in the summer time, that the responsibility would pass to it by or on 31 December. I am sure it is making arrangements to be in a position to fill senior appointments, as will be its completely independent responsibility, shortly after that date. Deputy Micheál Martin queried the appointments that were made, as was his right. He also queried why the authority was not doing it in July.

Deputy Micheál Martin: That is the point, but the Government still has not-----
The Taoiseach: There were many matters to be dealt with by it.

There were four appointments to the rank of assistant commissioner, ten to the rank of chief superintendent and 18 to the rank of superintendent. Those appointments were all made strictly in accordance with the list submitted by the Garda Commissioner on foot of a competition held under the Garda Síochána Act. On 31 December, the independent Policing Authority takes responsibility for these positions.

Deputy Gerry Adams: Yesterday, I encouraged the Taoiseach to engage in urgent dialogue with public sector workers and their representatives, but he declined. Yesterday also saw the announcement by the private sector committee of the ICTU that it is seeking a 4% increase in wages in the private sector. I presume that the Taoiseach will be dismissive of that also. It is easy for us. We are well protected from economic difficulties. However, the issue of pay for workers who have suffered the brunt of the Government’s policies is now front and centre and is not going away. I urge the Taoiseach, again, to enter into dialogue to address the very real issues affecting workers in the public and private sectors. What comes out of those negotiations is another matter, but refusing to engage is only making the problem worse. It does not make sense.

This morning, I wondered to myself if the Taoiseach ever asks himself why workers are seeking wage increases. Does the Taoiseach ever ask himself that question? Does he think they are being greedy or self-serving? Does he think they are trying to keep the recovery going? Perhaps the Taoiseach thinks it is because hundreds of thousands of citizens are in dire straits. There is a cost of living crisis crippling families in the context of rents, mortgages, insurance, child care fees, student fees and medical bills. People are justifiably seeking the restoration of wages so they can pay their bills. That is not unreasonable, yet the Government’s position is that there will be no increase in pay despite the cost of living going through the ceiling, for those who are lucky enough to have a ceiling. It is not tenable. Ultimately, it will lead to industrial action and that will mean more school closures and emergency departments without doctors. Today, 528 citizens of this State are on trolleys in hospitals. It will mean unrest in the private sector as well as in the public sector. Not only does the Taoiseach need to get round the table with the unions, he needs to deal with the cost of living crisis.

Chief among the difficulties people face is the cost of spiralling rents. The average monthly rent is now almost €1,100. In Dublin, people are paying an average of €1,500 per month. That means low and middle-income families renting homes are paying between 40% and 60% of their incomes on rent. That includes those who have children in student accommodation. It is not fair. The Taoiseach is bound to know that, yet he and Fianna Fáil have consistently refused to tackle it and stop these outrageous rent increases. The Taoiseach is failing these citizens. In recent months, the Government and Fianna Fáil have twice voted against Sinn Féin rent certainty proposals. Rent certainty would put a break on the unaffordable rent increases that thousands of families and people are facing. My question is very straightforward. Will the Taoiseach commit to introducing rent certainty linked to the consumer price index without delay?

The Taoiseach: Deputy Adams raises a number of important issues. The first thing I want to say is that in recent years every person in the public sector has had to make real sacrifices in the interest of keeping the economy moving. The same applied in an even more serious situation in the private sector, where hundreds of thousands of jobs were either in jeopardy or lost. The situation is that the country is in a better position economically than it was but we still face very serious challenges ahead.
The Minister for Housing, Planning, Community and Local Government has committed to introducing a comprehensive rent strategy in the next couple of weeks. He has dealt with this matter at some considerable length and the strategy will be the point of discussion in this House. He is focused on the undoubted pressure that has arisen from increased rents particularly in the greater Dublin area. The Minister for Public Expenditure and Reform instructed his officials to meet representatives from ICTU last evening.

What the Government wants to do is have a co-ordinated approach - by means of a well-managed strategy - to deal with the challenges we face. There are many. Every day of the week, as a result of the success of Government in creating more and more jobs, people are under pressure to get out of their housing estates to travel to work. They spend longer times doing so. They want to work. As a result of the increase in employment and the rise in demographics, people are struggling because of the issues relating to the construction sector. The latter is a major focus of what the Government will be doing in the next number of years, with a €5 billion fund to back it up across five different pillars. It is very important that this country remains competitive in terms of the national and international situation. That means keeping costs down. This is why we have to focus on the issues of rent, mortgages, housing, public transport, access and the costs relating thereto. The Government has repeatedly attempted to reduce income tax, thereby making it easier for people to live. It increased the minimum wage on the recommendations of the Low Pay Commission and continues to focus on the creation of jobs and employment right throughout the country. It is an enormous physical and structural challenge, with a very substantial amount of trenching work to be done in order to bring fibre directly to houses. All of the issues raised by the Deputy are serious and they are all challenges for Ireland. A central consideration is that we keep costs down and be competitive. Otherwise, given the uncertainty abroad in terms of the outcome of Brexit and other international issues, we need to focus on how as a country we can best move forward.

**Deputy Gerry Adams:** Tá díomá orm agus tá mé an-mhíshásta le freagra an Taoisigh. Níl freagra ar bith aige. I asked the Taoiseach to commit to introducing rent certainty. He ignored the question. Why not say either that the Government is not going to do it or agree to do it, which is what we want the Government to do? Instead, the Taoiseach has ignored it.

I was reading the remarks of Ken Loach, filmmaker and activist. He was talking about his Government and he said:

> If they don’t know what they are doing to people they are incompetent and shouldn’t be in Government...If they do know what they are doing then they are not fit to be in Government.

From listening to the Taoiseach’s answer, the only conclusion any sensible person could come to is that the members of the Government are both incompetent and unfit to be in government. I have asked already but I will ask the question again. Why does the Government not introduce rent certainty to lift the load and the burden off the thousands of people who cannot afford to pay rents without foregoing some other essential? The Taoiseach ignored the question.

**An Leas-Cheann Comhairle:** Go raibh maith agat.

**Deputy Gerry Adams:** Ní bheidh mé ach bomaite, a Leas-Cheann Comhairle. This week
in the Seanad, the Government introduced legislation to amend the Residential Tenancies Act. The Government is happy enough to change its rental strategy whenever it suits. The Government could table an amendment to the Bill in the Seanad that would put a halt to the spiralling rents. I invite the Government to do so. If the Government is not going to do that, will the Taoiseach simply say that he will not do it?

**The Taoiseach:** Maidir leis an gceist eile, dúirt an Teachta go raibh diomá air, ach níor mhiste leis an fhírinne a chloisteáil am ar bith.

**Deputy Gerry Adams:** Sin tusa.

**The Taoiseach:** Dúirt mé leis an Teachta go bhfuil an tAire tógála ag teacht isteach anseo le straitéis iomlán faoi chúrsaí títhíochta. I have already pointed out to Deputy Adams that the Minister has committed to bringing in a comprehensive rental strategy for the private sector as one of the pillars in dealing with housing responsibilities.

**Deputy Gerry Adams:** Does it include rent certainty?

**The Taoiseach:** That will be finalised by the end of this year. Pillar 4 of his programme, which relates to improving the rental sector, commits to developing that strategy by the end of this quarter. It covers four areas: security, supply, standards and services. I imagine Deputy Adams would agree that it would be appropriate for the Minister to have undertaken a public consultation on the matter to get very decent and good views from a range of people and organisations.

**Deputy Peadar Tóibín:** He would get views from Fine Gael landlords.

**An Leas-Cheann Comhairle:** The Taoiseach, without interruption.

**The Taoiseach:** He has committed to examining those standards, the costs and the feasibility of things like build-to-rent on a large scale as well as undertaking research in other ways to examine how investment in the rented sector can be encouraged.

Deputies will have the opportunity in the coming weeks to listen to, debate, give their views and agree whether they like it. The Minister wants to recognise the problem in the private rental sector and do something about it. That will be happening before the end of this session.

**Deputy Pearse Doherty:** Prices are jumping while those in the Government are twiddling their thumbs.

**Deputy Gerry Adams:** I take it that is a “No”, then, a Leas-Cheann Comhairle. Is that the case?

**An Leas-Cheann Comhairle:** Far be it for me to interpret for you. The next question is from the leader of the Labour Party, Deputy Brendan Howlin.

**Deputy Brendan Howlin:** In recent times we have heard the Minister for Transport, Tourism and Sport, Deputy Ross, declare that reform of judicial appointments is his top priority, far above anything in the transport Department, we presume. In focusing on his top priority, he has launched the most aggressive attack that I can recall made by a Minister on the Judiciary. Yesterday, the *Irish Independent* published a column written by Jennifer Carroll MacNeill, an expert in the judicial selection process and, as Deputies will know, a former adviser to two Fine
She did us some service by documenting some of the statements made on the Judiciary by
the Minister, Deputy Ross, in recent times. The Minister has said that the Judiciary has had a
charmed life since the foundation of the State. He has said that those in the Judiciary might
forget their constitutional oath. He said that judges have a blank cheque to declare nothing.
He also referred to the Judiciary as a protected citadel. When Members of this House raise any
questions about the behaviour of the Minister, Deputy Ross, regarding these matters, he nor-
mally attacks them as being apologists or legal insiders. No more than the Taoiseach, I do not
have a legal background. I have never studied or practised law so I hope Deputy Ross will not
consider me a legal insider. However, I hope the Taoiseach will share my concern at his recent
statements.

I do not disagree with Deputy Ross on everything he said. The idea of a register of judicial
interests is a worthwhile proposal. Politicians declare their interests on an annual basis and I do
not see why judges could not have such a register. As I said, the same rule should apply, but I
do not think Fine Gael agrees with that. I also agree with Deputy Ross that there is no reason, in
principle, that an inquiry into judicial conduct should not have a lay majority. After all, judges
are finally accountable to this House, which is the ultimate panel of the laypersons. However,
the notion, which Deputy Ross is determined to drive home and which, apparently, is to be re-
sisted by Fine Gael - perhaps not - that only a lay majority should appoint judges is in my view
bizarre. Would Deputy Ross seriously be willing to undergo surgery by a surgeon appointed
by a panel of stockbrokers or journalists? Doctors, engineers, architects and academics are all
appointed by panels comprising a majority of experts in their relevant fields. Any clear-headed
analysis will conclude that being a judge requires expertise and we need experts to assess the
expertise of the candidates proffered.

I have two questions. First, will the Taoiseach publicly dissociate himself from the com-
ments made by one of his Ministers which clearly cross the appropriate line between the Execu-
tive and the Judiciary? More importantly, will he confirm to the House - while acknowledg-
ing the value of a lay minority in the selection of judges - that a majority of those involved in
selecting judges should have expertise in the law and practical experience of how the judicial
system works?

The Taoiseach: I have always had the utmost respect for members of the Judiciary.

Deputy Timmy Dooley: What about the Taoiseach’s Cabinet?

The Taoiseach: I do not accept that members of the Judiciary would forget their judicial
oath in respect of decisions they make. In that context, I dissociate myself from the remark
made by the Minister for Transport, Tourism and Sport, Deputy Ross. The vast majority of
cases are dealt with-----

Deputy Timmy Dooley: Deputy Moran might get a step up. He might be moving again.

An Leas-Cheann Comhairle: This is Leaders’ Questions.

The Taoiseach: ----in the best fashion by the courts. Some are appealed and some over-
turned. I am quite sure that members of the Judiciary are very cognisant of the fact that in
superior courts up to the Supreme Court and even the European Court cases have been over-
turned. It is perfectly obvious that decisions of the District Court, the Circuit Court, the High
Court and the Court of Appeal - even the Supreme Court only this week - have been overturned. The judges in these courts make decisions which they are perfectly within their rights to make and they do so completely independently of anything to do with politics. I do not have much association with members of the Judiciary. I expect them to do their job fully and in the best interests of the law of the country they serve.

The appointment of judges by the Government is a matter dealt with under the Constitution. The question is what kind of council one would establish to assess the applications, the criteria, the qualifications, the expertise and the kind of personality and character of potential appointees. The matter has not been finalised yet. However, the position is clear - the Constitution gives the Government authority in respect of recommendations. As to whether there will be a judicial council, that is a matter for decision.

Deputy Brendan Howlin: I welcome the Taoiseach’s reply and the fact that he is distancing himself from Deputy Ross’s remarks. An independent Judiciary is an absolute bulwark of our democracy. In the neighbouring jurisdiction, we have seen political comment encroaching upon independent judicial decisions and how damaging that is to democracy. I welcome the Taoiseach’s statement.

With regard to the appointments system, constitutionally the final decision is made by the Government. I remember many years ago, when the current system was decided upon politically, it was determined that we clearly needed an expert panel to make recommendations to the Government. Does the Taoiseach finally agree that the expert panel which makes the recommendations to the Government of those who are fit to serve in the Judiciary should be made up, in the majority and certainly not in an exclusive sense, of practising judges who understand the complexity of the Judiciary?

The Taoiseach: All judgments, as members of the Judiciary would tell us, are 90% common sense and 10% law. They have to make judgments and decisions in the interests of defendants, the law and the country. There is always a balance as to how this should be got right. Ultimately, the Government makes appointments on the recommendation of some group or council. The balance to be got right is having people with expertise from both sectors, the legal profession and general life, who can say on the basis of applications, experience, qualifications, etc., that certain people are recommended for consideration to be appointed by the Government. I know the Minister, Deputy Ross’s best interests lie in having these processes absolutely transparent and accountable. There is always a risk if only members of the profession are appointed or they are in a big majority; all professions must be open to all people qualified on the basis of merit. That is where the discussion on how to do it is at present. At the end of the day, the Constitution is not changing. It is a matter for the Government.

Deputy Bríd Smith: I notice the Government is taking a very tough line on pay demands from workers. I also notice, very interestingly, that it is being joined by great moral upbraiders in this country such as Mr. John Moran, or “Mr. Austerity”, in taking this tough line. The view is also shared by the Minister sitting next to the Taoiseach, Deputy Leo Varadkar, who claims that if workers keep demanding these pay rises, recipients of social services will suffer. I utterly condemn this approach by the Minister, Deputy Varadkar, the Government as a whole and others outside the Government, including former government employees.

The argument has always been put that there is no money available outside the Lansdowne Road agreement until 2018 or the economy will go back to the dark days of austerity. The
recent 4% claim by the private sector has thrown another bit of fuel on the furnace of pay demands. Let us remember that Luas drivers in the private sector attained a pay increase of 18% and recently contract cleaners got a pay increase of 10%. A modest 4% rise is being requested. I welcome that request and on this side of the House we welcome that workers have woken up and are beginning to say to the Government and the State that they have taken the pain and cuts for long enough and it is payback time. I also note that profits and wealth have been restored to 2008 levels.

I put it to the Taoiseach that the argument from the Government that workers must show restraint and there can be no pay equality or restoration above the Lansdowne Road pay deals is utter hypocrisy when we have just voted to give ourselves a €5,000 pay increase. We will give gardaí €3,000 in January so what the hell is wrong with giving nurses, teachers and others working at the coal face a decent restoration of pay and pay equality? A pay revolt is taking place and the Government cannot stomach it. We welcome it because it is not a case of private versus public or worker versus social welfare recipient. If the boat lifts for any section of workers, it lifts for everybody. We can cut across the nonsense that the fiscal space does not allow it as the Government has just managed to give €600 million in VAT concessions to the hospitality industry. I could also mention that the Government said it did not want the €13 billion bitter fruit of Apple, that up to €4 billion is uncollected because of our effective corporation tax rate and that the Government gave loopholes to developers and landlords in last month’s budget. Those are just a few examples. The Government does not seem able to restrain rent and insurance costs, but it wants to restrain workers’ pay. I put it to the Taoiseach that there is a great deal of hypocrisy in the moral upbraiding of working class people that is going on here. It is time for a real look at the question of pay. Workers spend their money and put it back into the economy. They do not have offshore tax havens. The Taoiseach needs to address this question urgently.

**The Taoiseach:** I have listened carefully to what the Deputy has said. I did not hear her mention that the unemployment rate has decreased from 15.2% to less than 8%; that thousands of jobs have been created in recent years; that the Government is proposing to provide 200,000 new jobs throughout the country between now and 2020, with 135,000 of them outside Dublin; and that the best route out of poverty is getting a job and having an opportunity for a career. Her view seems to be that a conveyor belt of borrowed money can pay everybody and we can continue as we did before. I assure her that we are not heading down that road again.

Every single household was affected when the country went over the edge. Over 100,000 people lost their jobs, thousands of people emigrated and the construction sector collapsed. The Minister for Public Expenditure and Reform is trying to keep us moving forward in line with the decisions and sacrifices made by all workers over five or six years to rectify the country. He is managing things well and is not going to lose control over what we have. All the public sector workers referred to by Deputy Smith, or the vast majority of them, accepted sacrifices because of the economic situation we were in. Under the Lansdowne Road agreement, 280,000 public servants agreed on a process for beginning to deal with the financial emergency restrictions. The Minister for Public Expenditure and Reform has outlined that position on many occasions.

While I note the decision of the private sector unions, I would make the point that as a country, we have to keep our costs down and make it easier for people to have jobs and get into employment. That is why we need to continue to focus on dealing with the Low Pay Commission in respect of the minimum wage and, where possible, on reducing the income tax paid by those who are paying 50% tax. We cannot do that unless we have an engine. We are all inundated with requests for hospitals, primary care centres, schools, housing projects and expanded infra-


structure throughout the country. We do not have the resources to do all of these things. The only way we can hope to give all our people an opportunity is to have a well-managed economy. That requires choices to be made. Deputy Brid Smith has said we are taking a very tough line on workers. I respect the work they do. We want to be fair to everybody in the decisions the Government will make. Deputy Brid Smith does not seem to see that.

**Deputy Brid Smith:** I absolutely see it. We welcome every job, but what good is a job to a worker who cannot afford to put a roof over his or her head or pay his or her car insurance? I refer to people who are struggling every day and getting into more and more debt. The Taoiseach has not addressed the fundamental issue of inequality that runs through my argument that Government decisions are allowing others to benefit from the sacrifices of all workers, including nurses, teachers and private sector workers, and all recipients of social welfare. Every measure taken by the Government in the budget allowed giant corporations, vulture funds, real estate investment trusts, developers and landlords, rather than ordinary working people, to benefit from the fiscal space.

The Taoiseach has acknowledged the sacrifices made by working people, but his platitudes will make no difference to nurses in January when they see gardaí getting an additional €3,000 and politicians getting an extra €5,000. Why should they stay back in the shadows, continue to work extra hours for nothing and show restraint in their pay demands? The same thing goes for the private sector workers. The Government does not have a solution for the inequality at the heart of the system. The fiscal space is there, but the problem we have is that the Government has not bothered to broaden it. People are not stupid. They see it. That is why there is a pay revolt, which we welcome, in this country.

**The Taoiseach:** As I said, the situation was absolutely dire a number of years ago. While it is still very difficult, some improvements have been made. For example, nurses who are currently being trained and who are qualifying are all being offered permanent contracts. The incremental grades that were removed in the past have been restored. Obviously, the intention of Government is to employ more teachers because of the growing number of primary and secondary school students. As I pointed out yesterday, for the first time in nine years almost €40 million was pumped into the third-level sector as part of a strategy to provide sustainable employment.

As the Minister for Public Expenditure and Reform has highlighted, anybody earning under €25,000 will have his or her reductions fully restored, and so they should. The priority is the lower paid.

**Deputy Brid Smith:** With 10 cent on the minimum wage.

**The Taoiseach:** Obviously, middle-income earners have received some benefits in the budget in terms of income tax. Nurses, gardaí, teachers and others are all doing important work for the country.

The Deputy mentioned the benefits of corporations. Obviously, 200,000 people are employed directly by corporations and there are many more besides.

**An Leas-Chheann Comhairle:** I thank the Taoiseach.

**The Taoiseach:** There are also the many people employed in small- and medium-sized enterprises who struggle every day and who are now faced with increased competitiveness be-
cause they export to Britain and other locations.

_An Leas-Cheann Comhairle:_ The time is up.

_The Taoiseach:_ We have to be fair to everybody across the board. That is where the Government will respond collectively and fairly.

_An Leas-Cheann Comhairle:_ I also have to be fair to all.

_Questions on Promised Legislation_

_An Leas-Cheann Comhairle:_ I ask that all who ask questions respect other Members. A question on promised legislation is to elicit information and, if we stick to that, we might be able to get everybody in. I call Deputy Micheál Martin.

_Deputy Micheál Martin:_ There is a crisis in respect of children with autism getting school places, particularly in second-level schools. There is a paucity of second-level schools that are making places available to young people with autism. Last night, for example, there was a meeting of 60 parents who were told that there are only eight places in a particular location. The situation is that shocking. There is a basic lack of proactivity in terms of the issue. The Education (Admission to Schools) Bill is coming back onto the agenda. The NCSE must be given the authority and the responsibility to engage with schools in order to ensure that all schools are open to accepting units for young people on the autistic spectrum. The number of special units in mainstream second level schools is far too low. What is going on is a scandal. There has been no proactivity.

_Deputy Regina Doherty:_ That is not true.

_Deputy Micheál Martin:_ There is the Education (Admission to Schools) Bill and also the education (parent and student charter) Bill-----

_Deputy Regina Doherty:_ That is not true.

_Deputy Micheál Martin:_ I am talking to the Taoiseach. The Minister of State, Deputy Regina Doherty, is not Taoiseach.

_An Leas-Cheann Comhairle:_ A question to an Taoiseach, please.

_Deputy Micheál Martin:_ The Minister of State should calm down. The role of the Chief Whip is to try to develop a bit of consensus, not to be at people all the time.

_An Leas-Cheann Comhairle:_ Does the Deputy have a question for an Taoiseach?

_Deputy Micheál Martin:_ It relates to the education (parent and student charter) Bill.

_Deputy Regina Doherty:_ What the Deputy said is not true.

_Deputy Micheál Martin:_ It is true, by the way. Parents are at their wits’ end, as are teachers.

_An Leas-Cheann Comhairle:_ I call the Taoiseach.

_Deputy Micheál Martin:_ Some schools have stepped up to the plate but an awful lot of schools are not doing so in respect of accepting children with special needs, particularly those
with autism. Something has to be done about it legislatively. It happened at primary level over a decade ago but it is not happening at second level. There are many other issues to which I could refer, including the lack of respite and so on. The education (parent and student charter) Bill is promised.

**The Taoiseach:** Significant improvements have been made in this area. The Education (Admission to Schools) Bill will be before the Dáil this evening and the education (parent and student charter) Bill, to which the Deputy referred, is being drafted.

**Deputy Micheál Martin:** An insertion is needed to the Education (Admission to Schools) Bill.

**The Taoiseach:** That will be for discussion this evening.

**Deputy Gerry Adams:** The programme for Government commits the Government to honouring our commitment to recognise the state of Palestine. Two years ago the Dáil and the Seanad voted to do this but the Government has not acted on that commitment. Since the beginning of this year, 252 Palestinian homes in the West Bank have been demolished by the Israeli authorities and 1,062 people, including 553 minors, have been made homeless. The Israeli authorities have destroyed approximately 150 internationally-funded development projects, which has cost the EU an estimated €58 million. There has also been an increase in the number of UN and non-governmental organisation officials denied entry into Gaza or the West Bank. The Taoiseach has been in Gaza and I have been there. It is not a pleasant experience. Imagine living there.

On 26 September I raised this issue with the Taoiseach. Nothing happened. I raised it on 8 June and nothing happened. The Taoiseach could stand up now and formally recognise the state of Palestine. It does not need legislation it only needs for the Taoiseach to take that decision. I invite him to keep to his Government’s commitment to act in the letter and the spirit of the Oireachtas motion and to formally recognise the state of Palestine. I invite him to do that now.

**The Taoiseach:** The Deputy did raise this on several occasions. There is a decision in principle. I spoke to the Minister for Foreign Affairs and Trade recently about it. He is concluding work on it and when that is finished I will report to the House.

**Deputy Brendan Howlin:** According to The Irish Times a criminal investigation is under way relating to the death of Marie Fleming. All of us in this House, and indeed many people throughout the country, remember the bravery shown by Marie and her partner, Tom. Diagnosed with a significantly life-limiting condition, Marie made the decision to choose the point at which her life contained so much pain and so little joy that she did not want it to continue. Her partner, Tom, walked that agonising road with her every step of the way. Despite the loss of the case in the Supreme Court, very few of us imagined that criminal proceedings would ensue. I know that the Minister of State at the Departments of Education and Skills and Jobs, Enterprise and Innovation, Deputy Halligan, has expressed very strong views on this matter which are shared by many in the House. Is it the Government’s intention to legislate on this issue?

**The Taoiseach:** I remember this case very well. It was a most sensitive and very personal case and go ndéana Dia grásta uirthi. At the time I remember answering questions in the House on it. There is a constitutional bar. I have taken advice from the Attorney General that the legislation the Deputy refers to would not be constitutional and I remember answering questions from the far side of the House prior to the death of Marie Fleming. It is not the intention to
Deputy Danny Healy-Rae: On section 11, page 119 of the Animal Health and Welfare Act 2013, where we come from deer and badgers are spreading tuberculosis, TB. It seems to me that they have more rights than the people or the farmers or the people travelling the roads. When a farmer’s herd or several animals go down, it takes three weeks before they are taken off the farm. It is causing undue stress and hardship for small farmers to maintain these animals away from the rest of the herd. Will the Taoiseach ask the Minister for Agriculture, Food and the Marine to deal with this very urgent and serious problem? It is causing the further spread of TB, it is hurting the eradication of this very costly disease and it is causing much stress to many farmers.

An Leas-Cheann Comhairle: Promised legislation.

Deputy Danny Healy-Rae: It is on page 119, section 11.

The Taoiseach: I am not aware of the incidence of TB in the Kilgarvan area or down around the Robbers Glen but it is an important issue that the Deputy has raised. I will contact the Minister for Agriculture, Food and the Marine. It is true to say, and I know that in other locations there were investigations into deer and badgers, not just in Ireland but in other countries. I will have the Minister respond directly to the Deputy.

Deputy Thomas Pringle: The recent Barlow judgment in the Supreme Court has the effect of making it illegal for any Northern Ireland registered fishing vessel to fish within the 12 mile limit of the State. This is having a huge impact on fishermen, particularly in Greencastle in County Donegal. It would need primary legislation to reverse this decision. Does the Department of Agriculture, Food and the Marine have any plans to deal with this matter urgently?

The Taoiseach: I do not think the primary legislation could be drafted as a matter of urgency in this particular case. There was a meeting in Brussels during the week at which fishing was raised. I will come back to Deputy Pringle in respect of the question he asked.

Deputy Richard Boyd Barrett: As the Taoiseach knows, the Minister for Communications, Climate Action and Environment, Deputy Denis Naughten, is in Marrakesh today making an address to the UN summit on climate change. The major concern at that summit is around the dangerous pledges of US President-elect Trump to tear up the Paris climate change treaty, thereby threatening global action to deal with climate change. There are many reasons to be concerned about the vile, racist, sexist and militarist agenda of Trump, but his threat to global action on climate change is very serious. I want to know when we are going to get a report from the Minister on the discussions in which he is involved today regarding the action we intend to take, the discussions that took place in Marrakesh and what we are going to do to stand up to Trump’s dangerous agenda. I want to know when the national mitigation plan will be published in order that this country at least might send out a message that it is not going to go along with Trump’s agenda.

An Leas-Cheann Comhairle: I thank the Deputy.

Deputy Richard Boyd Barrett: Some of us are going to the US embassy to protest against Mr. Trump and his agenda tomorrow. I would like to know if this Government is going to stand up against his anti-environmental agenda.
An Leas-Cheann Comhairle: The Taoiseach on the promised legislation.

The Taoiseach: This Government stands by the agreement to which we have signed. Ireland received a very good response from Commissioner Cañete. While the position is exceptionally taxing, we will meet the challenges that have been set for us between 2020 and 2030. I expect that Minister Naughten will outline to the House the discussions that he has had and that he will publish whatever reports are necessary. While its profile is different from most other countries because of its agricultural sector, Ireland, along with so many other nations, is committed to meeting its targets and playing its part in meeting the challenges relating to climate change.

Deputy Richard Boyd Barrett: What are we going to say to Trump?

Deputy Charlie McConalogue: I wish to refer to the price increases relating to grain farming as a result of the bad weather. It is estimated that up to 500 farmers have lost their entire crops. There are significant issues in the supports that are required to keep those farmers in business. I know that the IFA and other farming organisations have been in touch with the Minister for Agriculture, Food and the Marine. This is a matter I have raised previously on the floor of the House. Unfortunately, the Government has not come forward with the type of supports required to keep these farmers in business and ensure that they can meet bills. I am talking particularly about those who have actually lost crops this autumn. The loan funding which has been flagged for the start of next year will not meet their requirements. There are particular funds required. Will the Government acknowledge the plight of these farmers and bring forward the funding to support them?

The Taoiseach: The Government recognises the difficulties of grain farmers in particular this year. In some parts of the country, it was impossible to get any grain out. That is why the Minister for Agriculture, Food and the Marine is meeting with them and has met with them. That is why the Minister for Finance inserted into the Finance Bill a gap year, which will allow for farmers to be able to write off - as it has been effectively written off - a particular year in which things were very bad. These are issues that the Government does recognise. Obviously, the Minister for Agriculture, Food and the Marine will keep a close eye on the matter.

Deputy John Brady: The programme for Government pledges the implementation of the comprehensive employment strategy for people with disabilities. The programme for Government talks about supporting people with disabilities and removing the barriers that impact on access to services, education and, indeed, work. Budget 2017 announced funding of €2 million for projects that provide pre-activation supports for people with disabilities in 2017. Where exactly is that €2 million going? To which projects was the Minister referring when he made the announcement? We cannot have an announcement such as this without knowing exactly where the money is going. There are some fantastic projects out there, such as WALK PEER, the future of which is totally uncertain again. Could I ask the Taoiseach again where exactly is the €2 million going and could we get reassurance for projects such as WALK PEER in order that the excellent work it is doing can continue?

The Taoiseach: The question does not relate to legislation but I suggest the Deputy should table the matter as a Topical Issue.

Deputy John Brady: It is in the programme for Government.

The Taoiseach: The Minister of State, Deputy Finian McGrath, has allocated €2 million for
this measure for 2017.

**Deputy John Brady:** Where is the money going?

**Deputy Thomas Byrne:** I met a very nice couple-----

**An Leas-Cheann Comhairle:** I am sorry for interrupting the Deputy, but Members should be aware that there is limited time and I cannot extend the time unless it is by order of the House. Deputy John Brady should be aware of that.

**Deputy Micheál Martin:** It is not your fault, a Leas-Cheann Comhairle.

**An Leas-Cheann Comhairle:** I cannot do it. It is a matter for the House if it decides to do it and then I will implement it.

**Deputy Thomas Byrne:** I met some couples in my constituency, and I am sure there are others throughout the country, who need surrogacy legislation to be enacted in order to allow them to have a family. What are the Government’s plans in relation to that matter?

**An Leas-Cheann Comhairle:** I thank Deputy Byrne for his brevity.

**The Taoiseach:** I do not know if legislation is promised but I will investigate the matter for Deputy Byrne.

**An Leas-Cheann Comhairle:** I call Deputy Michael Healy-Rae. He should be brief.

**Deputy Michael Healy-Rae:** No. 47 in the programme for Government sets out an ambitious tourism goal with regard to increasing the number of visitors to this country. That would be greatly helped if the bid for the 2023 Rugby World Cup is successful. I compliment the Taoiseach and the Government on getting fully behind the bid.

**An Leas-Cheann Comhairle:** Is there a question?

**Deputy Michael Healy-Rae:** The question is whether every effort possible is being made to ensure the bid will be successful because it would be of enormous benefit to the country, and to County Kerry and Killarney, the capital of tourism.

**The Taoiseach:** Yes, Killarney would be an ideal venue.

**Deputy Mattie McGrath:** What about Tipperary? Where Tipperary leads, Ireland follows - Semple Stadium.

**The Taoiseach:** This will be a very challenging situation, a Leas-Cheann Comhairle. The Government fully supports the joint bid for the island of Ireland, as does the Northern Ireland Executive and the British Government. We will do everything we can to ensure that next year the decision is made by those who have the casting votes on the issue in order that Ireland will host the Rugby World Cup in 2023.

**An Leas-Cheann Comhairle:** Finally, I call Deputy Breathnach. I am sorry for the others who wish to speak but it is necessary for the House to extend the time in order for everyone to get a chance.

**Deputy Declan Breathnach:** We have been promised the new wind energy planning guidelines this month. When exactly will they be published? Many communities are chomping at
the bit to see the new guidelines.

**The Taoiseach:** I cannot give the Deputy a date. The Minister for Communications, Climate Action and Environment, Deputy Naughten, is working with the Minister for Housing, Planning, Community and Local Government, Deputy Coveney, on the guidelines. I will ask him to report to the House on the matter.

**Companies (Accounting) Bill 2016: Motion to Discharge Order for Referral to Select Committee**

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

That the order to refer the Companies (Accounting) Bill 2016 to the Select Committee on Justice and Equality be discharged and to refer it instead to the Select Committee on Jobs, Enterprise and Innovation.

Question put and agreed to.

**Ceisteanna - Questions**

**National Economic and Social Council**

1. **Deputy Brendan Howlin** asked the Taoiseach when he will appoint a new National Economic and Social Council. [33719/16]

2. **Deputy Brendan Howlin** asked the Taoiseach his plans to provide instructions to the National Economic and Social Council; and the detail of the subjects. [33720/16]

**The Taoiseach:** I propose to take Questions Nos. 1 and 2 together.

I last appointed the council in 2011 and the five-year term has expired. At the moment my Department is assessing the arrangements that will work best for a new council. As part of the considerations, the Secretary General of my Department wrote to all the members of the outgoing council on 14 October last, seeking views and suggestions on the future role and work programme of a council in advance of a plenary discussion scheduled for 17 November. The meeting will enable reflection on the work of the council to date, views on the best arrangements for the council and its future work programme in a changing policy landscape.

NESC has offered a valuable combination of economic, social, environmental and institutional perspectives that are necessary for good policy making. The views of the outgoing members will be an important contribution to any new arrangements. The background is that NESC was one of three constituent bodies of the National Economic and Social Development Office established under the NESDO Act 2006. Two of the constituent bodies, namely, the National Economic and Social Forum, NESF, and the National Centre for Partnership and Performance, NCPP, were dissolved in 2010, meaning that the framework of the NESDO is no longer necessary.

The previous Government agreed to dissolve the NESDO and place NESC on a statutory footing. The task in hand. Significant reports from NESC in the past few years include Housing Supply and Land; Driving Public Action for the Common Good; Ireland’s Private Rental Sector, Pathways to Secure Occupancy & Affordable Supply; Homeownership and Rental:
What Road is Ireland On?; and Social Housing at the Crossroads: Possibilities for Investment, Provision and Cost Rental.

In addition, NESC provided analytical support to the expert group on the future funding of higher education and assisted in drafting its final report. At the moment, the secretariat is continuing its work on a number of projects such as funding of higher education; follow-up work to its Report on Jobless Households; working with the Department of Housing, Planning, Community and Local Government on issues relating to housing and the rental sector; and on a range of sustainable development themes, such as experimental approaches to climate change in Irish agriculture, the challenge of delivering compliant low energy buildings in Ireland and beginning research on infrastructure policy formulation and institutions.

Deputy Brendan Howlin: I would be interested in getting behind the Taoiseach’s reply. The National Economic and Social Council, NESC, is a venerable institution that goes back to the 1970s. It has performed a very useful support to the Taoiseach and the Government of the day in bringing different perspectives together regarding major economic, social and environmental issues that have been faced from time to time. We certainly face an array of formidable economic, social and environmental issues today. I am interested in hearing the Taoiseach’s view on the role of NESC.

Since we were in government together over a difficult period, I know there were people advising the Taoiseach at the time who were opposed to the concept of NESC and would not have been adverse to its abolition. There is an important role for NESC and it is a cause of concern to me that the council, which is the overarching governing body of NESC, has been allowed to lapse without any appointment being made. From last February there was one vacancy but, subsequently, the five-year term expired and there is now no governing council. One does not need to be brilliant to figure out that there is no regard for NESC within the current Government and that it does not see a role for NESC into the future. If it did, it would have appointed a board by now.

I am interested in the Taoiseach’s personal view. Does he see a role for NESC in bringing together, as it has done in the past, many of our principal social, economic and societal actors to focus on issues of real importance or is he of the view that was expressed by at least one of his former advisers that this was a sort of throwback to a social dialogue that was no longer relevant or needed today?

The Taoiseach: Deputy Howlin asked me if I saw a role for NESC. The answer to that question is “Yes”. NESC has always been a very valuable resource for the Taoiseach of the day and for the public at large because of the reports it produced and the discussions and the dialogue that took place. As Deputy Howlin is well aware from his previous experience, NESC was always a way of dealing with social partnership in one form or another. Things have changed and moved on.

The Secretary General is meeting with the NESC members tomorrow to discuss their views on and analysis of what lies ahead and what might be best in that regard. I support that strongly and look forward to hearing the views of the members as to how best we might proceed from here. I see an important role for NESC. Just because there is no NESC at the moment does not mean there is any sleight of opinion from Government on that. I would like to hear the members’ view on their role in the future and make a decision to provide for that in the best way possible. The Secretary General will meet the members tomorrow and I will be having
discussions with him.

I o’clock

Deputy Brendan Howlin: When does the Taoiseach envisage that he would nominate the new NESC? Has he a timeframe in mind for that? Is he exploring nominations from the constituent groups that made up the council heretofore? Has he opened discussions with any of what might be described as the social partners on forming a new council, and on what date will we know the new council? Bluntly, until there is a council appointed, the NESC is dysfunctional. It would be an indication to me that the Government does not have regard for the role the NESC has played in the past and does not envisage that the NESC has such a role in the future.

The Taoiseach: If I may, I will just take the time to let them have the meeting tomorrow and discuss the outcome of that. As Deputy Howlin will be aware, business, employers, ICTU, farming and agricultural interests, the community and voluntary sector and the environmental sector are all pillars. Each may nominate a minimum of three and a maximum of four to the council. The legislation also provides for six public servants and up to eight independent members. There was a vacancy which existed at the time the council expired and that was the former secretary of the Irish Farmers Association. I will let them have their meeting, I will talk to the Secretary General and I will come back and advise Deputy Howlin as to the next stage. If I can fix a date, I will be happy to announce it.

An Leas-Cheann Comhairle: Can I allow Deputies Micheál Martin and Adams ask a question?

Deputy Brendan Howlin: Of course.

Deputy Micheál Martin: I commend Deputy Howlin on raising this question because the absence of the council goes to the heart of what is wrong in the country in some respects, namely, the lack of independent thinking. The NESC has done a good job over the years. It has not been willing to play the role of ideological advocacy that some in this House might want it to do but it has helped work to get to some sort of common vision about where we as a society should go on different sectors of the economy. The NESC works best when it focuses on being expert and independent, setting out the realistic challenges and options. Something we are missing at present is enough independent voices in public debate.

The growing crisis in industrial relations speaks to a lack of an overall sense of direction in the country in terms of strategic objectives. There have been all sorts of demands made, left, right and centre. We have the Brexit challenge which still remains the most fundamental single major change in our economic model in 45 years since we joined the European Union with Britain. Britain leaving the EU now is fundamental. I would have thought there was a strong role for the National Economic and Social Council in scenarios such as Brexit, the public pay issue, and the anti-globalisation or protectionist trends that are now emerging in many countries in Europe and the United States. These call for a mid-term review, something which the NESC was always quite engaged in.

It is many years since the NESC prepared a comprehensive medium-term review. Will the Taoiseach ensure the NESC is working as effectively as possible and will he take steps? In his answers to Deputy Howlin he was not quite saying that he will get it going again. I would ask the Taoiseach, if he is doing so, to consider that small to medium-sized companies might usefully fall within the remit of the NESC. There has always been a sense that the particular needs
The Taoiseach: That is the very point. These are two valuable comments from Deputies Howlin and Micheál Martin. I want to see an NESC that is appropriate for the future. I would like to hear their view on whether it would have the same kind of pillars or the same numbers. That is the purpose of the Secretary General meeting them tomorrow.

On the point Deputy Martin makes about small businesses, if one is to have an NESC which will be independent and has the capacity to give objective opinions in a changed situation where we face international pressures for a variety of reasons, having the exact same formula as before in terms of the sectors that were represented may not be entirely appropriate for the future. I will bear that in mind.

Deputy Gerry Adams: An Teachta Howlin raises an important question here. As the Taoiseach acknowledged, the term of the current council has expired some time ago. However, members have not been appointed or re-appointed and there is a full complement of staff. There is a secretariat, but it has no members and no work plan. What is it doing? The National Economic and Social Development Office, NESDO, is effectively obsolete yet it remains in place as the body responsible to NESC, to which it is supposed to report if it had anything to report. The Taoiseach said that the last Government promised legislation to abolish NESDO, but this matter dates back to when former Deputy Brian Cowen was Taoiseach. The issue of abolishing NESDO and establishing NESC as the remaining statutory body has been on successive Governments’ legislative programmes since 2013. Perhaps the Government could give a timeframe for when it will have concluded the deliberations the Taoiseach mentioned. Can the Taoiseach give a date for when legislation to deal with these matters will be debated in the House?

The Taoiseach: We agreed previously that NESC would be put on a statutory footing and that NESDO would be dispensed with when that happens. That is still the intention. The first issue is what type of NESC we wish to put in place to reflect the changed circumstances and that is the reason for the discussions taking place. Then we can get on with doing that. However, it is not as if there are no opportunities for people to give objective comment. For example, the National Economic Dialogue provides an opportunity for people to have their say, as do the new Labour Employer Economic Forum, which I met, the Climate Change Advisory Council and the Social Inclusion Forum. These are all fora where people have the opportunity to give their views. I will follow through on the meeting tomorrow with the Deputy.

Deputy Brendan Howlin: I am grateful for the Taoiseach’s reply. There is now a view that this should be reconstituted and I look forward to that happening. I strongly agree with the point made by Deputy Martin. There are very significant issues at present that require a strategic approach. Obviously one of them is the next round of public sector pay. I raise public sector pay as an issue because I believe it must be linked to the quality of public services. One always considers pay, more numbers and additional services as demands on the same pot of money, so we must have a strategic approach to that and NESC has advised usefully on it in the past. Clearly, the Brexit issue requires a strategic sounding board for the Government. The important challenges the country will face could do with the sounding board of expertise which NESC has traditionally provided.

The Taoiseach: Those are valuable points. Perhaps Deputy Howlin did not hear me but in the meantime there is the National Economic Dialogue, the Labour Employer Economic Forum, the Climate Change Advisory Council and the Social Inclusion Forum. The points the
Deputies have made are valid and we will take them into account.

**Cyber Security Policy**

3. **Deputy Micheál Martin** asked the Taoiseach the position regarding IT security in his Department. [33803/16]

The Taoiseach: My Department depends on its information and communications technology, ICT, systems to perform virtually all of its functions. It is vital, therefore, that those systems are securely managed. To that end my Department has developed security policies and procedures and put in place safeguards to mitigate the threats and risks as far as possible. Policies and procedures cover a wide range of issues, including access to the Internet, e-mail usage, mobile device and remote access arrangements and password and other user authentication requirements.

IT security is taken very seriously in the Department not only in the IT unit, but across the organisation. A new security awareness training programme has recently been piloted and it is planned to roll out this training to all staff in the Department in the coming months.

My Department uses industry leading security products to filter e-mail and web traffic to automatically stop spam, viruses and other malicious agents from infecting the network.

My Department maintains ongoing contact with the computer security incident response team, CSIRT-IE, in the national cyber security centre, which provides regular guidance and advice relating to current Internet security alerts and threats. Prevention and mitigation measures recommended by the CSIRT-IE are reviewed as soon as they are received and, where appropriate in our IT environment, implemented.

The Deputy will appreciate that many IT security measures are quite technical in nature and officials in my Department with the necessary skills, knowledge and expertise provide ongoing appropriate support to me and the staff in the Department in this regard.

Deputy Micheál Martin: I thank the Taoiseach for his comprehensive reply. This is a very serious issue. For some years other member states of the European Union have been subject to ongoing cyber intimidation. In the case of Latvia, a Russian-based attack brought down the country’s Internet and paralysed official business. This year, we have seen a serious escalation in the use of cyber intimidation between countries. There was a time, perhaps, when leaks were justified on the basis that they involved whistleblowing or the revelation of hidden illegal activity, but now it appears to be about intimidation. Even Edward Snowden has condemned the approach of publishing anything and everything, including outing people in countries where to be outed might threaten one’s life.

It is striking that all of the attacks have been directed against countries with free elections and high levels of personal freedom. It appears that the online crusaders have no interest in tackling authoritarian states, which has been evident over the past 12 months or so. Given that, we cannot expect to be isolated from such developments. The Taoiseach indicated that his Department has a strong awareness of this and that it is using the highest industrial standard to ensure IT security, given how much essential Government business is now done online. I take it that applies across the Government. At European Union level, is the Government shar-
ing and engaging with other member states on experiences with breaches of IT security? Has there been engagement with the United States in this regard? During the recent presidential election there were extraordinary assertions and allegations about, for example, the hacking of Democratic Party headquarters by other countries. I cannot validate or confirm the veracity of who did what but, nonetheless, there appears to have been an unprecedented involvement or engagement by others through the IT networks to undermine people’s reputations.

The volume of e-mails between personnel in Democratic Party headquarters that was put into the public domain is quite striking. People were having what they thought were bona fide honest, thinking conversations and every item was subsequently hacked and made available. The act of the revelation, as it were, became secondary to the revelations because the content was considered juicy or interesting enough not to worry about how it had got into the public domain. What was important was the content, despite the fact that, in life, people have conversations in which they think things through. Before such technology ever existed, one might be in a room with three or four other people to talk through an issue with them. One might ask: “Should we do X, Y or Z?” That is an important human process. The degree to which privacy is out the window in that respect is retrograde in my view. However, it shows what can happen. In the context of elections and free democracies, the democracies are the most vulnerable in these scenarios. Authoritarian states can suppress the Internet in the some aspects and can take steps to protect the citadel, so to speak. Democracies are far more vulnerable.

Cyber warfare is now a new part of engagement. It can wreak huge economic damage, as entire systems can be shut down. That happened recently with various services. Without any use of conventional warfare, it can do enormous damage to economic life and the quality of life of many citizens. Has there been an international engagement by the country, by the Taoiseach’s Department or others in government, with the American experience with other democracies in Europe and further afield across the globe? The evolution of it has the potential to do untold damage and hold countries to ransom if it continues at the current pace.

The Taoiseach: The Deputy has raised an issue that is probably beyond the competence of most people to deal with, unless they are experienced in electronics, IT and security systems. I take the view that anything that is put into the cloud is retrievable. Most governments and companies, when they put their information on the Internet and the cloud find that the problem is how to protect themselves. The Deputy is correct that governments and many major security elements of governments have been attacked. It happens mostly in democracies. There has been evidence of attacks in certain places in Ireland. Regarding security in the Department of the Taoiseach, information is never released in respect of any attacks, given that it would lead to those who conduct such business. There are only two websites that provide information from the Department of the Taoiseach, namely gov.ie and merrionstreet.ie.

The Minister of State, Deputy Dara Murphy, looks after questions on EU data protection regulations and implications for IT security. In my time at European Council meetings there has never been a discussion about governments being attacked, although officials may be in contact with each other. The new general data protection regulation comes into effect on 25 May 2018, with the aims of strengthening citizens’ data protection rights, harmonising data protection legislation across the EU and updating the law in line with advances in digital technologies. It brings obligations on public sector data controllers, including in the area of security. The interdepartmental committee on data issues, which his chaired by the Minister of State, Deputy Dara Murphy, is supported by my Department and the Department of Justice and Equality. It is an important part of Government Departments in preparing for the implementation of
the new data general regulation.

The computer security incident response team is the operational role of the Department of Communications, Climate Action and Environment, and it encompasses the State’s national governmental computer security incident response team. It seeks international recognition with peers in respect of Government and national CSIRT communities so it can effectively undertake its work on situational awareness and incident response. It focuses initially on the State sector and acts as a national point of contact. The National Cybersecurity Strategy 2015-2017, published in 2015, is a high level policy statement from the Government announcing and acknowledging the challenges with facilitating and enabling the digital economy and strategy.

While I can manage the fundamentals of the iPhone, I could very quickly get lost in many of these fields. There are those who would be able to give so much more information about firewalls and how attacks can be presented. One of those security people told me it is like breaking into a house, in that if a person gets in the front door, the entire house is open. Many companies have to block off each room individually, so if the firewall is breached, there are other security elements in place. This is way beyond my knowledge or understanding. I am a mere citizen with a scope that is appropriate to myself to write and send messages and receive phone calls and so on. I am not an expert in this field, and I admit it.

Deputy Micheál Martin: I commend the Taoiseach’s humility and I join him in saying that I am not an expert either. We do not need to know the detail. It is a very big issue. Years ago, when I was the Minister with responsibility for enterprise, McAfee came to Ireland and the McAfee view was that it was protecting against viruses. The managing director told me he thanked God that there were people out there creating viruses, given that he would not be in business otherwise. It was a very striking comment. Most of us would not have a clue about how people penetrate firewalls, and this is one of the great problems with modern technology. People who are interested have the wherewithal, capacity and knowledge. The problem is serious regarding energy systems and the operation of society in that a country could be closed down by a concentrated cyber attack. This is modern warfare. If a person does not like us or a country does not like what we are saying, we could get a wallop without even realising it. This is the sinister dimension. The Taoiseach said it had not been discussed among EU member states. I presume we should be open to international collaboration and discussions on it, given that we could learn from others whose security has been breached.

The Taoiseach: The Deputy is correct. There must be international collaboration at government level on these matters. Given the Internet of things, the way the car industry has moved and the advances being made here digitally, if a car is stolen, the company can disable it from anywhere around the world. All these changes bring advantages and challenges. We need to apply the same to the aviation industry. The Deputy can understand the necessity of having secure methods of transmitting information and seeing that systems are not attacked; otherwise there could be catastrophic consequences. The point is valid.

Seanad Reform

4. Deputy Brendan Howlin asked the Taoiseach his plans for reform of Seanad Éireann; and his further plans to ensure proposals are advanced before the next general election. [34743/16]

The Taoiseach: I take it that the Deputy has in mind the Report of the Working Group on
Seanad Reform 2015, chaired by Dr. Maurice Manning. As Deputies will be aware, in the new programme for a partnership Government, the Government stated its intention to reform Seanad Éireann and committed to pursuing implementation of the Manning report. The report was published last year and it is available on my Department’s website. I welcomed the report when it was published and indicated that there needed to be a public and political discussion and consultation on it. On 5 May and again on 8 July 2015, statements on the report were made in Seanad Éireann with both the chair of the working group and former Senator Joe O’Toole, a member of the group, in attendance. I also met Opposition party leaders to discuss the report’s contents in July 2015.

One of the report’s recommendations was the establishment of an implementation group to oversee implementation of the reforms contained in the report. I agreed with a suggestion made in this House some time ago by Deputy Micheál Martin that the group should be based in the Oireachtas and should comprise members of the Dáil and Seanad from all parties and groups, with access to independent expert advice as required. The group should be tasked with advancing the reform process. I wrote to party leaders on 28 September last seeking their agreement to this approach and their intention to participate. Contacts are continuing with parties to finalise nominations with a view to having the group up and running as soon as possible. I gave a commitment to have a debate here in Dáil Éireann on the working group’s report. This did not prove possible in the last Dáil but it is still my intention that the debate should take place as soon as possible.

Deputy Brendan Howlin: Eighteen months have passed since the publication of the independent working group report, chaired by Dr. Maurice Manning. We could not argue that it has been a political priority for the Taoiseach during the intervening period. Almost two months have passed since the Taoiseach wrote to each party leader and we responded by nominating Members to serve on the working group on Seanad reform, yet that group has not met. It has not been formed. Two months after the Taoiseach wrote to us and we nominated Members of the House who were accessible, why has the working group not come into existence and started its work? It is almost two months since the Taoiseach informed the Seanad that there would be a debate on the matter in the Dáil. The Taoiseach has also acknowledged that this has not happened either. It is promised again today. In short, two months ago the Taoiseach addressed the Seanad, where he stated that the matter was in hand, that the working group was to be appointed and that there would be a debate in this House. However, it appears that nothing has been done since he made those commitments.

Are we serious about reform of the Seanad or is it simply the view that we will drift into the next election in the same mode as the previous one and that the Seanad will be returned on the same basis? The clear view of the people during the referendum campaign was that the Seanad should be retained, but reformed. That was the view that was argued by every Member of the previous Seanad. In the democratic interest, we need to act on this, but, as a House and as an Oireachtas, we have not treated the issue with the urgency it deserves, particularly in light of the constitutional framework relating to what is a constituent part of the Oireachtas.

The Taoiseach: I accept responsibility for the delay. I received five replies from Fianna Fáil, Sinn Féin, the Labour Party, Deputy Daly and Deputy Eamon Ryan. There were some queries about the numbers to be appointed to represent each group, a matter I hope to finalise today or tomorrow. I must speak to the Leader of the Seanad, Senator Buttner, and get on with doing it. I regret the delay in making it happen.
Deputy Micheál Martin: If anything meaningful is to be done, the drafting process needs to start soon. This has dragged on for far too long. During the lifetime of the previous Administration, we met and we stated that we supported the idea of a legislative mechanism to ensure a democratic franchise. This did not happen. We are open to the implementation of the Manning report recommendations, although I would have gone further than what is proposed in those recommendations. Nonetheless, they represent a compromise. I would have preferred a full franchise, so that the people could decide, within the existing constitutional framework, who should be their Senators. That said, we, along with the other parties, are prepared to agree to it. We need to create the mechanisms in order that we can agree the drafting of the legislative template required to bring about reform of the Seanad. I believe in the Seanad, which is why I campaigned against its abolition. We need independent voices. We need more voices, not fewer, in public debate. The worst slogan I ever saw in a referendum campaign was that of Fine Gael’s “Vote Yes - less politicians”. The idea of the fewer the better was a terrible indictment of the political profession. People believe that in Russia and elsewhere but we should not be extolling a view of that nature in a democracy such as ours.

Deputy Brendan Howlin: Never mind the quality-----

Deputy Micheál Martin: Some of Deputy Howlin’s former colleagues agreed with me privately that it was an appalling poster. It sent out all the wrong signals about what we thought of ourselves. In any event, the point is that we need to get on with this or otherwise, as Deputy Howlin stated, we will end up at the next general election without any change. There is a platform and a set of proposals that would attract broad consensus in this House at least, whatever about the Upper House. We can work on that. Something needs to happen though. Is any public engagement proposed in order to get ideas or feedback from the general public on the future role of the Seanad?

The Taoiseach: That is a helpful comment. I will get on with it.

Deputy Gerry Adams: Níl an Taoiseach ná an Rialtas dáiríre ar chor ar bith faoi thuarisc Manning ar an Seanad. Tá an tuairisc ag an Rialtas le tamall fada anois ach, mar a dúirt an Taoiseach, ní dhearna an Rialtas rud ar bith faoi. Cad atá sa tuairisc? It states that the current electoral system for the Seanad is elitist. It then offers a range of proposals for the reform of the Seanad, including opening up electoral participation for members of the diaspora who are Irish citizens and Irish citizens in the North. Yesterday, the Taoiseach told us he was not going to proceed with the recommendations of the Constitutional Convention on votes for citizens living outside the State, including those in the North, in presidential elections. There is an explanation for the Taoiseach’s dilatoriness in respect of acting on these reforms and it is that he does not believe in the involvement, as of right, of those who live outside this State. Perhaps, also, the fact that the Seanad has voted against the Government on bin charges, CETA, etc., does not suit it. We have nominated Seanadóir Rose Conway-Walsh to the interim implementation body but, unless the Taoiseach said it and I have missed it, we do not know when that body will meet. We do not know - it would be useful to get a commitment in this regard - whether the reforms will be completed before the next general election, whenever that may take place. Will the Taoiseach provide some clarity in terms of the timeframe for the debate on these reforms? When will the implementation body meet? Is the Taoiseach prepared to deal with all of these matters conclusively in this term?

The Taoiseach: Dúirt mé inné go mb’fhéidir nach mbeadh am againn, mar Theach de chuid an Oireachtais-----
Deputy Gerry Adams: Bhí go leor ama ag an Taoiseach.

An Leas-Cheann Comhairle: An Taoiseach amháin.

The Taoiseach: Is é a bhí mé ag réad ná go ndúirt mé inné go mb'fhéidir nach bhfuil agam am againn, mar Theach de chuid an Oireachtais, an reifreann a bhí againn agus an dlí achtaithe roimh an gcéad togchán uachtaránachta eile. Sin a bhí i gceist agam. Tá sé i gceist agam go dtarlóidh sé agus ní hamháin ó thaobh iad siúd atá ar imirce thar lear ó thaobh iad siúd atá sa Tuaisceart freisin.

The terms of reference of the implementation body are: to ensure the implementation of the recommendations contained in the report; to liaise as an interim board with draftspersons to ensure that the Seanad (amendment) Bill reflects the spirit and the text of the report; to oversee the process for registration for Seanad election panels following the enactment of the legislation; to receive and to adopt reports from the Clerk to the Seanad on the application of the rules for nominating bodies as required by the Acts of 1947 and 1954, as well as those contained in the draft legislation prepared by the working group; to be responsible for the organisation of the university panel registration and election following the implementation of the 1979 constitutional extension of the university franchise; to oversee the delivery of ballot papers and the receipt and count of the votes; to appoint returning officers to the various panels; and so on.

I undertook, when I was in the Seanad, to meet Senator Norris. I think the meeting is fixed for next week. The Senator is violently opposed to what was recommended in the Manning report and wants a continuation, from his perspective, of the Trinity panel, which has existed for a long time. This is opposed by other Members of the Seanad. There are different views in the Seanad. In deference to Deputies Howlin, Micheál Martin and Adams, I will see to it that this moves along quickly.

Deputy Brendan Howlin: In order that the House will have a clear view of how matters will progress from today, will the Taoiseach call on the working group to meet? Will the Taoiseach give an indication of when that might arise? After that, will it exclusively be the job of the working group to follow through the implementation? What Minister will be assigned? Will it be the Taoiseach? Will his Department do the drafting of the legislation and work with the working group? Will there be a particular assigned senior civil servant to ensure this happens? Does the Taoiseach have any idea when we can expect to see a conclusion to this process?

The Taoiseach: I will get the implementation group together, if I can, next week. I will speak to the Leader of the Seanad about it. We may have an issue, which I do not object to, in terms of the numbers who might serve on it. The terms of reference are set out for the implementation board, including liaison with draftspersons to draft the necessary legislation.

Deputy Brendan Howlin: Will it be the Taoiseach’s Department?

The Taoiseach: I undertook to set up the Manning report. I have gone over to the Seanad to talk about it. I will see that, in so far as that is concerned, I will drive it from the Department of the Taoiseach.

An Leas-Cheann Comhairle: We have two minutes left. I suggest the Taoiseach takes the fourth question, which is Question No. 5. We may not have time for supplementary questions. Is that agreed?
Deputy Brendan Howlin: It is less than two minutes. Can we not just move on to priority questions?

Deputy Micheál Martin: Could we leave it?

An Leas-Cheann Comhairle: Do Deputies want to leave it?

Deputy Micheál Martin: I think we should leave it.

Deputy Gerry Adams: Aontaím le sin.

An Leas-Cheann Comhairle: If that is what the House wants. I thank the Taoiseach.

Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Imelda Munster - the plans, if any, to build on land zoned for social housing in County Louth; (2) Deputy Fiona O’Loughlin - to provide funding for a service in County Kildare; (3) Deputy Éamon Ó Cuív - to discuss the roll-out of broadband in rural areas and the role of the Department in this process; (4) Deputy Bernard J. Durkan - the impact of objections and concerns over a prominent site at Naas, County Kildare; (5) Deputy Donnchadh Ó Laoghaire - to discuss safety and decontamination standards at Mercy University Hospital Cork; (6) Deputy Jackie Cahill - to address the reasoning behind the exclusion of Semple Stadium, Thurles from the list of grounds included in the Rugby World Cup bid 2023; (7) Deputy Maurice Quinnivan - to address the comments regarding University Hospital Limerick made by a person, details supplied; (8) Deputy John Brady - to discuss the former municipal dump at the north beach in Bray, County Wicklow; (9) Deputy Danny Healy-Rae - to address the delay regarding the removal of cattle with tuberculosis, TB, from farms; (10) Deputy Joseph Madigan - to address the implications for Ireland’s approach to climate change following the election of President-elect Trump; (11) Deputy Billy Kelleher - to address the waiting times for reduced scoliosis treatment; (12) Deputy Sean Sherlock - to ensure timely outpatient access by women to gynaecology services at Cork University Maternity Hospital; (13) Deputy Joan Burton - to provide the funding to permit the operation of a single platform solution to enable Killucan railway station to be reopened; (14) Deputy Alan Farrell - to ensure the DAA fully addresses concerns of residents over the second runway for Dublin Airport; (15) Deputy Marc MacSharry - to ensure that the post office at Ballygawley, County Sligo, remains open; (16) Deputy Pat Buckley - to address allegations of historical abuse at Clonmel Mental Hospital; (17) Deputies Mattie McGrath and Eamon Scanlon - to provide assurances regarding the transparency and accountability of advisers to the Citizens’ Assembly; (18) Deputy Mick Wallace - to discuss the review into rail services by the National Transport Authority and Iarnród Éireann; (19) Deputy Brid Smith - to address the climate change talks in Marrakesh; (20) Deputy Richard Boyd Barrett - to address the issue of no referrals being taken by orthodontic surgery in St. James’s Hospital from Loughlinstown hospital; (21) Deputies Ruth Coppinger and Mick Barry - to address allegations of irregularities concerning a site for offices in County Wexford; (22) Deputies Martin Kenny and Martin Ferris - to address the lack of quota for bluefin tuna for Irish fishermen; and (23) Deputy John Curran - to address the treatment of non-Teachers Union of Ireland, TUI, members in a college.

The matters raised by Deputies Imelda Munster, Billy Kelleher, Sean Sherlock, and Ruth Coppinger and Mick Barry have been selected for discussion.
22. **Deputy Thomas Byrne** asked the Minister for Education and Skills his plans to deal with the funding and quality issues in the universities and institutes of technology; and his further plans to develop a strategy document for the third level sector. [35410/16]

**Deputy Thomas Byrne:** The issue is one of considerable importance. It relates not only to the funding and quality issues in our universities but to the lack of a plan from Government for third level, which is of deep concern to many within the sector. It is of deep concern to my party because we believe, with all the challenges the nation is facing, if we have a properly funded, properly developed and high-quality third level education system, we can achieve great things.

**Minister for Education and Skills (Deputy Richard Bruton):** I agree with Deputy Byrne. This is a major priority for me. The national strategy for higher education to 2030, which dates back to the Hunt report, sets out a very ambitious agenda that aims to improve significantly the performance of Ireland’s higher education system with regard to quality, breadth of participation, attainment levels and the establishment of a sustainable and equitable funding model. The expert group on funding for higher education, under the chairmanship of Peter Cassells, was established to develop a strategy for funding the third level sector. The report was published in July and is now with the Joint Committee on Education and Skills. I look forward to working with the committee to work out a viable, long-term funding model that we can all support.

While Cassells deals with the medium and long-term funding needs, we also have to consider the immediate challenges. In that context I am pleased that we placed a particular focus on this area in budget 2017 and I secured additional funding for the sector for the first time in about eight years. Higher education is a particular focus. It attracted €36 million in 2017. It significantly achieved a change in that the demographic increase has been built into the Estimates for the coming year. An additional €160 million over the next three years has already been committed to. This will allow the sector to keep pace with demographic increases. It also has very targeted initiatives in areas such as disadvantage, skills, research and flexible learning. Among those who will benefit from the additional third level funding being made available are students from disadvantaged backgrounds, lone parents and Travellers.

In budget 2017, the Minister for Public Expenditure and Reform and I announced a policy review with the aim of designing and implementing a sustainable and predictable multi-annual funding model for higher and further education and training involving increased employer and Exchequer contributions from 2018. This review will be undertaken as part of the overall response to meeting the anticipated skills needs in the economy over the coming years in line with the national skills strategy. The review will include an analysis of the case for enhanced investment in higher and further education. In this context, it will identify key elements of the new funding model and the expected impacts, including those on employers. The review will include consultation with stakeholders. It will be published by the end of April 2017 and will complement the ongoing work by the Oireachtas committee on the Cassells report.
The sector has proved itself to be flexible and dynamic over the recent period and has continued to offer high-quality programmes and to undertake world-class research. Surveys of both students and employers have confirmed high levels of satisfaction with the system. Inevitably, concerns are being expressed about the capacity of the higher education system to sustain quality as demographic and funding pressures grow. That is why we are undertaking this work.

**Deputy Thomas Byrne:** I thank the Minister. The truth is that it is nothing short of remarkable that, aside from the Cassells report in recent times, there is very little there from the Minister’s Department in terms of third level. The Minister mentioned the Hunt report and the strategy subsequent to it in 2013. The truth is we are in a completely different space. Our institutes of technology are on the record now as never having been under so much pressure. They are in severe crisis mode. Our universities are dropping down the rankings, which have great importance.

The Action Plan for Education that the Minister published for his Department has little or nothing about third level education in it. It is a shocking gap. The Minister has put out a consultation for a new plan for 2017. He Minister should rewrite the existing plan to account for the shocking gap that somehow happened when this report was published. In the entirety of the action plan, there are two lines devoted to both the crisis in higher level funding and the Cassells report. The Cassells report is not simply about the choices. The choices are listed there. We are debating them in the Joint Committee on Education and Skills and I look forward to the Minister’s view when his party comes to a decision. My party is having similar discussions at the moment. The truth is there is a lot more in the Cassells report. There is the immediate funding gap. What was said to us about the Cassells report only last week at the committee was that part of the issue with rankings is that the Government needs to be seen to be behind the third level sector. It seems to be the case that the perception is the Government is not supporting the third level sector. What can the Minister do to counteract that?

**Deputy Richard Bruton:** I roundly reject what the Deputy is saying. The action plan is peppered with actions for higher and further education such as improving the quality of learning and teaching and investing in the sector. We delivered that in the budget. We have looked at the whole area of rolling out the Grangegorman project. We have looked at it right through every area we have identified: quality of teaching, investment in resources and improvement right across the system. We have a systems performance process in respect of higher and further education, which will be published shortly. It will review the last period and look to the future.

I agree with the Deputy that our ambitions as a country are tied up with our investment in higher and further education. That is why we have committed that by April we will have an investment plan that looks to both employers and the State to roll it out in the medium term. We share responsibilities as part of the Oireachtas for getting a long-term funding model. We face a situation where there will be a projected 30% increase in higher education enrolment. We have committed to rolling out apprenticeships, which are a very important complement to our higher education focus. It is one of the strengths of our institutes of technology that they combine traditional apprenticeships with other more applied research and higher level skills. We want to protect that in the technological university project that is under way. I reject the idea that this is not central to what we are doing. It is central to it. We will be acting urgently in this area.

**Deputy Thomas Byrne:** The Minister mentioned that Grangegorman is in the action plan. It is there but there is very little else about capital spending in the third level sector. It is hardly mentioned at all. There is no mention of the core expenditure per student being down by so
much in the action plan. What proves the point I make is that when it came to the budget and proper, significant political pressure from this side of the House on third level funding, all of a sudden there was a plan for third level funding in the budget. It is a deficient plan. We say there is not enough money but the plan is there and we want to see the details of it. I am not entirely satisfied with how the Minister has proposed to allocate the funding for the third level sector. It is something I intend to write to him about. We had understood that, apart from the postgraduate funding, the majority of that money would be going into the Higher Education Authority’s system for allocating funding, and we think that should happen. We must get to grips with the reality. The Minister has referred to flexibility. What he means is that classes have become significantly larger and teaching staff numbers have reduced significantly. That is the nature of the flexibility, but that is not good for students or the country.

**Deputy Richard Bruton:** I ask the Deputy to consider what we are doing. We are seeking to act across the entire perspective, including upskilling not only those going in to college, but those who need further education and life-long learners as well. We are investing in apprenticeships and improving the quality of methodology of learning within our higher and further education sectors. We are improving access for pupils who come to the sector with a disadvantage. We are increasing the investment in research in order that we use our education sector to trigger all of the improvements we can make throughout our community.

We are making this an important priority but we need to look afresh at the funding models. I do not agree that the funding model which has been in place forever should be left unaltered. We need to examine it to see whether it is fit for purpose. That is what we are doing as part of the review. The review will be available in April and it will inform our investment strategy for 2018 and 2019. We are committed to this area. The Minister for Public Expenditure and Reform has been clear, and the Minister and I are committed to investment in this sector.

**Institutes of Technology**

23. **Deputy Carol Nolan** asked the Minister for Education and Skills to outline the steps he will take to address the funding shortfall in the institutes of technology in view of the recent report from the Higher Education Authority. [35238/16]

**Deputy Carol Nolan:** Will the Minister outline the steps currently being taken by the Department in respect of the institutes of technology, which are currently subject to a funding crisis? Will the Minister set out the detail, including timeframes? This is an urgent issue and we need concrete timeframes. Six of the institutes are in serious difficulty as we speak.

**Deputy Richard Bruton:** I thank the Deputy for her question. This arises from the recent publication by the Higher Education Authority of an investigation of the funding of the institutes of technology. The purpose of the review was to provide an overview of the financial health of the sector, to consider capacity issues and to examine the challenges for the institutions given their respective plans for the future.

It examined the impact of the decline in the State grant, which we have known about, in the years since 2008 and examined projections as well. In looking at the projections, the authority assumed a static framework for State funding. It has made a number of policy recommendations which will feed into the work on developing a sustainable funding model for the sector, something I have discussed with Deputy Byrne.
The assumption of a static funding model is something with which we are not intending to proceed. As I indicated to Deputy Byrne, we have already invested €36 million this year. We have made a commitment in the coming two years to meet the demographic rise and, furthermore, we have committed in the budget to sitting down and, by April of next year, having in place a coherent investment plan for the institute of technology sector and the university sector against a background of the need to meet the challenges that face employers in terms of skills and other challenges facing the State.

The HEA has a policy framework in place for engaging with vulnerable institutes of technology. This requires institutes to submit a three-year plan to return them to a balanced-budget situation. If the institute is unable to demonstrate how a return to a balanced budget can be achieved within this timeframe or if actual performance deviates significantly from the plan, then the HEA will seek the appointment of an independent financial expert to work with the governing body and executive management team to agree a revised plan and programme for remedial action.

My Department and the HEA are aware of the financial difficulties being experienced by a number of institutes. The financial review of the institutes undertaken recently was based on the assumption of static funding. The report recognises the need to examine the underlying sustainability issues that have existed across the sector and it highlights the need for a review of how funding is being allocated. This goes back to the point I was discussing with Deputy Byrne. The funding model in place now is unsatisfactory and it needs to be examined. The report makes a number of recommendations on how some of the issues which contribute to funding problems in the sector can be addressed.

Additional information not given on the floor of the House

The report clearly identified the need for a review of the current funding model and I have asked that this be completed as a matter of urgency. Among the other recommendations is the need for a sectoral voluntary redundancy package and I understand this is being developed for submission to the HEA, which is working closely with my Department to address all the recommendations.

Funding overall for the higher education sector is a key concern for me, particularly in light of the additional pressure that will fall on the system over the next decade or so. In seeking to address the issue in the short term, I have for the first time in nine years secured as part of budget 2017 additional funding for the sector. In 2017, additional funding of €36.5 million will be made available with €160 million additional over the next three years.

The report of the expert group on future funding for higher education, published in July, clearly outlines the funding challenges and offers a number of approaches and recommendations for consideration for the medium term. As committed to in the programme for Government, the report has been referred to the Joint Committee on Education and Skills and this consultation will form part of the process of formulating a plan for the future of the sector.

In budget 2017, the Minister for Public Expenditure and Reform and I announced a policy review with the aim of designing and implementing a sustainable and predictable multi-annual funding model for higher and further education and training, involving increased employer and Exchequer contributions from 2018. The review will be undertaken as part of the overall response to meeting the anticipated skills needs in the economy over the coming years, in line
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with the policy framework set out in the national skills strategy.

It will include an analysis of the business case for enhanced investment in the higher and further education and training sectors. In this context, it will identify key elements of the new funding model and of the expected impacts, including those on employers. The review will include consultation with stakeholders. The policy review will be published by the end of April 2017 and will complement the ongoing work by the Oireachtas committee in respect of the Cassells report.

Deputy Carol Nolan: I thank the Minister for his response. However, I believe there is a lack of urgency. This must be addressed quickly. We should not be discussing action plans or models coming into effect next year.

I appreciate that this is a serious issue. It has been brewing for some time. However, in the budget €40 million was allocated for the entire third level sector. That is only a fraction of what is needed. This concerns me greatly. I believe the action plan has been rather silent in respect of this issue. I reiterate that this is an urgent issue and it needs an urgent response.

Deputy Richard Bruton: I agree with Deputy Nolan but she should give us some credit. Following eight years of continuous decline in funding in this sector, we have made the first ever investment of this nature. Not only have we made an investment for this year with the €36 million, but we have indicated that we will meet the demographic pressures in the coming two years, something that has not happened under the funding model for the past eight years. Moreover, we have committed to sitting down and, in particular, looking at employers. The Cassells report considered employers as potential contributors to the investment we need in the sector.

We need to work out a feasible investment plan that will offer sustainable growth in this sector.

I recognise the urgency. I know that the Joint Committee on Education and Skills is examining how we can develop a sustainable model. Models to address the problem are available. They will be part of a longer-term solution. However, we are also looking at the medium term and the immediate things we can do to ensure we put the sector in a stronger position. I welcome suggestions on how we can get better impact from the money in this area. That is important too because we are competing with health, housing and all the other demands. We have to ensure that our money leverages outcomes for people. That is what we are seeking to do in designing the instruments we are using.

Deputy Carol Nolan: I thank the Minister for his response. Again, however, I am struck by the absence of an urgent response to this issue and the lack of a clear timeframe to resolve it. I do not believe that kicking the issue into the committee is enough. Certainly, committee members will have views on the matter and we will all contribute, but I do not believe that is good enough. We need a response from the Minister. We need a clear timeframe from him as well. We also need a commitment to take urgent action.

Institutes of technology will be burdened with an impossible task of attempting to balance budgets that are simply unworkable. Ultimately, students will suffer. The report refers to the possibility of redundancies and further cost-cutting measures in the institute of technology sector. This is most concerning, especially since apprenticeship training has specifically received attention in the report. Such moves will have a serious impact if we fail to deal with it. This is coming at a time when the Government wishes to increase apprenticeship places. Can the Minister give a clear commitment that the current level of course provision will not be sacrificed to
balance the books?

**Deputy Richard Bruton:** We have a timeframe. We will be publishing our apprenticeship plan within weeks. We will publish the investment plan in conjunction with the Minister for Public Expenditure and Reform in April. We will have the capital review early next year. As part of the process we will be putting forward a strong case for more investment in higher and further education. That is coming up the track early next year.

The Minister for Public Expenditure and Reform has committed that in the 2018 budget we will continue the progress of investment in the third level sector. We have a clear framework up to the next budget and beyond. I do not accept that there is a lack of urgency. There is a deep problem. We do not have a sustainable funding model for our system of higher education. That has been recognised by everyone across the sector. However, we are putting in place the framework that can rebuild it.

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**Educational Disadvantage**

24. **Deputy Thomas Byrne** asked the Minister for Education and Skills if he will remove the cap on the expansion of the delivering equality of opportunity in schools programme, DEIS; if he will put in place the measures, suggested by the ESRI review of the programme, to taper funding and enhance supports for urban DEIS schools; and if he will make a statement on the matter. [35411/16]

**Deputy Thomas Byrne:** I am putting an urgent question to the Minister which follows from what schools are asking us. It relates to whether the Minister is committed to removing the cap on the expansion of the DEIS scheme. It is a fantastic scheme which was established by the Fianna Fáil Government in 2006. However, the scheme has not expanded significantly since then.

Will the Minister put in place what has been recommended by the ESRI? Is there an issue with the tapering of funding? Will that happen? Will there be enhanced supports for urban DEIS schools? When are we going to expand the scheme? Many schools have been established since the programme first began to operate and they have not had the necessary benefit of the DEIS scheme.

**Deputy Richard Bruton:** I thank the Deputy for raising the question and I appreciate his interest. I am always willing to acknowledge any good idea, regardless of its parentage.

The ESRI report referred to by the Deputy is entitled “Learning from the Evaluation of DEIS”. It was commissioned by the Department. The ESRI report provides an overview of the information on the impact of DEIS supports for schools including evaluations undertaken by the Educational Research Centre and my Department’s inspectorate as well as other international research.

The report considers a number of important aspects relating to current practice in DEIS schools, including ability grouping of students, guidance counselling and the potential to taper supports to schools. The key challenges and policy implications identified by the ESRI report for future policy are being examined in the context of identifying measures under a new school support programme.
This report, together with wide-ranging consultation conducted with key stakeholders, academics and practitioners, will inform the final measures to be adopted in a new plan for educational inclusion which I hope to publish before the end of the year.

While the Deputy is right that no new schools have been included in the programme since 2009, the process to review the existing DEIS programme is now nearing completion.

A new assessment framework is being developed using centrally held CSO and Department of Education data for the identification of new schools for inclusion. The inclusion of new schools under the school support programme will be considered in this context, and it will not be necessary for schools to make an application.

As I have already announced, it is my intention to publish the plan before the end of the year.

The review looks at all aspects of DEIS, including the range and impact of elements of the school support programme, particularly the scope for increased integration of services provided by other Departments and agencies in order to improve effectiveness.

Among the measures to be included in the plan are a series of pilot schemes that aim to introduce measures which have been shown to work well to improve results for disadvantaged children and students. The plan is expected to include targeted measures in the areas of school leadership; school networks and clusters; teaching methodologies; integration of schools and other State supports within communities; and greater use of home-school community liaison services.

Deputy Thomas Byrne: The Minister is right to acknowledge that since we established DEIS, a number of Governments have failed to expand it since 2009. That is a pity because between 2011 and 2013, I think 30 schools were established which have not even been given the opportunity to apply for DEIS status. Since the last identification of schools qualifying under DEIS criteria, communities have changed dramatically in some cases. Their socioeconomic profiles might have changed and they might be more deserving now than previously of the support - not even more deserving but rather more in need of it. The recent ESRI reports, as mentioned in the question and the Minister’s reply, indicate that a significant proportion of disadvantaged students attend non-DEIS schools. This is a problem because the students involved do not get the extra supports and resources, which they require and which the State has found to be necessary, in a large proportion of those schools. I look forward to the publication of the Minister’s plan but, more importantly, I look forward to more schools being accepted to the DEIS programme.

Deputy Richard Bruton: I take the point the Deputy makes. He will know that the process categorises different schools. There are 835 DEIS schools in total but it must be remembered that some of these are urban band 1 schools, which are particularly deprived. The insight relating to the DEIS scheme was to consider such schools, around which pockets of disadvantage could perpetuate themselves, and intervene in respect of them. The results have shown that DEIS schools are having an impact in improving standards in numeracy and literacy but they are not closing the gap with some of the other schools. Therefore, we are not just looking at extending the programme - although extending it to new schools is part of the plan, and the Deputy is right that some schools have not had the chance to apply - we are also trying to see
whether we can do better within those schools and whether we can bring to bear initiatives that have been seen to work elsewhere. The pilot approach of seeking to get schools to clusters, perhaps with similar problems, is one I would like to see implemented. I can assure the Deputy that we will look in a scientific way at schools that did not get the chance to apply and include them in circumstances where need triggers that level of intervention.

**Deputy Thomas Byrne:** When can schools not currently part of the DEIS programme become part of it? Does the Minister have a timeline for that?

**Deputy Richard Bruton:** Yes, it will be September of the 2017-2018 year. We have made some provision in the budget for this, envisaging new schools coming into the scheme. The methodology will not require, as was previously the case, the sending in of the percentage of parents with this or that feature or children with this or that feature. We will use CSO data we already possess in order that this can be done in a way that does not require the schools to gather such information. We hope it can be done pretty quickly and scientifically and that we will be able to start from September of next year.

**State Examinations Reviews**

25. **Deputy Joan Burton** asked the Minister for Education and Skills if he will provide a progress report on junior certificate syllabus, subject and assessment reforms and his key priorities in this regard for 2017 and 2018; and if he will make a statement on the matter. [35239/16]

**Deputy Joan Burton:** Where stands junior certificate reform? Does the resolution, up to a point, of the dispute with the ASTI mean that the issues relating to junior certificate reform have been resolved? Will the Minister give students an assurance that they will not end up penalised or losing marks because their schools or some of the teachers in the schools may not be participating fully in junior certificate reform?

**Deputy Richard Bruton:** The Deputy’s question relates to a number of matters. I do not whether she will be interested in this, but I have information on the roll-out of the reform cycle. As she knows, it is designed to provide students with learning opportunities that strike a better balance between learning knowledge and developing a wide range of skills and thinking abilities. I think the Deputy shares my belief that this is a better way to go. The implementation is being rolled out. English has already been rolled out and is coming up for examination this year for the first time. Business studies and science are now in place, and the teachers involved are benefiting from continuous professional development and are availing of professional time to support implementation. The Deputy will have seen that we made significant provision in the budget to release teachers to do such work.

Phase 3, which will begin in September 2017, will involve Irish, visual arts and modern languages, covering French, German, Spanish and Italian. The new curriculum of well-being will also be introduced at that time.

Phase 4 will begin in September 2018 and include mathematics, home economics, history, music and geography. Phase 5, beginning in 2019, includes the remaining technology subjects, religious education, Jewish studies and classics.

The first classroom-based assessment in English has taken place in TUI schools and the sec-
ond is due to be completed in early December. The written assessment task is to be completed very shortly after that. It is based on the classroom-based assessment, which, as the Deputy said, is an element that will be examined by the State Examination Commission and will count for 10% of the marks.

We continue to have discussions with the ASTI within the Teachers Conciliation Council. All the issues that have been in dispute with the ASTI, including the junior certificate, are contemplated by those talks. As the Deputy knows, to date, members of the ASTI have been directed by their union not to participate in the classroom-based assessments. That continues to be the situation, but we are seeking to resolve it in the course of the present discussions.

**Deputy Joan Burton:** I do not know whether the Minister is aware that many students and their parents feel deeply unsure about what is happening with junior certificate reform. While the junior certificate is obviously not as big an exam as the leaving certificate, it is a major issue in the life and perspective of a student if he or she is working away and yet may be penalised because one particular union is not involved in the assessments. Junior certificate reform has, on and off, been a topic for discussion going back perhaps 20 years. It is designed to import more creativity, more critical thinking and more collaboration into our secondary-school cycle, at junior and, ultimately, leaving certificate level. In that sense, it is very necessary because we are told constantly-----

**An Ceann Comhairle:** I thank the Deputy.

**Deputy Joan Burton:** -----that the number of jobs which will change over the next ten to 20 years and which will affect these students right throughout their working life is very significant.

**An Ceann Comhairle:** I thank the Deputy.

**Deputy Joan Burton:** However, I am very unclear, on foot of the Minister’s reply, as to what actual progress has been achieved. Does he acknowledge that students still will not know------

**An Ceann Comhairle:** The Deputy’s time is up.

**Deputy Joan Burton:** -----whether some will be at a ten-point disadvantage if their schools are overseen by ASTI members?

**Deputy Richard Bruton:** I absolutely agree with the Deputy that this is an important reform. It has been part of public policy for a considerable period. We are in the unfortunate position that one union is not supporting its roll-out. I have requested that the ASTI provide a derogation for English teachers so that this can proceed. That continues to be a request with which I hope there will be agreement because there is still time to do this. However, the examination itself has been set by the State Examinations Commission. The basis on which marks are assigned is known and it is not for me to interfere with that. The latter is an established way in which this examination will be assessed. It is my desire and hope, and the purpose of the ongoing talks at the Teachers Conciliation Council, to seek to resolve this issue, along with a number of other issues that are of concern to members of the ASTI. I hope it can be achieved.

**An Ceann Comhairle:** I ask all Deputies please to adhere to time limits for questions.

**Deputy Joan Burton:** Will the Minister tell us the number of students and schools affected by the non-collaboration of the ASTI and its members with the junior certificate cycle reforms?
We are coming close to Christmas and the exams will happen not too long in the life of the students and parents after that. With due respect, it is not good enough for the Minister to say this is only for the State Examinations Commission, SEC, and it has nothing to do with the Minister if one significant group of students is getting on with junior certificate reform, as are the schools and teachers. The Minister has not ruled out the possibility of students missing out on a 10% assessment mark. In the scheme of things, it might not seem an awful lot but for a very ambitious student hoping to get a relatively high grade or a weak student, it amounts to a significant portion of marks to miss out on.

**Deputy Richard Bruton:** As the Deputy knows, the approach of the new junior certificate is to have a range of items on which people can be assessed. A very important element is the certificate of achievement and, unfortunately, it will not be available if schools have not participated in allowing students to recognise and measure their performance. It is a big innovation to allow people do things outside the norm, value the project work they do in class and so on.

The 10% of marks are assigned by the SEC based on a written piece of work in classroom-based assessment. If that has not happened, those marks cannot be assigned. Of course, anybody looking at a junior certificate will see how a student did in his or her exams and fared in the different subjects. Unfortunately, those elements are under some pressure in the 375 schools that are purely ASTI. We would like to see the issue resolved but we must do it through the Teachers Conciliation Council, and that is what we are seeking to do.

**Apprenticeship Programmes**

26. **Deputy Thomas Byrne** asked the Minister for Education and Skills the progress being made in his plans to double the number of apprenticeships by 2020; and his views on the barriers to expanding recruitment in the apprenticeship sector. [35412/16]

**Deputy Thomas Byrne:** This question seeks to ask the Minister to outline the progress he is making to double the number of apprenticeships by 2020 and if he would describe to the House the barriers there to expanding recruitment in the apprenticeship sector. Will he comment on the gender divide in apprenticeships as well? It is a feature about which people are concerned.

**Deputy Richard Bruton:** I thank the Deputy for his question. I share with him and most of the House the belief that we have undervalued apprenticeships, and particularly during the crash they were totally undermined. We have committed to doubling the number of registered apprentices, providing 50,000 apprenticeship and traineeship places up to 2020. In the coming weeks, I will publish a detailed three-year plan setting out how we plan to deliver on this commitment. The plan will include details of our approach to managing the pipeline of new apprenticeships identified through the 2015 call for proposals and will set out the timing of a new call for proposals. The plan will set out specific annual targets, as well as bringing forward a range of specific actions to enable, support and streamline the development of new apprenticeships and traineeships.

In recent months, we have seen the first of the new apprenticeships with the new insurance practitioner apprenticeship launching and the industrial electrical engineer apprenticeship getting under way. Further new apprenticeships are due to launch in the coming months in various sectors, including medical devices, polymer processing and financial services. As well as developments in new apprenticeships, registrations in the traditional 27 craft trades are rising.
In 2015 there were 3,153 registrations, which represents a significant recovery since the crash. SOLAS has recently projected that by 2020, the figure will grow to 5,587.

There are potential barriers to the delivery of these targets but by taking a planned approach, it will allow us to identify potential bottlenecks systematically and overcome them. There is a clear roadmap for the delivery of a new apprenticeship, including an industry-led consortium identifying a skills need and developing an occupational profile, collaboration with a training partner to develop a suitable curriculum for validation and quality assurance. It is a demanding process but we must follow it to ensure this is a quality stream.

I acknowledge the Deputy’s statement that we have a problem with gender. We probably have a problem in selling the benefit of such an approach to employers, parents and others who make decisions. I am very keen to promote this vigorously with both the consumer and employer side.

Deputy Thomas Byrne: The Minister is holding the fort for the Minister of State, Deputy Halligan, with these questions. I will not complain about a senior Minister doing so but Deputy Halligan was absent during jobs questions as well. I know he is doing important business for the State around the world. That is crucial and we welcome that.

The programme for Government’s ambition is to double the number of apprenticeships to provide a total of 31,000 places. I hope it is more than a simple ambition and more of a target that can be disposed of. The last Government had a similar ambition but there was very little policy driving it. I look forward to the comprehensive policy in that regard. We need more than simply ambitions and targets and we need to change the entire mindset. There are highly developed countries like Switzerland where one might be picked for an apprenticeship or academia at a very early age. I am not saying that is the way to go but it shows a level of faith in apprenticeships in that they are considered of equal value to academic life. It is something we could look at. We want to see what is happening and get a wider range of apprenticeships. There is a traditional view of apprenticeships and that perception must be changed. It will involve all of us.

Deputy Richard Bruton: I agree with Deputy Byrne. The ambition is to have 73 new areas for apprenticeships, meaning we got from the current 27 areas to 100 areas. As the Deputy knows, the employer takes on an employment contract and pays people from day one. It is slightly different from the State rolling out a programme and the employer must buy into it. This must be done by the assembling of consortia. It is a genuine partnership between the State and employers and we must grow momentum.

I agree that we and our employers have undervalued this area. It is a new culture of thinking within enterprise and we have just spoken about funding for institutes of technologies. This is an important avenue and role for institutes of technology and we must drive this to deliver it together. The regional skills fora will be a big element in how we get the rubber to hit the road, as they say, on apprenticeships.

Deputy Thomas Byrne: Will incentives be put in place for companies to become involved with new apprenticeship schemes? It must be widened not just through demand and new categories of apprenticeships. Companies will have to come on board to provide these. What incentives could be proposed?

Deputy Richard Bruton: The Apprenticeship Council of Ireland examined this and introduced the concept of a much shorter apprenticeship. The traditional model was a four-year
apprenticeship with considerable periods. It has been shortened, with a shorter period in which the employer would pay. At this stage we have not considered employer incentives. The employers recognise that such positions must be regarded as employment posts and they must meet national minimum wage and other criteria. The State would provide the training element. The biggest contribution we can make is to streamline the concept of a new apprenticeship to get it through the various curricular developments, quality assurance, approvals and support the employers in providing an environment in which an apprenticeship can be delivered and apprentices can get through. That is instead of a financial incentive. I am open to discussing this. We have not set aside money for providing incentives. This should be a quality programme and, like other countries, employers should support this approach.

Deputy Thomas Byrne: I thank the Minister and perhaps I will come forward with some ideas for incentivisation as this needs to happen and we need to broaden our horizons as a nation. We must get companies used to this, as apprenticeships are traditionally viewed as something that happen in the construction sector. That is important and there are issues there as well but there is potential for this process if it is rolled out in a proper way and the mindset can be changed. If companies are on board with the new categories of apprenticeships, there can be change, although there may need to be some effort to persuade companies to take on apprentices in certain cases. There could be some kind of incentive scheme. I think some sort of incentive scheme should be put in place to incentivise and encourage companies to get involved. It does not necessarily have to cost money and I am not asking for money to be put aside for it. There could be an advertising campaign to try to highlight what is going on. I do not think the apprenticeship idea has seeped into the public imagination yet. The Government has an obligation to make sure that happens.

Deputy Richard Bruton: If we are looking at incentives, I do not think there should be a subsidy. When things went wrong in the construction sector after the crash came, the number of apprenticeships decreased from approximately 9,000 to approximately 1,000. The whole thing was wiped out overnight. We need to build a robust system in support of employers in order that they can continue to recruit apprentices, even in bad times. As we seek to build that infrastructure, perhaps we should look at how we can support capability and capacity-building within employers who participate in apprenticeship programmes. I do not think offering a subsidy is the route we should take in this regard. I think we should approach the issue raised by the Deputy by investing in a structure that will sustain us into the long term.

Other Questions

Special Educational Needs Staff

27. Deputy Bernard J. Durkan asked the Minister for Education and Skills the extent to which he remains satisfied regarding the ability of his Department to meet the full requirements in respect of special needs teachers and special needs assistants, SNAs, at primary and second levels throughout the country, the steps being taken to address emerging needs in the area; and if he will make a statement on the matter. [35183/16]

Deputy Bernard J. Durkan: I have tabled this question to assess the number of special needs teachers and assistants who are required and to try to ensure adequate provision is made in sufficient time to meet the projected requirements as well.
Deputy Richard Bruton: I share the Deputy’s belief that this is an important area. I am glad to say it is a growing area because the Department has been paying increasing attention to it in recent years. Funding for special education provision in 2016 will amount to €1.5 billion, which is equivalent to over 17% of the gross overall current allocation for education and training. There has been an increase of 10% in spending in the past two years. This funding provides for a range of supports and services, including additional learning and resource teaching support, access to the support of SNAs, special transport arrangements, building adaptations, enhanced capitation in special schools and special classes, specialised equipment, additional teacher training and the services of the National Educational Psychological Service, NEPS. Some 12,900 SNAs are available for allocation to the end of 2016. This represents an increase of 23% on the number in 2011. There are more than 12,400 learning support and resource teacher posts in mainstream primary and post-primary schools at present.

The National Council for Special Education has allocated 7,430 resource teacher posts to schools for the 2016-17 school year. This represents an increase of 41% in the number of resource teachers who have been allocated since the 2011-12 school year. In excess of 5,000 learning support posts are allocated to schools under what is called the general allocation model and the learning support allocations for post-primary schools. Approximately 150 new special classes will be opened for the 2016-17 school year. This means there will be more than 1,150 special classes in place compared with 548 special classes in 2011. The rapid growth in this area is reflected in our budget provision. It was announced as part of last month’s budget that I am providing for well in excess of 1,000 additional staff, between SNAs and resource teachers, for next year. I also announced that following development and piloting over recent years, a new model for the allocation of teaching resources for children with special educational needs will be implemented from September 2017.

Deputy Bernard J. Durkan: I thank the Minister for his comprehensive reply. To what extent has he addressed the full requirement for SNAs and special needs teachers, as deemed by the various school authorities and parents’ representative bodies? To what extent does he envisage that there will be a marriage between special schools and mainstream schools to ensure adequate provision is made in respect of each?

Deputy Richard Bruton: This is quite a controversial and complicated area. As the Deputy probably knows, the National Council for Special Education criticised the heavy reliance on expensive assessments in the previous model for allocating resource teachers. It argued that children from disadvantaged backgrounds or disadvantaged schools were less likely to be able to afford to access such assessments and that this was denying access to children. The new model seeks to move away from the heavy reliance on assessments and to make more allocations on the basis of the education profile and need of the school in question. The move we are making is designed to better meet the needs of students and to ensure the whole school has a responsibility for accommodating children with special needs. Obviously, we leave it to the parents of such children to choose between mainstream and special education. As I said in my initial reply, the number of special classes within mainstream schools has increased significantly to accommodate parents who want a foot in both approaches.

Deputy Bernard J. Durkan: The provision of school transport for children with special needs is inadequate as a result of cutbacks that were imposed over the years for various reasons. I will not go into that now. Does the Minister envisage that school transport services for children who attend special needs classes in mainstream schools or attend special schools, depending on their educational requirements, can be augmented?
Deputy Richard Bruton: We provide €175 million in support of school transport services each year. The Department makes a genuine effort to prioritise children with special educational needs. Their needs are treated as a priority within that pot of money. We are trying to make sure children with special needs can access the schools that most meet their needs. I think the school transport service is designed to meet that policy objective. If the Deputy knows of cases in which he feels there are shortcomings, the Minister of State, Deputy Halligan, might be of assistance in dealing with them.

Deputy Bernard J. Durkan: I will be glad to mention them.

Deputy Richard Bruton: I am sure the Deputy will.

Teacher Recruitment

28. Deputy Paul Murphy asked the Minister for Education and Skills if he envisages difficulties in recruiting extra teachers, as outlined in the budget speech made by the Minister for Public Expenditure and Reform, in view of the inferior terms and conditions for new teachers; and if he will make a statement on the matter. [30837/16]

Deputy Paul Murphy: In last month’s budget, the Government set out its plans to recruit an additional 2,400 teachers. How on earth does the Minister expect to recruit teachers given that new teachers are beginning on a lower payscale? How does he think new entrants can be attracted into a two-tier system in which unequal pay for equal work is enshrined?

Deputy Richard Bruton: I thank the Deputy for his question. We have recruited 2,260 teachers so far this year. We have not yet encountered difficulty in recruiting teachers. There can be occasional recruitment difficulties in particular subject areas. We continue to see a high level of interest in pursuing a career in education through the CAO system. The points requirement for entry into initial teacher education courses is at the upper end. It is important that we are continuing to attract very talented people to teaching. I think this has been one of the strengths of our system. We recognise the importance of being able to attract quality new entrants across the public service, particularly in important professional areas like education. I believe there is no more important area in which we can invest.

As the Deputy knows, during the financial crisis there was a need to enact a number of measures to reduce public expenditure and stabilise the country’s public finances. The pay of new entrants to the public service, including teachers, has been reduced since 2011. Considerable steps have been taken to reduce that gap since 2011 under the Haddington Road and Lansdowne Road agreements. As a result of the successful conclusion in September of the negotiations I entered into with the TUI and the INTO under the most recent agreement, the decision to withdraw the qualification allowance has been reversed. As I have outlined previously, significant increases have been sanctioned for people who entered teaching last year and this year. This is worth €4,300 for someone who entered teaching this year. In the case of someone who entered teaching last year, the increase is worth €6,700, bringing his or her salary to €36,700. That is a very significant improvement.

Deputy Paul Murphy: The Minister has said that there is “no more important area in which we can invest” than education, but his policy of fighting to maintain pay inequality at the core of this country’s teaching profession is a funny way of showing it. Even with the TUI agreement,
new teachers who are coming in are suffering a significant pay gap. Some of them are paid €6,000 or €7,000 less than the people beside whom they work and who do the same job. Even those with the so-called deal will be down more than €100,000 over the period of their careers. They are also often in situations of having precarious, low-hour contracts, not full-time contracts, and are in very difficult circumstances. The most fundamental question for those considering going into teaching is whether the Government is committed to establishing pay equality or whether it wants pay inequality and a two-tier pay system indefinitely into the future.

**Deputy Richard Bruton:** First, I should explain that the way in which teachers are paid includes an increment, so a teacher with ten years’ experience could be on €45,000 to €50,000 compared to a teacher who was recruited in 2015, who would be on €37,700. Built into the structure, people are not paid the same and it depends on the period in which the person was recruited.

What we have done in the negotiations is that three quarters of the lifetime gap that was imposed in that stringent period has been closed by the combination of measures we have put in place, both under Haddington Road and in the recent negotiations I have had with the TUI and INTO. We have also addressed the issue the Deputy raised in regard to precarious positions and we have sought to make it easier for young teachers to get permanency.

The issue of where we go from here is one for the wider public service. We have to enter negotiations for a successor to this agreement and, no doubt, the issue of new entrant pay will be on the table not just for teachers, but for all public servants. It is in that context that we will look at the steps beyond what we have already agreed.

**Deputy Paul Murphy:** The Government would like to get away from the core issue, which is pay equality. I do not think it can because that is central, but it would like to. For example, the question of increments is fine. Nobody has a problem with the idea that someone who has ten years’ experience should be paid more than someone with five years’ experience - that is not what we are talking about. However, some people with five years’ experience are getting a fair bit more than other people with five years’ experience or with ten years’ experience, and so on all the way up.

I was on a television show recently with the Minister of State, Deputy Damien English, who said he was in favour of pay equality across the public sector, including for teachers, at some unspecified point in the future. Since then, other Government Ministers have expressly not given even that commitment. The fear we have is that this is part of the Government’s plan into the future for the public sector, and teachers in particular. Deputy Bruton is the Minister for Education and Skills. Does he want to see a situation where teachers get equal pay for equal work, based on experience, or where pay inequality continues?

**Deputy Richard Bruton:** The approach we have taken is to sit down with all of the trade unions, particularly those within the Lansdowne Road agreement, and to work on the issues their members present. Just as under Lansdowne Road, the issue of new entrant pay was presented, and I believe we have responded very fairly to it and, as I said, we have met three quarters of the gap. I have no doubt that, when the next process starts, new entrant pay will be again on the table. It will not be just for teachers, but for the whole public service. We will again sit down and negotiate with people as to how that can be integrated with other demands that will be coming from other unions and with the other pressures we have to meet from the available money.
One of the elements of what we have done is that, further up the scale, we have integrated the scales so that, at a certain point, teachers will be on the same scale. That has been one of the elements of the work we have already done in closing this gap.

**Schools Building Projects Status**

29. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the status of a new building for a school (details supplied); when construction will commence and be completed; and if he will make a statement on the matter. [34884/16]

**Deputy Charlie McConalogue:** I ask the Minister for an update on the status of a new school and, in particular, the purchase of a site for a three-school campus in Buncrana, County Donegal, to facilitate Crana College secondary school, Gaelscoil Bhun Cranncha primary school and Coláiste Chineál Eoghan, which is a Gaelscoil secondary school.

**Deputy Richard Bruton:** As the Deputy is aware, the project in respect of the education campus in Buncrana was announced as part of the six-year capital programme last year. Officials in the Department have been liaising with officials in Donegal County Council under the memorandum of understanding for the acquisition of school sites with regard to the procurement of a suitable site for the campus. A significant number of potential site options were comprehensively technically assessed by officials from my Department in liaison with officials from the local authority.

The Deputy will appreciate the importance of a thorough appraisal of site options in order to ensure the achievement of value for money. In this case, the complexity of the issues associated with the development of the site options under consideration, combined with competing demands on my Department’s resources, resulted in a lengthier time for site appraisal than would generally have been the case.

Following on from the site assessment exercise, a preferred site option was identified and officials from Donegal County Council, on behalf of my Department, have engaged with the landowner in question with a view to its acquisition. These negotiations have not yielded a positive result to date but are currently ongoing. At the request of my Department, council officials have also engaged with the relevant landowners in respect of a second suitable site and this may provide an alternative option, if agreement can be reached on a purchase price.

Due to the commercial sensitivities attaching to site acquisitions generally, it is not possible to provide any further information at this time regarding the negotiation process or the site options. Once a suitable site has been acquired, my Department will be in a position to progress the project concerned into the architectural planning process.

**Deputy Charlie McConalogue:** I thank the Minister for his response. I raise the issue with him to try to ensure top priority is given by his Department to securing and purchasing a site so the other stages of the three-school campus project can proceed. Of the three schools, Gaelscoil Bhun Cranncha has been very successful since it was established in the early 2000s but it has been operating from the premises of a local youth club. While it is operating very well there, it does not have a purpose-built school building and those involved have been very frustrated by the length of time it has taken to proceed with a new building. Likewise, Crana College secondary school is at capacity on its current site and is long past the stage where it needs to move to
Will the Minister indicate what the timeline is likely to be for site negotiations to be completed? Will he give an assurance that, once the site is acquired, it will immediately proceed to the planning and architectural stage?

**Deputy Richard Bruton:** I cannot give a definite timeline. We have to work through these issues of both site acquisition and the technical assessments, which are complex. If I gave a commitment, I could not guarantee it would be honoured because we have to work with other parties and satisfy everyone that the site is suitable to achieve what we are all trying to achieve. I can assure the Deputy that I will convey to my officials the urgency with which he treats this. I can see from the frustration there has been and the build-up of need that this is a high priority. I can also assure the Deputy that, once the site is settled, we will certainly proceed to support the schools through the planning process and the various architectural requirements.

**Deputy Charlie McConalogue:** The urgency with which this is addressed is crucial because of the need of the three schools involved and also because the way it has been handled up to now by the Department leaves a lot to be desired. If we go back three years, a site had been identified at that stage but the Department then restarted the clock, went back to basics and restarted the whole process of identifying a site. It changed its agreement as to how sites should be identified from one of working with local education and training boards, which in this instance was Donegal ETB, to asking county councils to carry out that work instead. Given that a new agreement was signed by the Department, it restarted the process entirely. This means we are now only as far forward as we were three years ago with regard to identifying a preferred site and trying to ensure that site is purchased. It is crucial there is no further delay in this regard. I ask the Minister to live up to his commitment to do his utmost to ensure this process is concluded.

With regard to the capital programme, when will the money be brought forward to build this campus? The period from 2019-21 is indicated in the capital plan. Will the Minister ensure in his review of the capital plan that he will reconsider bringing that funding forward to ensure the three-school campus can be built as soon as possible?

**Deputy Richard Bruton:** I am sorry to learn of the difficulties that arose in the selection of a site. I have no doubt that the county council has a broader footprint within the county and is used to dealing with site acquisition for other purposes. I am sure that is a better arrangement for the Department. I recognise the urgency the Deputy cites.

We have a capital programme that is adequate to our needs but it is high demand. We have to deliver 20,000 extra places every year. There is pressure on the capital budget. As the projects come through, however, we are meeting them and we have the resources to meet the flow of projects that we are working through. I am confident that when we get a site and get through the planning process, we will be able to fund the flow of projects as they come.

### School Curriculum

30. **Deputy Maureen O'Sullivan** asked the Minister for Education and Skills his views on whether subjects such as social, personal and health education, SPHE, have a role to play, with particular reference to mindfulness in view of recent reports of an increase in substance abuse...
Among students; and the current programmes in schools to deal specifically with substance abuse. [35185/16]

Deputy Maureen O’Sullivan: My question relates to programmes such as SPHE, mindfulness and well-being and their role in considering substance misuse and abuse in second level schools.

Deputy Richard Bruton: Social, personal and health education, SPHE, is particularly important in educating our young people about a range of issues, including substance misuse, at both primary and post-primary levels. SPHE has a specific module on the use and misuse of a range of substances in which the issue is dealt with in a sensitive manner in the context of a spiral and developmental age-appropriate curriculum.

Relevant topics in SPHE include student decision-making skills and safety and protection. Students learn how to exercise judgement, weigh up different possibilities, examine the steps and choices that guide them towards considered decision-making, begin to understand their own rights and the rights of others, and explore decision-making. In respect of safety, students’ ability to assess the consequences of risky behaviour is developed. Students explore the reasons people smoke, drink alcohol, and misuse any kind of substances or take drugs that have no medical use.

Teaching and learning in SPHE should be informed by a school policy and by other related policies, for example, a substance use policy which is in place in the majority of schools. Such policies should be implemented consistently and communicated to the whole school community.

The professional development service for teachers, PDST, provides support for schools with all aspects of the implementation of the SPHE curriculum, including substance misuse issues. My Department’s inspectorate, including dedicated SPHE inspectors at post-primary level, visit SPHE lessons and provide support and advice to teachers and schools.

SPHE is currently mandatory in all primary schools and in junior cycle. It will also form part of the new mandatory well-being area of learning for the new junior cycle. Schools are also encouraged to deliver the SPHE programme in senior cycle.

In respect of mindfulness and the role it can play as part of the SPHE curriculum, it is a skill which has an evidence base for successful use in promoting mental well-being among adults. It has been shown by a growing number of studies to have beneficial effects on mental health, physical health, stress reduction and emotional well-being. Research on the effects of mindfulness on young people is not yet as extensive as work with adults but it is growing.

Deputy Maureen O’Sullivan: The Minister has given me the theory of what is supposed to be going on but the recent official report has shown the massive increase in substance misuse and abuse among teenagers, especially boys. So much is landed on schools, whatever the social issue, the idea seems to be that the schools will deal with it. The SPHE does depend on the will of the school no matter what the theory is. Sometimes that is the one class period that is quickest to go when there are other demands on the school timetable. It also very much depends on the teachers and on the skills of a particular teacher and some of them are doing brilliant work. There are teachers who feel this should not be part of their work programme and others who feel they do not have the skills to deliver it. This is a hit or miss programme. We are not getting at the target group. This is being taught in a class of between 20 and 30 people, which is
not very suitable.

Would the Minister consider another model? The schools involved with community organisations and projects run these programmes.

**Deputy Richard Bruton:** I agree and am open to new thinking. We are doing an audit of all that is done in the well-being and mental health area within the Department. That includes not just the SPHE and the new well-being programme but also the National Educational Psychological Service, NEPS, the restoration of guidance counsellors and so on. We are very keen to see whether we can use the resources in a more strategic way. I would be happy to see the development of partnerships with providers who could develop and deliver programmes in a better way. We do need to provide some way of establishing that the standard to which those outsiders deliver programmes is consistent with the expectations of our inspectorate and so on. That might need some thought. School leaders do have discretion but perhaps we could support leaders in programming this work and identifying useful partners in the community that could make them more effective.

**Deputy Maureen O’Sullivan:** There has been a real change in thinking. I started teaching in the 1970s when the idea was to give young people all the facts and that will turn them off everything. The school I worked in was one of the pilot schools for the “On my own two feet” scheme. It then moved away from the facts and went into self-esteem and assertiveness, but we need both and to have a much more holistic approach. This is a question of healthy living, not just ideas around substance abuse and misuse.

I chair the prevention and education sub-group in the north inner city. We ran four youth conventions and about 400 fifth year and transition year students from the north inner city attended. At the round-table discussions, facilitated by their leaders from the various youth projects, they confirmed what I said about it being hit or miss. We are having a round-table discussion with people who are very involved in prevention and education and I hope to meet the Minister after that meeting because this is not getting the attention it needs and we are building up problems.

**Deputy Richard Bruton:** The Taoiseach has established a north inner city task force and is committed to action in this area, and in that context I met several people in the educational sphere in the north inner city and we exchanged views. We would like to develop some pilot initiatives in the education sphere to support those schools in addressing some of the wider issues. That work is continuing. We hope as part of the Delivering Equality of Opportunity in Schools, DEIS, review to take on pilots, and the north inner city would be a good area to see new thinking applied. I would welcome the Deputy’s ideas.

*Question No. 31 replied to with Written Answers.*

**School Accommodation Provision**

32. **Deputy Thomas Byrne** asked the Minister for Education and Skills if he is satisfied with school provision in County Meath, particularly in expanding towns such as Ashbourne. [35027/16]

**Deputy Thomas Byrne:** This is an issue I have raised with the Minister before. I am not
convincing the Department has a handle on the need for school provision in County Meath, especially in the growing areas. I mentioned Ashbourne in the question but it arises throughout the county. I look forward to hearing what the Minister has to say.

Minister for Education and Skills Deputy Richard Bruton: I know this is an issue of concern to the Deputy and I am keen to respond as best I can. In identifying the requirement for new school provision and for additional school places, my Department uses a geographical information system to identify the areas under increased demographic pressure nationwide. The system uses data from the Central Statistics Office, Ordnance Survey Ireland, the Department of Social Protection and information from my Department’s databases. With this information, my Department carries out nationwide demographic analyses and so on and we have 13 new schools.

On the school planning areas in County Meath, my Department’s demographic analyses show that these areas are experiencing some demographic growth. However, the level of growth and the rate of year-on-year increase are not to such an extent that would currently warrant the provision of additional new schools. My Department is keeping these school planning areas under review to take account of updated child benefit data, updated enrolment data and the impact of capacity increases in these and adjacent school planning areas.

The Deputy will be aware two new primary schools opened in 2011 and 2012 and two new post-primary schools opened in 2013 and 2014 in County Meath. A number of building projects for County Meath are included in my Department’s six-year plan, announced in November 2015. In Ashbourne, my Department has recently completed new 16-classroom schools for Gaelscoil na Mí and Ashbourne Educate Together national school and also phase 1 of the project for De Lacy College, which provides for 450 places, with the remainder of the planned 1,000-pupil school to be included in phase 2 which is currently in early architectural planning. The current status of all projects, including those in Meath, may be viewed on my Department’s website.

Projects on six-year plan in County Meath

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**Deputy Thomas Byrne:** I will happily explain the reality on the ground to the Minister. I had constituents this week who told me that their family had moved from Wicklow to Ashbourne. There are a lot of people moving to Ashbourne. The child needs to go into senior infants. He was offered junior infants in Gaelscoil na Mí, though he should be in senior infants. He was also offered junior infants in Garristown, a village in another county. That is not good enough and that child is not the only example. During the summer, there was a seven-year old child with a Slovakian mother and a Polish father who was told that he had to go to Gaelscoil na Mí, even though the family already had language difficulties. Gaelscoil na Mí is an excellent school and I am a huge fan of Gaelscoileanna, but they are not for everybody. What is happening at the moment is outrageous. A councillor from the Deputy’s own party told me the other night that he got two kids from Ashbourne into Ratoath College for second level education. This is happening all the time and the local education welfare officer tells us this. What is needed urgently in Ashbourne is a new stream at primary level, preferably in the English language. It has to happen. There are houses being built there and nowhere for children to go to school from what we are hearing. We must also look at the area around Duleek and Drogheda as well where I believe the Department should be planning aggressively in terms of second level provision, because the capacity that is available in Drogheda and Navan will slowly become unavailable to large parts of County Meath if the issue is not dealt with.

**Deputy Richard Bruton:** I understand the Deputy is going to sit down with the senior official dealing with this area. I am very happy that will take place. The Department has to work on the basis of catchments and identify whether there are available places within that catchment that are within reasonable reach of pupils. That is the approach that has been taken. There does not seem to be an overall capacity shortage within these catchments according to the assessment done by the Department. That does not mean that an individual pupil will always get the school they want. I am happy to facilitate a meeting with the Deputy and to work through some of those examples to see the origin of the problems that are arising. I have to admit that even in my area, one finds people who cannot get the school they want and there is frustration at that, even in a well-planned area. The school people want will not always be facilitated by this approach in every place. However, we have demands in every part of the country. We need to accommodate 20,000 additional pupils every year. To make sure that we can meet that, we have to have a sort of systematic approach that applies uniformly. Maybe we can discuss it further.

**Deputy Thomas Byrne:** I can tell the Minister straight that if he moves to Ashbourne today,
there is a good likelihood there will be no place for his child at school. That is not acceptable but it is the reality that we are finding on the ground. We are finding that Irish citizen children are being told to go back a year by officials from Tusla and the Department, or go back a year in another village in another county. That is not acceptable. I have to say I totally reject the Department’s contention that there is no capacity issue in County Meath. There is a major capacity issue today in County Meath and we have to get to grips with it. This child is entitled to go to school and to senior infants. The Constitution guarantees that. The Minister, his Department, Tusla and whoever else are responsible have to ensure that. I found it quite shocking that Tusla is separately responsible for arranging school places. They somehow have to talk to the Department, which is not providing the places. That joined-up process has to happen as well. It is one thing that I have noticed is completely absent. There are children there who cannot exercise their constitutional rights to go to school. That right must surely be to a local school and not having to travel distances past numerous other schools.

**Deputy Richard Bruton:** There are 15 projects in architectural planning in Meath. They go right across Navan, Dunboyne, Julianstown, Laytown, Ashbourne, Trim, Nobber and more beyond that. There is a very substantial flow of projects that are already committed to, which are meeting the planned expansion of the catchment. I am happy to facilitate sitting down with the Deputy to see if there are particular problems and why they are arising. As I said in my reply, we have just completed 16 classrooms in Gaelscoil na Mí and Ashbourne Educate Together. Therefore, there has been investment there and there is a flow of future investment coming. Let us sit down with the officials involved and see where exactly this problem is arising and whether it can be resolved within the system. We have to apply a uniform system to be fair to all parts of the country.

**Back to Education Allowance**

33. **Deputy Carol Nolan** asked the Minister for Education and Skills when the lone parent barriers to education report will be published. [34876/16]

**Deputy Carol Nolan:** I ask again about the report on the barriers to education for lone parents. My understanding was that this report was meant to be published at the end of August. I ask the Minister when it is going to be published.

**Deputy Richard Bruton:** The programme for Government contains a commitment to commission an independent examination to identify the supports and barriers to accessing higher education for lone parents and to examine measures to increase participation. In line with this commitment, my Department engaged a multidisciplinary team in NUI Maynooth to undertake the independent review. The review is being overseen by a steering committee comprising officials from my Department and from the Department of Social Protection and the Department of Children and Youth Affairs, as well as the Higher Education Authority.

The review is examining existing data and describing the supports that are currently available for lone parents, with a view to identifying the specific challenges faced by lone parents in accessing higher education. The intention is to identify measures and best practice that will address those challenges in the future. The review is currently being finalised. It is a complex policy area that involves three Government Departments. Given the complexity of the issues involved, it is expected that the review will be completed before the end of the year.
However, the review was sufficiently progressed to inform policy decisions by the relevant Departments in budget 2017. In that context, I secured additional funding to support more lone parents to participate in higher education. This new funding will be used to respond to the recommendations contained in the review. This is as part of the additional €365 million funding for higher education that my Department received.

The additional funding I received for lone parents in budget 2017 will be complemented by measures announced by my colleague, the Minister for Social Protection, to assist lone parents to return to education. These measures include the reintroduction of the €500 annual cost of education allowance for parents, including lone parents. The Minister for Children and Youth Affairs is also introducing a programme of affordable child care which will be of significant help to lone parents who are using child care and accessing higher education.

Deputy Carol Nolan: I thank the Minister for his response but I dread to hear the word review, because it seems to me to be a stalling tactic used to kick the can down the road. I would prefer to hear a date for that report. The Minister says the review will be completed at the end of this year, but I ask for a specific date for that report. Parents in lone-parent families are struggling. An EU standards of living report published in 2014 clearly showed that 59% of lone parent families struggle and experience material deprivation. This is an issue that we need to tackle head on and we need that report published, not just the review completed. The report must be published because we cannot have families struggling to get by on a daily basis in 2016.

Deputy Richard Bruton: As I said, the report will be published before the end of the year. I understand that there are serious data weaknesses in actually gathering information in relation to lone parents. That has been one thing that hampered it. This has not been kicked down the road in the sense that we have made concrete decisions already. Not only did my Department allocate extra money, but the Minister for Social Protection allocated €500 cash to support lone parents particularly in the back-to-education provision. In addition, the provision for child care represents an investment of up to €8,000 per year for people on low income. Again, that is accessible to lone parents who want to participate in education. There are concrete actions being implemented that I hope will meet a lot of the needs to bring forward more lone parents to participate in third level.

Deputy Carol Nolan: Again, I emphasise the importance of this issue. We need to tackle it. It is vital to ensure successful outcomes for lone parents and their children, many of whom come from disadvantaged backgrounds. They are disadvantaged because society has made them disadvantaged through cuts to social welfare and everything else. We need a greater level of support. We need a greater commitment. We do not need mention of reviews and reports all of the time; we need more action. The Action Plan for Education is silent on this very issue. I very much hope the upcoming report will make some significant recommendations and that it will ensure that appropriate actions on this issue take place.

Deputy Richard Bruton: The Deputy is demanding action and I am outlining that actions have been taken. They have been taken and will be implemented this year. They are of significant value. That €500 cash for someone participating in back to education is a real benefit and it allows people to get access to resources, books and so on to allow them to participate more fully. The programme of child care support is now something that has been instated as a permanent feature. It is quality child care that goes right up to the age of 15 for the child in question.
3 o’clock

That is a real change in policy that will sustain, in particular, lone parents who are on low incomes. The Department of Education and Skills is setting aside scholarship opportunities that will encourage the participation of lone parents who come from disadvantaged backgrounds. We have a solid programme of action but that is not to say we cannot do more. We can do more and we will welcome the report and seek to build it into future budgeting.

Teachers’ Remuneration

34. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills if he will commit to equal pay for all teachers regardless of the date they started working in view of recent school closures due to industrial action; and if he will make a statement on the matter. [35194/16]

**Deputy Richard Boyd Barrett:** Discrimination in employment is illegal. There was a long struggle, going way back to the 1830s in the United States and right up to the 1970s in this country, for equality in employment and to make it unacceptable to discriminate against any category of person. In recent weeks, however, teachers angrily protested and took strike action because the Minister refused to commit to the basic principle of equal pay for equal work. It is very simple, will he commit to that principle?

**Deputy Richard Bruton:** We dealt with a similar question just a short time ago from Deputy Paul Murphy. I explained to him that-----

**Deputy Richard Boyd Barrett:** I heard the Minister.

**Deputy Richard Bruton:** -----the way in which teachers are employed involves increments so that they are not paid equal amounts. It depends on their experience. One teacher could earn up to €60,000. However, a person recruited last year will under the deal I negotiated see an increase of €6,700 in their pay to €37,700 in January 2018. As Deputy Boyd Barrett is aware, during the crash there were changes in public service pay and to the pay of new entrants. We have used the opportunities presented by the talks relating to the Haddington Road and Lansdowne Road agreements to negotiate changes. Under those negotiations, I have restored three quarters of the lifetime earnings for new entrants who were affected by the change. I have no doubt that the issue of pay for new entrants will again be on the agenda in the context of a successor agreement. We will sit down with unions across the public sector, not just with one union whose members are outside the Lansdowne Road agreement. We must address the issue in a way that is fair to all trade unions and to all those who were impacted upon by the changes to pay for new entrants. That is the approach we will take and it is the approach that the Minister for Public Expenditure and Reform, Deputy Donohoe, has outlined.

**Deputy Richard Boyd Barrett:** It is not very helpful to engage in a disingenuous response to a straightforward question about increments. We all know that there are increments. There have always been increments in the public sector and people move up the pay scale. The issue is that there are two different pay scales. In fact, there are three different pay scales for people who have exactly the same training and experience. The Minister should not try to blur the issue with an untruth. The question is why teachers with the same experience and, possibly, who are the same age as their counterparts are on a different pay scale. Teachers earn different
amounts for doing the same job, working in the same schools and teaching the same classes. Some teachers get between €6,000 and €8,000 less for doing the same job. That is just straightforward discrimination. Over their lifetimes, the difference could be as much as €200,000 - the cost of a house. How can the Minister stand over that discrimination? Will he commit to end the discrimination and inequality for teachers?

**Deputy Richard Bruton:** As I explained to the Deputy, during the recession restrictions were imposed on the pay of new entrants. That applied right across the public service. It is not a matter solely for teachers. That is an issue that has been tabled within the context of the Lansdowne Road agreement. We sat down with the teaching unions that signed up to that agreement, namely, the Teachers Union of Ireland, TUI, and the Irish National Teachers’ Organisation, INTO, and negotiated on the basis of their agenda. As a result of those negotiations, we have closed the gap to effectively three quarters of the lifetime earnings. The scales have now been merged at certain points so that they are identical for particular parts of the career. I have no doubt that pay for new entrants will be an issue in the next pay round and we will again sit down with all of the trade unions and seek to negotiate the issues - along with other demands they might have - in the context of a successor agreement. We are now negotiating with the Association of Secondary Teachers of Ireland, ASTI, in the Teachers Conciliation Council to seek to resolve that and many other issues that have been raised.

I say to Deputy Boyd Barrett, although he might not like to hear it, that we must strike a balance. For example, carers did not get an increase for eight years but this year we were able to give them an increase. We must balance the resources we have available with the different demands, rightful demands for pay restoration but also rightful demands for investment in health, housing and homelessness, for which the Deputy will also articulate a need.

**Deputy Richard Boyd Barrett:** The Minister should not give the money argument. There would be money available if some vulture funds and super-profitable corporations were made to pay their taxes. The issue at stake is discrimination. The Minister referred to negotiation. What is there to negotiate in terms of ending inequality? There is nothing to negotiate. It is fair enough for one to negotiate pay increases and other measures but why is the Minister using inequality as a bargaining chip in respect of teachers or other groups of public sector workers? It is fundamentally unfair. The Minister does not get the point. He should not be using it as a bargaining chip for future negotiation. He should acknowledge that it is pay apartheid. It should be illegal. Any other category of discrimination such as against women, LGBT people or racial minorities is illegal, yet the Minister has managed to impose arbitrary discrimination in employment - which is illegal for every other category - on the basis of whether one happened to come into a profession before or after 2010 or 2011. Is the Minister going to end the apartheid?

**Deputy Richard Bruton:** It is worth pointing out to the Deputy that differences in pay for new entrants to those who are already working in the area for a considerable period are not unheard of in other parts of the economy and it is not confined to the public service - would that it were. The reality is that there have been big changes in the way people are paid in the private sector and one of those features has been lower entry rates for graduates. I am sure Deputy Boyd Barrett speaks to graduates and is aware that the typical entry rate for graduates is quite low and competitive at present. I recognise that in the recession difficult decisions were taken, including a reduction in the pay for new entrants. That was seen as a way of being able to bring some people in, albeit at lower pay. We recognise that it is an irritant for members of the public service but we sat down and negotiated with those members - people who have committed to
the Lansdowne Road agreement - and we have restored substantial amounts of that money. I recognise that the issue will be on the agenda for a successor agreement and we will continue to negotiate with public servants who have taken a lot of cuts and experienced difficulties in order to manage the issue. We must have regard to the broader context in the sense that we have other responsibilities to meet as well.

**School Accommodation**

35. **Deputy Joan Burton** asked the Minister for Education and Skills the proposals he is reviewing, in conjunction with the Minister for Children and Youth Affairs, to realise the programme for Government commitment to have schools available for child care services outside school hours; if community groups and private providers will be allowed tender for access to those facilities; and if he will make a statement on the matter. [34874/16]

**Deputy Joan Burton:** Will the Minister provide an update on the proposals relating to granting access to schools after-school hours to child care providers, including community groups, in order that they might offer after-school care? Will they be allowed to apply for access to after-school facilities in schools? The Minister is aware that many schools are closed by the middle to late afternoon and for parents looking for child care, it would be an obvious use of resources to grant access to providers.

**Deputy Richard Bruton:** This issue is addressed in the programme for Government. My Department is working closely with the Department of Children and Youth Affairs to consider how to facilitate schools that wish to make their facilities available as part of the range of options for parents where demand exists.

In general, school authorities have a considerable degree of autonomy in respect of how their premises are managed and utilised at local level. The use of school facilities must be approved by a school authority. In 2005, my Department issued a circular to trustees, boards of management and principals of primary and voluntary secondary schools to encourage trustees and boards of management to make their facilities available where possible for community, education and recreation purposes. The circular recognises that the decision ultimately lies with the relevant board or trustees and that the first priority at all times should be the interests of the school, its teachers and pupils.

In facilitating such extra provision there are a number of issues that need to be considered in respect of such arrangements. These include property, governance, procurement, insurance and liability and are being considered as part of a review within my Department of the requirements to be established around the use of school premises and property for preschool and after-school services and the preparation of guidelines regarding same.

In that regard, a cross-departmental group established under the Government is meeting regularly to assess the following: capacity and demand for services; children’s views on after-school care; an appropriate quality and standards framework; the development of criteria for the capital scheme to be funded by the Department of Children and Youth Affairs under budget 2016; estimated existing use of school buildings; collaborative models with existing community and private service providers; and potential funding incentives for provision of services.

I expect to receive the report of this review group within a matter of weeks and will consider
in detail the proposals and recommendations therein in conjunction with my colleague, the Minister for Children and Youth Affairs, Deputy Katherine Zappone. Furthermore, I engaged in round table discussions with management bodies before the summer on how to facilitate the wider use of school buildings for the community in order to get input from those working on the ground.

**Deputy Joan Burton:** Will the Minister tell us who is carrying out this review? Are there any civil servants left in either of the Departments who are not working full-time on reviews? It is the comment we have heard most from the Minister since he became a Minister in that everything seems to be subject to review. In this respect, as the Minister probably knows, quite a few schools in Dublin and around the country run after school services in their school. These are popular with parents. They are using a valuable publicly provided resource. Given the fact that the standard of building in schools throughout the country is now very high, it is appalling to see these shut at certain times, such as during holidays and mid-term breaks, when they could be utilised by families, parents and children in the community. Will the Minister tell us what he has in mind? He said the review, like many of the other reviews, will be available in a couple of weeks but does he intend to take any action on this matter?

**Deputy Richard Bruton:** I am surprised at the Deputy giving out about evidence-based policy making when she did that also when she was in her Department. She set up a review before she made policy decisions and committed public money. That is the way I approach this issue, and it is the right way to approach it. We have very senior officials working on it, including the Assistant Secretary from the Department of Youth and Children Affairs, Bernie McNally, and my own Assistant Secretary, Gary Ó Donnchadha. This is a purposeful review looking at the level of demand, the potential and the barriers that need to be overcome in terms of meeting concerns about governance and basic issues like key holding, who will take responsibility for closing up, insurance and so on. These are practical issues and we have to work through those with the schools, which ultimately will make their premises available. We can only facilitate that. We are taking the correct approach and in accordance with the programme for Government we will implement changes in this area to facilitate more schools making their properties available. I agree it is a good use of an asset created by the public to make it more widely available, but I find it surprising that the Deputy would consider it a waste of time to consult those who are at the coalface seeking to make this happen.

*Written Answers are published on the Oireachtas website.*

**Topical Issue Debate**

**Social and Affordable Housing Provision**

**An Ceann Comhairle:** Is the Minister of State, Deputy Canney, dealing with this matter?

**Minister of State at the Department of Housing, Planning, Community and Local Government (Deputy Catherine Byrne):** I am taking this matter on behalf of the Minister, Deputy Coveney.

**Deputy Imelda Munster:** I am disappointed that the Minister with responsibility for housing, Deputy Simon Coveney, is not here to respond to the questions. I wanted to ask him if he was aware that there are 54 acres of council-owned land banks for social housing in County
Louth that have lain idle for the past ten years, barren of any social housing provision. Furthermore, the council is paying €3 million per year in interest only on those land banks. That €3 million is taken out of the council’s budget every year, which directly affects service provision such as housing maintenance, extensions for people with disabilities, etc.

I do not know if the Minister of State is aware that there are 4,851 people on the housing list in County Louth. There are also 1,000 people with no other option but to go onto the housing assistance payment, HAP, scheme. For the first time ever in County Louth, there is a 100% increase in homelessness. Two years ago, one person was registered as homeless. As of last week, 100 people are homeless. That is 100 people without a roof over their head who are lying in doorways or without any shelter or park they can find coming into the winter and Christmas. When that total is combined, we are talking about almost 6,000 people. It is fair to say that the Government allowed this crisis to develop. For the six years it has been in government, it has done little or nothing about it and the crisis has now developed into an emergency.

I tabled a parliamentary question to the Minister some weeks ago asking the amount of council land banks for social housing in each county across the State. The response was telling because it stated: “My Department does not hold the data requested by the Deputy.” The same Minister for housing launched a policy document, Rebuilding Ireland - Action Plan for Housing and Homelessness, in July. One would imagine the first thing any Minister would do in the midst of a housing emergency would be to do a search of all local authorities to find out the number of council-owned land banks that were sitting idle, waiting for funding to build social housing. It is clear from that reply that the Government has no intention of rolling out a proper social housing building programme and that it is developer led.

I am extremely disappointed that the Minister, Deputy Coveney, is not here, but I ask the Minister of State what commitment will be given to local authorities across the State, but in particular to Louth where 6,000 people are on the housing list, to fund local authorities to provide social housing on those council owned land banks that are deemed for social housing but which are lying idle in the midst of a housing emergency.

**An Ceann Comhairle:** Before I call the Minister of State, it is open to a person submitting a topical issue to indicate that they want the issue held until it can be dealt with by the particular Minister.

**Deputy Imelda Munster:** I thank the Ceann Comhairle. I presumed, in the midst of a crisis, that the Minister would have made himself available but, obviously, it is not a priority.

**Deputy Marcella Corcoran Kennedy:** He is in the Seanad.

**An Ceann Comhairle:** If the Minister is not available, the Deputy has the option to defer the matter.

**Deputy Catherine Byrne:** I apologise for the absence of the Minister, Deputy Coveney, who is dealing with legislation in the Seanad. I have been asked to relay his reply to the Deputy. I have taken a note of the points the Deputy has made.

The Department does not hold the data requested by the Deputy. It is a matter for each local authority to be satisfied that it has sufficient lands zoned to meet its overall housing needs, both in regard to wider residential development and in terms of lands on which social housing can be provided. Also, to clarify, the Planning and Development Act 2000, as amended, does not
provide for specific zoning for social housing; the Act requires development plans to provide zoning of land for purposes, including for residential use.

Elsewhere, in Part V of the Act, provisions relating to social and affordable housing apply to that land that is zoned for residential use or a mixture of residential and other uses. For example, the written statement of a development plan must include an objective requiring that a specified percentage of the land zoned for residential use, or for a mixture of residential and other uses, be made available for the provision of social housing.

In addition, there have also been changes to the existing Part V social and affordable housing arrangements in the Planning and Development Act 2000, as amended, which are primarily aimed at maximising the transfer of completed social housing units. These changes include prioritising the delivery of social housing units on-site, with 10% social housing being required in new housing developments; a requirement that Part V agreements should be reached between developers and local authorities prior to the lodgement of a commencement notice for the development; the elimination of the current options allowing developers to fulfil their Part V obligations by means of the transfer of sites or land elsewhere, or of making a cash payment in lieu of social housing, thereby signalling that the focus is now firmly on the provision of units; the possibility for the new Part V provisions to be retrospectively applied to existing planning permissions where works have not yet commenced subject to the agreement of the developer and the planning authority; the introduction of the possibility for developers to agree with a planning authority to lease out units for social housing either on or off-site; and the increase in the size of developments exempted from the Part V provisions from developments of four units or fewer to developments of nine units or fewer. Part V will now only apply to developments of ten units or more.

Specifically in respect of County Louth, I am assuming that Deputy Munster is referring to a site located at Dunleer, which is a project that will be delivered through a public private partnership, PPP, programme. This is expected to yield between 70 and 95 social housing units. My Department will be recouping part of an outstanding Louth County Council site loan, in proportion to the percentage of the overall site that is being used for the project.

As for the timeline for delivery, PPP projects in general take an estimated 37 to 48 months to deliver. It is anticipated that the first units will be ready to move into in mid-2019. My Department is working in partnership with local authorities and the National Development Finance Agency, NDFA. The latter is responsible for the procurement of the projects and supervision of the project companies during construction. At present, the planning and site design aspects of each site has been addressed and it is anticipated that the planning processes will commence in mid-February.

**Deputy Imelda Munster:** On a point of clarification, I was not referring to the lands at Dunleer. As I said at the outset, I was referring to the 54 acres of landbanks that are lying idle throughout County Louth.

If one looks at the Minister of State’s response, it is all about Part V. There is clearly no evidence to suggest that the Minister, Deputy Coveney, is enthusiastic about traditional projects whereby local authorities build the council houses. What is being done is developer-led. The Minister is handing over responsibility for our housing crisis to private developers. That is as clear as day, not only from the Rebuilding Ireland document but also from the reply provided. The Minister is handing over our entire housing emergency to private developers.
I will ask the question again because the Minister of State did not answer it. In view of the fact that there are 6,000 people on the housing waiting list in Drogheda and throughout Louth, many of whom have been waiting over eight years - perhaps, the Minister thinks is not long enough - and given the 54 acres of landbanks in the county that can be used for social housing provision, will the Minister give a commitment to provide funding so that the local authority can start building social houses on that land, in respect of which the local authority is making interest-only repayments of €3 million a year? I hope that, third time lucky, the Minister of State will answer my question. Will the Minister will agree to provide funding to allow not only the local authority in Louth but also every other local authority in the same position to begin building on their landbanks in order that they might start providing houses for the people on the housing lists? Will the Minister do that or is he hell-bent on handing over responsibility for our housing crisis to private developers?

Deputy Catherine Byrne: Unfortunately, I cannot answer on behalf of the Minister in respect of Deputy Munster’s question on funding. However, I can inform her that the Rebuilding Ireland programme clearly identifies that the local authorities will play a significant role in developing social housing right across the country. The local authorities have been identified and asked to make sites known - where these have become available - to the Minister and to the Department so that the process to make land available for the building of social housing, affordable housing and private housing can begin.

Deputy Imelda Munster: What about the landbanks?

Deputy Catherine Byrne: I am coming to that. I cannot answer the specific question on the landbanks for Deputy Munster because I do not have that information. However, I will-----

Deputy Imelda Munster: That was basis of the question I put down. The one word that stands out in the question is “landbanks” and now the Minister of State is saying she does not have an answer.

Deputy Catherine Byrne: I do not have a specific answer in respect of that matter.

An Ceann Comhairle: In fairness to the Minister of State, we have two difficulties here. We have the Minister of State standing in for her colleague and she is not obviously equipped with the information that Deputy Munster is seeking. Equally, the question, while it is valid and important, is not as specific as it might be. There is that difficulty.

Deputy Catherine Byrne: There is. I agree with the Deputy that there is probably more clarification needed on the question.

Deputy Imelda Munster: Fifty-four acres of landbanks.

Deputy Catherine Byrne: I am sorry I cannot give the answer to Deputy Munster. What I can tell her is that the Minister, Deputy Coveney, has committed €3.5 billion for housing across the country and all of the local authorities have been contacted in respect of the different lands and sites that can be used for the building of social and affordable housing.

I promise Deputy Munster I will go directly back to the Minister and ask specifically about the landbanks. I cannot address that issue. I cannot give the Deputy a commitment that the Minister will provide funding to the local authority for specific sites unless he sees the sites in respect of which it will be allocated. I cannot provide an answer in that regard for the Deputy
but I will go back to the Minister on her behalf to relay that the answer given by me on his behalf is not sufficient. I will ask him to communicate with the Deputy on a personal basis.

Imelda Munster: That is a clear undertaking that the Minister will be asked to correspond directly with me.

Hospital Services

Deputy Billy Kelleher: I thank the Ceann Comhairle for giving me the opportunity to raise this issue. I do not often come into this Chamber and play emotional cards but I met a group, the Scoliosis Advocacy Network, the members of which are campaigning on behalf of their children and other children.

I will put one or two case studies on the record. I have given the individuals pseudonyms to protect their identities. Mary was diagnosed at age ten in May 2013 with a 40° spinal curve at Mullingar General Hospital. She was referred to Our Lady’s Children’s Hospital Crumlin for urgent review by a specialist. She was obliged to wait 11 months before she could see a consultant. Her mother rang the hospital daily in order to secure this appointment. During this 11-month wait, Mary’s curve deteriorated from 40° to 90°. She now required urgent surgery to halt the progress of her spinal curve. In fact, she now required two significantly invasive surgeries and would need some of her ribs removed. This was due to the long wait and the deterioration in her condition. She finally made to theatre 17 months after her diagnosis for her first surgery and her curve was well over 100°. One week later, she had her second surgery. Her body suffered severe trauma during these surgeries and she spent one month in hospital in Crumlin. During the 17-month wait, Mary had to give up sports, was in constant pain and unable to eat and her back became more deformed. Unfortunately, Mary now finds herself back on a waiting list for surgery to correct a failed fusion and there is no date in sight for this procedure. Once again, her condition is being allowed to deteriorate.

A second child, I call him Dónal, was diagnosed with scoliosis aged two and had a 35° double curve. He had two separate medical interventions over the years to prevent his spinal curve becoming worse. These did not work. In August 2015, Dónal was placed on the urgent surgery waiting list. Dónal’s parents were told he needed surgery and the sooner the better. Dónal’s curve was approximately 60° when he was placed on the surgery waiting list in August 2015. Dónal has been waiting 15 months for his urgent surgery, with no date in sight. His curve is now approximately 80°, with added rotational problems. Dónal is seven years old. He has reduced lung capacity due to his scoliosis. He has reduced endurance and is not growing as he should be. He has to go to bed after school most days. His mother told me yesterday that he can no longer retain his food due to the pressure on his stomach.

Another child to whom I give the pseudonym Ted was born with scoliosis. He has had a number of surgeries to date, with long wait times and cancellations along the way. He had vertical expandable prosthetic titanium rib, VEPTR, surgery to treat his scoliosis and, unfortunately, that failed. He waited many months with an unhooked rod before he could again gain access to the theatre. The rod dislodged from his shoulder blade and from his hip and it was months before that was even addressed. During this waiting period, Ted suffered pain on a daily basis. He needed strong pain medication to help him cope. Ted missed lots of time in school and needed home tuition. Ted has poor endurance and requires a wheelchair for days when he cannot be mobile as a result of the pain and the tiredness. Ted is six years old now and will require
ongoing surgeries throughout his entire childhood. Due to the 100% complication rate with growing rods, this means that revision surgeries are guaranteed for Ted. He will spend most of his childhood on a waiting list for surgery to treat his scoliosis.

I could continue speaking on this. I have five cases with me and I have analysed most of them. After listening to the parents I urge that something be done, dramatically and quickly. This simply cannot be allowed to continue for these five cases or for the other 203 cases currently on the waiting list.

**Minister of State at the Department of Health (Deputy Marcella Corcoran Kennedy):**
I thank Deputy Kelleher for raising this matter. It is clear that the Deputy has been personally affected by his engagement with the parents. Those of us who enjoy good health and whose children enjoy good health sometimes take it for granted. Anybody listening to the Deputy could not help but be moved by the dreadful experiences those families have had. However, this is an opportunity to update the House on behalf of the Minister, Deputy Harris. He asked me to extend his apologies to the Deputy for not being present but he is unavoidably detained elsewhere.

Long waiting times for scoliosis surgery are not acceptable and the Department of Health has been working closely with the HSE to address service pressures, particularly in Our Lady’s Children’s Hospital Crumlin, which is the largest provider of scoliosis surgery for children and young people. Additional funding of €1.042 million was allocated under the 2015 service plan to increase capacity at Crumlin, and further resources of €987,000 have been allocated under the 2016 service plan for orthopaedics and trauma to address service needs in Crumlin which will have a positive effect on access for scoliosis patients. The complement of consultant orthopaedic surgeons at Crumlin has increased by 1.5 whole-time equivalents which will enhance the overall orthopaedic service, including spinal surgery.

The construction of a new orthopaedic theatre in Crumlin has been completed. This new facility will provide for additional scoliosis activity in 2017, but is dependent on the recruitment of additional theatre nurses. While the hospital continues to recruit nursing staff successfully, it must be said that balancing this with attrition rates, maternity leave and sick leave continues to present a challenge. However, the Children’s Hospital Group is exhausting every recruitment and retention avenue available to it, including international recruitment, and is proactively working on nurse recruitment to support the opening of the new theatre.

The HSE winter initiative 2016-17 includes €2 million provided specifically for scoliosis patients to provide for the surgeries required by year end by 15 paediatric cases on the Crumlin waiting list and to treat 39 adolescent-adult cases on the Tallaght Hospital waiting list. In an effort to address inpatient and outpatient spinal orthopaedic waiting lists at Tallaght Hospital, an additional half-time consultant was appointed in late 2014. This appointment has assisted in managing emergency admissions and in running additional waiting list clinics. In 2015, €1 million was provided by the HSE to fund 100 degenerative spinal surgeries at Tallaght. An additional consultant is also due to start work at the hospital in July 2017 and it is expected that this appointment will assist in addressing the hospital’s capacity deficit in the long term.

The Minister, Deputy Harris, and I are aware that the long-term strategy for Tallaght Hospital is to provide spinal degenerative surgery, with a gradual transfer of the adolescent scoliosis surgery from Our Lady’s Children’s Hospital Crumlin, to the new children’s hospital. The Department will continue to work with the HSE and the relevant hospitals to ensure improvements
in access to spinal surgery are achieved. The Minister recently met with a number of scoliosis advocacy groups to discuss their concerns, following which the Children’s Hospital Group has begun a process of engagement with the advocacy groups on developing a partnership approach to the design and planning of services for children with scoliosis. Those inputs will be important because we must listen carefully to the parents and the advocacy groups. This will provide an opportunity for them to work with the hospitals and consultants in the design and planning of paediatric scoliosis services.

**Deputy Billy Kelleher:** I thank the Minister for her reply, but I genuinely believe that even the deadlines mentioned by her are not good enough for many of the children I have mentioned. The Minister talks about July for Tallaght Hospital and international recruitment of theatre nurses for the new theatre in Our Lady’s Children’s Hospital. Everybody knew this theatre was being built - it was happening before our eyes - yet the recruitment process has been very slow. The problem is that, as I speak and the Minister listens, children’s lungs and hearts are being slowly crushed while they wait. Some children can no longer retain their food because their stomach is being squeezed. That is happening to the five children with whose parents I discussed this. I met some of the children. There are also 203 others on the waiting list. July 2017 is a long way into the future for a five year old child who needs surgery today.

I urge the Minister and the Minister of State to reflect on this. I am not holding anybody personally responsible. Nobody has a monopoly on humanity and we all want to help. However, the Minister must urgently revisit this matter. We all know the Children’s Hospital Group is under pressure to deliver care within its budget while at the same time plan for the new children’s hospital. These children cannot wait for the new children’s hospital. We must provide the resources, be it through the National Treatment Purchase Fund, NTPF, or through some other method. These theatres must be functioning from 1 January next. Otherwise, children will be irreparably damaged. That simply is not good enough. These children have an entitlement to life like anybody else.

**Deputy Marcella Corcoran Kennedy:** I acknowledge that Deputy Kelleher is not being political or overly dramatic on this. He is simply reflecting the situation of certain families and the challenges that face them. He is absolutely correct, and we agree, that waiting times are not acceptable in this case, with children in the circumstances the Deputy outlined. Having the theatre built is one thing but recruiting the nurses to be in place to ensure the surgeries commence is proving challenging, not only in this case but in other hospitals across the country. The Deputy will be aware of that. Crumlin hospital has outsourced 15 patients to the private sector under the winter initiative funding. It has also outsourced nine patients to the private sector. Every effort is being made to schedule patients for their surgeries. Some of the patients require two-stage procedures, along with emergency and urgent patients. There is much happening in terms of trying to manage the spinal surgery at the hospital while continuing to manage the trauma and elective surgery as well.

I assure Deputy Kelleher that I will bring his concerns, which the Minister is aware of, to the Minister’s attention again. The Minister has met with the advocacy groups and he is working to ensure that these surgeries are carried out as soon as possible. This matter will receive our full attention.
Deputy Sean Sherlock: I wish to raise the lack of access to women’s gynaecology services in Cork University Maternity Hospital, CUMH. Women in the Cork region have drastically longer waiting times for these services than women elsewhere in the country. It is causing devastating consequences for the women and their families in the region served by the Cork University Hospital and CUMH.

I will outline some facts that have been communicated to me. I admit to being quite new to this issue. The matter was referred to me by a consultant gynaecologist and the director of the gynaecology unit at Cork University Maternity Hospital. She told me the gynaecology service for women in Cork has been neglected in the past decade. There are currently 4,058 women waiting for an outpatient appointment. It is the longest waiting list of all gynaecology units nationwide and is increasing by approximately 1,000 per year. It is also three times the size of the Cork University Hospital general surgery outpatient waiting list, with 35% of women waiting over a year for an outpatient appointment and many waiting two to three years. Many women arrive in emergency rooms in crisis due to long waiting times. I have been told there is a risk of delayed diagnosis of cancers in women who are forced to wait for years for their outpatient assessment, and this is a clinical assessment of that. There are 518 women on a waiting list for surgery, 38% of whom have been waiting at least one year. Cork has the longest waiting list for gynaecological surgeries, being twice that of the Rotunda Hospital, which ranks second.

In the past decade, no new consultant gynaecologist posts have been created in Cork, despite the fact that 26 such posts have been advertised nationwide in a one-year period during 2015 and 2016. Gynaecology theatres in CUMH are functioning at only 40% of their originally intended capacity. CUMH has two fully commissioned, state-of-the-art gynaecology theatres, only one of which is used for surgery and for just four days per week.

I want to distinguish between gynaecology and maternity services. I anticipate that the Minister of State’s reply may refer specifically to maternity services. I hope it will not. I refer specifically to gynaecology services and the lack of services for women’s health. This is not a call for additional funding. The issue is one of governance and ensuring the HSE makes a greater effort to allow the services to be put in place. I do not believe for a minute that it is due to a lack of funding. It is due to a lack of will.

Deputy Marcella Corcoran Kennedy: I thank the Deputy for raising this important issue and I welcome the opportunity to provide information to the House on the matter. In light of increasing demand, a key challenge for our health system is to ensure patients have timely access to health services. The Government is committed to a sustained focus on improving waiting times, particularly for those waiting longest. The number of patients who are waiting to be seen or treated must be considered in the context of the total numbers of patients seen and treated. Every year, there are 3.2 million outpatient attendances at our hospitals. Some 94,000 patients have an elective inpatient procedure and 1 million have a planned day case procedure.

There has been a 4% increase in inpatient and day case activity and more than a 1% increase in elective activity. The HSE has advised that outpatient lists have been increasing since the beginning of the year due to a typical weekly growth of approximately 1,400 patients per week. The HSE has explained that this growth is in part due to a 14% increase in referrals to acute outpatient services. The HSE outpatient services performance improvement programme is working on targeted programmes with a number of specialties to put sustainable solutions in
place to address general access times, which will, in turn, address long waiters. These specialties are orthopaedics, urology, general surgery, and ear, nose and throat, ENT. Pathways of care that will extend access options for patients are being developed in those specialties as well as in dermatology, rheumatology and ophthalmology. While gynaecology is not yet included in the improvement programme, the programme will be extended to all specialties in the future.

My colleague, the Minister for Health, Deputy Harris and I are aware that there is a difficulty with waiting times for gynaecology services in CUMH. However, the hospital is undertaking a number of initiatives to address outpatient waiting times. I very much welcome these initiatives, as will Deputy Sherlock. They include the provision of additional evening outpatient review clinics which are led by a member of the consultant gynaecology team. The service has recently appointed a gynaecology sonographer who will lead an ultrasound service in liaison with the consultant gynaecology team. With the scheduled additional consultant-led evening sessions, it is anticipated that the gynaecology ultrasound waiting list will be cleared by December 2016.

A national women and infants health programme is being established to lead the management, organisation and delivery of maternity, gynaecological and neonatal services by bringing together work that is currently undertaken across a number of HSE divisions. Spanning primary, community and secondary care, the programme will create the essential cross-sectoral framework to provide the necessary governance, integration and leadership to drive reform and standardise care across maternity, neonatology and gynaecology services. Noting that the international trend in gynaecology service provision is moving towards more day case services and the provision of community one-stop-shop type facilities, it is intended that the programme will be instrumental in driving much-needed reform of gynaecology services. This will include the potential to adopt a multidisciplinary approach and move some service delivery to community settings. Work to establish the programme is ongoing.

**Deputy Sean Sherlock:** I thank the Minister of State for her reply. She spoke of some progress in the appointment of a sonographer and a clear schedule to clear the ultrasound waiting list by 2016. In that sense, I accept the Minister of State’s reply. In raising the issue, I am trying to examine the governance issue regarding the relationship between CUMH and Cork University Hospital, CUH. Although the HSE will examine it as coming under the umbrella of CUH, it must be recognised as a separate governance procedure similar to other hospitals in the South-South West hospital group. We need to examine how we provide for the reduction in waiting times for women who have been waiting too long for access to services. We also need to examine the risk that is built in regarding the potential for the development of cancers as a result of overly long waiting times.

I acknowledge the response. I ask the Minister, Deputy Simon Harris, his colleagues and the Minister of State, Deputy Marcella Corcoran Kennedy to interrogate the dynamic between those who manage CUMH from a HSE perspective and those who are clinical leads. At one stage, when we were going through a reconfiguration of hospitals in the Cork region, clinicians were taking the lead and decisions were being based on clinically led practice. Now, it has shifted back to the HSE. While I will speak to the Minister of Health myself about it, will the Minister of State convey to the Minister that we need to improve the gynaecology services in CUMH?

**Deputy Marcella Corcoran Kennedy:** Gynaecology services in general hospitals are, in the main, linked to local obstetric services through shared consultant appointments. These ser-
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vices are seen as the poor relation to maternity services. Given that obstetric patients cannot wait for services, in times of high demand, the gynaecology patients can be left to wait longer than one would have hoped. Nationally, waiting lists for inpatient and outpatient services are increasing. I acknowledge the Deputy’s concerns about surgeries. I did not address it in my response, given that the issue the Deputy submitted was more general. I will raise it specifically with the Minister, as well as the governance arrangements between CUH and CUMH, which are also of concern to the Deputy. I assure the Deputy that I will do that. I thank him for raising the matter.

Office of Public Works Properties

An Ceann Comhairle: Before I call Deputy Mick Barry, I wish to say that Deputies have expressed concern about this particular issue for some time. It is important, when making contributions, that no allegations are made against any identified or identifiable individual.

Deputy Mick Barry: I thank the Ceann Comhairle. I hear what he is saying. This issue relates to the assembly of a site on Anne Street in Wexford on which are now built important public offices for the Revenue Commissioners and the Department of Social Protection. Alleged serious irregularities in the process of assembly require detailed answers and action from the Office of Public Works, OPW, and Wexford County Council, the successor to Wexford Borough Council.

On 13 January of this year, my colleague and then Socialist Party Deputy Joe Higgins stated in this House:

There have been the most serious irregularities in the assembly of the site for significant public offices which are now occupied by the Department of Social Protection and the Revenue Commissioners in Anne Street, Wexford. That assembly took place over a 20-year period from 1983. I was made aware of the issue as far back as 2008 and I have investigated it at different times in the years since. My concern has grown significantly. I have engaged in significant correspondence with State bodies, including Wexford Borough Council and the Revenue Commissioners, but I have not received satisfactory answers... I am satisfied that there are serious unanswered questions and anomalies surrounding the assembling of this site involving public bodies... The issue is complex and convoluted but documents that I have seen are prima facie evidence of very serious irregularities, giving rise to serious unanswered questions by public bodies in the matter of the assembly of the site.

In response to the then Deputy, the then Minister of State at the Department of the Environment, Community and Local Government, Deputy Ann Phelan, stated, “if there are issues with the manner in which these sites were assembled by Wexford Borough Council, they should be raised in the first instance with its successor Wexford County Council.”

Following on from the Minister of State’s advice, elected members of Wexford County Council, which had subsumed the old Wexford Borough Council, raised the issue at council meetings. To date, documents have been released, but the response of the council executive has not answered openly and transparently critical questions raised by these elected members and affected parties. The then Minister of State claimed in January that the OPW had no involvement in the assembly of the site for the Government offices. This is wholly incorrect. The
documentation released so far shows categorically that the OPW was fully involved with the process of assembling the site.

A number of questions must be answered. Why was a substantial part of the site, the subject of a compulsory purchase order, CPO, that was levied on an individual that had no title to most of the area, subject to that CPO? There are questions relating to the title to and ownership of the site. Why were substantial changes made in the design and construction of the offices, as against the planning permission granted, without the OPW applying for a new or significantly modified planning permission? In July of this year, the OPW was in communication with the parties that were seriously affected by the irregularities and undertook to meet those parties and to release all relevant documents. That was in July and we are now in November, but it has not happened. Why not?

**Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney):** I thank the Deputy for his question.

In 1990, it was decided to build new Government offices in Wexford. At the time, the OPW owned two sites in the town. One of these was the existing social welfare offices in Anne Street. The other property was in King Street. Following discussions with Wexford Corporation, the Anne Street location emerged as the preferred option for the new Government offices. The development of a new site for a number of Departments, including the Department of Social Protection, the Revenue Commissioners and the Probation Service, required the addition of two adjacent properties to allow sufficient area for the new building. One of these sites was owned by Wexford Corporation and was given the OPW in exchange for the OPW site at King Street. The other property was the site of the old County Hotel which, I understand, was acquired directly by Wexford Corporation and then sold to the OPW for €145,000. The commissioners are not aware of irregularities pertaining to this matter and are happy, as has always been the case, to make their records available.

**Deputy Mick Barry:** I note in his reply the Minister of State states that “[t]he commissioners are not aware of irregularities pertaining to this matter and are happy, as has always been the case, to make their records available”. Will the Minister of State immediately instruct the OPW to arrange the meeting to which it committed and to release all of the files relating to its involvement in the assembly of the site and in the planning application and permission for the offices? Will the Minister of State urgently communicate to the chief executive of Wexford County Council that all questions posed by elected members of the council should be comprehensively answered? They have not been so answered to date. Innocent parties have been seriously affected by the irregularities evident in this situation and they deserve justice be done by the State and those agencies acting for it in this matter. I would be grateful for a reply to those specific requests.

**Deputy Seán Canney:** First, let me clarify that the site of the old County Hotel was acquired by Wexford Corporation by compulsory purchase order and then sold to the OPW for €145,000. Previous parliamentary questions on this matter have pointed to a belief that the OPW assembled the Anne Street site. This is not correct. Wexford Corporation assembled the two sites, which were then passed on, one through a land swap and the other through a direct sale to the OPW. As such, the OPW had no involvement with the acquisition of those sites, which is entirely a matter for the corporation. If a meeting was promised, I will speak to my officials to ensure it happens. As stated, any documents that exist will be made available. It does not fall within my remit to write to the chief executive of the local authority instructing him or
her to provide additional information. I just have to deal with the OPW issues. I will do that. If a meeting was to be arranged, it will happen.

Sitting suspended at 4 p.m. and resumed at 4.30 p.m.

Post Office Network: Motion [Private Members]

Deputy Mattie McGrath: I move:

“That Dáil Éireann recognises that:

— post offices serve a vital social and economic role in their communities;

— there is a very specific commitment in the Programme for a Partnership Government to protect the postal network;

— rural and small urban post offices, which are mostly run by independent postmasters, have had their income and footfall greatly reduced;

— many small post offices are now operating on the equivalent of the national minimum wage;

— if this is allowed to continue, Grant Thornton has predicted that 450-500 offices will cease to exist by 2017; and

— if footfall and incomes are not improved then the post office network will be decimated; and

calls on the Government to:

— act on its commitment as outlined in the Programme for a Partnership Government;

— implement an action plan for the post office network within three months;

— implement a new community banking service operated by An Post to be made available in all post offices throughout the country - this post community bank should be based on either the New Zealand Kiwibank model or the German Sparkassen model, both of which have been found to be valid models;

— consider a once-off capital investment fund for the further modernisation of the post office network to enable the widespread provision of banking services in rural and disadvantaged urban areas, most of which have been completely abandoned by the current banking model;

— ensure that the provision of all over-the-counter services relating to Government Departments must be tendered for on the basis of both social and economic grounds, to include rural Ireland in any future growth;

— ensure that all potential business activities previously identified by Grant Thornton, the former Oireachtas Joint Committee on Transport and Communications and the Post Office Network Business Development Group must be implemented;

— establish a working group to identify the potential for local post offices to act
as hubs to facilitate other services such as health, transport, agriculture, etc., and to act as a one-stop-shop for Government services as committed to in the Programme for a Partnership Government;

— commit funds, while the above measures are being implemented, to ensure no more downward pay reviews to post offices which will make them uneconomical and have the effect of closure by a thousand cuts;

— ensure that a five-year holding plan will be put in place while these changes are being implemented or there will be no network left to salvage; and

recommends that An Post be invited before the Committee of Public Accounts to outline its plan for the future of the post office network.

Deputy Michael Healy-Rae will speak on the motion first.

Deputy Michael Healy-Rae: I acknowledge the work of many people in bringing us as far as we are this evening, including staff working in Deputy Mattie McGrath’s office, all the Independent Deputies and others. Recent reports on the imminent collapse of the An Post network and the almost immediate closure of 700 outlets demonstrate how this and previous Governments have let down middle and rural Ireland and a critical community service which seems destined for the dustbin. It is now clear to all that in May 2016 Mr. John Moran was a messenger for official Ireland in announcing that the State cannot afford rural Ireland. His statement, which indicated a preference for a “stack them and pack them” policy, was likely not all his own but as a former Secretary General of the Department of Finance, he would have had common purpose with some of the people in the know and must have been privy to some insider information at that time. There is no need for casualties, as Mr. Moran put it, or pulling back services from parts of the country that are perceived as less efficient. I am proposing an efficient and effective model for the post office network.

I will put forward the following points for all to understand and to demand a viable and valid alternative approach to the development of An Post services and the maintenance of all current post offices as a critical part of communities, which they have been. The first point is that 15 years ago New Zealand post office services were in almost the exact same position that Irish post offices find themselves in today. Rather than undo a national network and a serious national asset, Kiwibank was established. It has been a wonderful success, clearing more than $100 million in profit last year.

I acknowledge to the Minister of State and the House, in case anyone says I have a conflict of interest in this, that I am a postmaster of a small rural post office.

The national payment system should be nationalised and handed over to the NTMA or An Post. These payment systems are currently owned by commercial banks and the Irish people have more than paid for them by bailing out some of those banks. The national payments system is the weapon of control over the State and the Irish people, which the commercial banks can use at any time to effectively shut down the ATMs and more.

An Post should be charged with providing a public banking service to every member of the community as required. An Post bank, having the same rights to operate as any commercial bank, should become a primary source of credit to Government in preference to the use of bonds as a mechanism to fund Government. Currently, Government debt is costing approxi-
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mately €6 billion in interest per annum. A major share, if not all, of the Government debt could be borrowed from An Post bank or other Irish banks, thus causing up to €6 billion to be kept in-house or recycled. No share of that potential saving requires foreign direct investment. An Post bank would create new opportunities for local savings and investments to be reinvested locally and leveraged for the benefit of the entire community. The thrust of the economic development in Ireland must not be dictated solely by reliance on FDI. There needs to be a sea change in attitude and the true development of local and indigenous industries which have the potential to deliver several hundred thousand jobs thus reinvigorating communities with sustainable enterprises and incomes at a family level, not devoted primarily to debt servicing.

Ireland requires new banking competition including competition from public and community banks. An Post bank would provide a service to the community and not be a direct charge on it. An Post bank could provide credit funding for essential infrastructural development such as hospitals, social housing, schools and roads, etc.

An Post has a reputation that is second to none. At a time when many of our banks were discredited, let us down and left an awful lot to be desired, the two institutions that were left standing were our credit unions and our post offices. The An Post network of 1,100 outlets has a top class computerised system, which is a national asset and should not be undone or sold off. There can be absolutely no argument by Government of the shortage of money to deliver a postal bank; one licence, at €10 million, and another €10 million for a set-up is affordable.

The focus of An Post bank would be threefold - to provide basic banking services to most all, to provide funding credit to State and local Government as much as possible and to create new investment opportunity for potential funds.

**Acting Chairman (Deputy Declan Breathnach):** Is Deputy Healy-Rae sharing with Deputy Michael Harty?

**Deputy Michael Healy-Rae:** Yes, I have ten minutes to open.

**Acting Chairman (Deputy Declan Breathnach):** That is fine.

**Deputy Michael Healy-Rae:** An Post bank should be synchronised as much as possible with a network of independent community banks, to be established as soon as possible. It should be strictly prohibited from engaging in speculative lending or anything along those lines.

Along with An Post bank, there are many other supports and innovations that can be implemented. However, it is clear that the demise of the revenue stream from the social welfare contract, which was worth €60 million to the network, can only be realistically sourced through a substantial project such as the An Post bank, which I have just outlined.

I point out at this time the help, encouragement and assistance that has been given by my colleagues in the Rural Independent Group and by one individual in particular, Mr. Tom O’Callaghan, who has been relentless in his efforts over the past four to five years in researching the issues and informing this and previous Governments on the importance of the post office network, the challenges it faces and the opportunities and solutions that remain to sustain the network. I acknowledge his efforts, good work, the way he has kept us informed at all time and the nights he has come not just to County Kerry, but around the country, to support our postmasters.
I also acknowledge at this stage Fine Gael, Fianna Fáil, Labour, Sinn Féin and the other Independents. I give credit where credit is due. I acknowledge it is in the programme for Government and I say thanks very much for that. I thank everybody who worked together, including Tom O’Callaghan. It is vital the Government implements its commitment in the programme for Government in the short term, because otherwise it will be past the point of no return - offices will close and communities will be affected socially and economically. Future generations will not thank the Government for failing to avail of this last chance to keep this lifeblood of the micro-economy pumping. This is a moment of reckoning, a decision that will not just save a State institution that is older than the State itself but a decision that is part of an overall vision of our society, one that is viable, equitable and sustainable. I call on all parties in Government to do what they can and what they have agreed already in the programme for Government, which is to implement a viable plan for the post office network.

I always acknowledge the work that is done by people if they do it in good faith. Everybody knows, because I have been very public about it, that I have been very disappointed over the years with the Irish Postmasters’ Union, IPU. Many of the postmasters around the country felt let down by the IPU. They were disappointed that, when I, Deputies in this group and people like Tom O’Callaghan were fighting to keep our post offices open, other people in the IPU were talking about pay-offs for people to close down and for postmasters to retire. I represent the postmasters, as does my colleague from Kerry and all the other people from throughout the country. The postmasters we represent do not want to close their doors. They want their doors to remain open in order that their children, nephews, nieces and future generations can run their post offices. We want our doors to be open and we want our lights to be on. We will do it whether with the help of the Irish Postmasters Union or otherwise.

I thank Members of all political persuasions for their efforts thus far. I hope that in years ahead people will look back and say that the politicians came together and used their heads and intelligence to arrive at the point where they saved the post office network. That is all we want to do. No one politician is claiming credit for it. Everyone in the House is doing this job. I say as much with the history of the great postmasters over the years in mind. Those people gave great service in bad times. I remind the Minister of State and the Acting Chairman that they did so for poor money. The Minister of State, Deputy Ring, knows that the great postmasters gave great service in our communities for small money.

**Acting Chairman (Deputy Declan Breathnach):** Deputy Harty is next. The Deputy has six minutes. He will be followed by Deputies Aindrias Moynihan and O’Keeffe, each of whom will have two minutes.

**Deputy Michael Harty:** Post offices play a vital social and economic role in our communities, especially in the regions and in villages and towns. There are substantial commitments in the programme for Government to protect and develop our post office network. Post offices represent the last commercial service remaining in many villages and small towns. These places have been deserted by the mainstream banks. Post offices are the last commercial or feasible entities in these small villages and towns. They are an essential part of community life and will not survive unless they are supported by Government. Those involved are not looking for a subsidy or subvention. They are seeking a transfer of Government business and the development of financial services. These are changes that the Government and a new banking system can offer.

AIB supplies limited services to post offices and these have been successful. These services
demonstrate the potential for a banking system within our post office network.

The post office network should be viewed as a national resource. The loss of the network, which has been built up over many years, would be another unwinding of the fabric of our rural communities. It would accelerate the demise of our unique culture and society. Where would anyone get a network of 1,100 high street businesses? What Government would throw this network away through passive inaction? When the Taoiseach and the Minister for Social Protection talk about supporting the post office network, I get no sense of commitment or urgency from their body language or turn of phrase that would lead me to believe that they believe the service has a future and is worth saving.

One of the lessons of the most recent election was the need to recognise the views of people in the regions. These people took the view that they were forgotten and left out of Government policy. They believed they were unheard and that decisions made by Government were not sensitive to the precarious balance in many communities at present. That lesson should have been learnt following the last election.

Members from all parties come from areas where post offices are under threat. Like us, they understand that supporting the post office network is essential. During the negotiations on Government formation, the Independent Deputies expressed their views clearly about what needed to be done to sustain and support our peripheral regions. Indeed, several of the most vocal Independents are now part of the Government. We expect that what was promised in the programme for Government in respect of the post office network will be honoured. However, we see no willingness or urgency to act to fulfil the solemn commitments in the programme for Government. One of these commitments relates to enhancing post office activity in financial services to provide a new model of community banking along the lines of the models developed in New Zealand through Kiwibank or in Germany through Sparkasse. These models have been shown to work and have many advantages. In particular, the profits made from this banking system or systems are retained within the community. They do not go to the shareholders of the banks. They are retained in the community and are used for the good of that community.

The Government also proposed to make available many Government services through the post office network. The Government proposed that post offices should be a one-stop-shop or hub for Government services, supplying everything from passport applications to motor tax services to social welfare payments to bill payments as well as purchasing other Government services. Finally, the programme for Government promises to deliver a post office network renewal process to develop the infrastructure.

I hope the key objectives of this motion will have the unanimous agreement of the House. We need a clear pathway on how the Government intends to support post offices to give those involved certainty and security. This is also necessary to show that post offices have long-term feasibility. Postmasters who contract their services need to know that the businesses have long-term feasibility. These are the key objectives of the motion and I hope they secure the unanimous agreement of the House.

**Deputy Aindrias Moynihan:** I thank the Rural Independent Group for bringing forward this important motion on this vital topic. Fianna Fáil will be supporting the motion.

The post office network is such an important and strategic State asset. It plays an invaluable role as a centre-point for communities and commercial activity in urban and rural communities.
The Government needs to think big and show imagination when it comes to reinventing the national post office network. During the past five years we saw how the members of the previous Government sat on their hands while our invaluable rural post office network declined. The new Administration has shown the same lack of interest in addressing the situation.

Post offices are the heartbeat of many rural towns, villages and communities throughout the county and we need to plan for their future. Many local people have come to me to express concerns about the type of services on offer. Some have raised the fact that agencies working on behalf of An Post cannot process registered mail. This forces many people to go to nearby towns for a full service and to collect registered post. The entire network needs to be reviewed to see how we can increase the number of services on offer. Basing the future of the post office network on what done in the past is a foolish place to start. We need to see our post office network as a vital cog in the development of rural Ireland. This requires new ways of thinking. There are numerous opportunities, including banking options, a one-stop-shop facility as well as opportunities for a range of State services to be offered through the post office network.

Many older people in particular have raised this issue with me. They are seriously concerned about losing important services. They rely on the local post office not only for sending post, but for collecting post, meeting friends and neighbours and discovering what is happening in their communities. The face-to-face service is vital for older people. For some it provides the only weekly opportunity to get out to meet neighbours and friends. Many other community organisations have started to fill in the gap whether through lunches and so on, but collecting the pension on a Friday is a key interaction.

In my area, unfortunately, a number of post offices closed during the tenure of the previous Government, including the post offices in Toames and Carriganima. The post office in Ballingeary was downgraded. This move really stunned people since it is near the highly-populated village of Farran, where the post office has just closed. The Grant Thornton report from 2014 concluded that hundreds of post offices could close, mainly due to the movement towards the direct electronic transfer of social welfare payments. There needs to be a clear vision to expand the post office network. We want to increase the products that are available and expand this important rural service.

Deputy Kevin O’Keeffe: I am delighted to be afforded the opportunity to speak today. I thank my colleagues on the Independent benches for bringing forward this Private Members’ motion.

I have no wish to repeat what has already been said. I support the retention of post offices, but, moreover, I call for reinstatement of the post offices that have been closed in rural communities throughout the country. Post offices are an integral part of our society. Many post offices supplement the income of small shopkeepers in our villages and they keep the businesses going. We come in here day in, day out and talk about the death of rural Ireland and tax incentives to get villages thriving again. If we do not maintain the martyr in the village, that is, the post office, we are in very big trouble.

Last week I was at home, in my parish, and the big issue that came up was insurance for taxis and the fact that it has gone through the roof for local rural taxi drivers. They cannot afford to stay in business. In other words, people are left stranded in their various communities and villages with no transport or access to the bigger towns. We have seen the decimation of many other facilities in our villages and very small towns and the closure of community welfare
offices and dispensaries, all of which has an impact on the operation of our rural communities and society. I therefore support the motion wholeheartedly. As I said to the Minister of State, Deputy Ring, last week there was a wake-up call in middle America. I do not mean middle-class America, but middle America, which is the rural part of America. “Think of us as well,” was the wake-up call.

**Minister of State at the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Michael Ring):** I welcome the opportunity to address the House on the important issue of the post office network. I acknowledge the important role the post office plays in serving the needs of business and domestic customers alike. In particular, the Government recognises the importance of the local post office in rural Ireland. However, it is important to recognise that the postal sector is undergoing major change both nationally and internationally, with the increased use of electronic communications leading to a decline in core mail volumes year on year. Not only does this have a significant impact on the profitability of An Post, but it also affects the post office network negatively.

It is important to clarify that the post office network is not owned by the State. There are 1,131 post offices nationwide, 51 of which are operated directly by An Post, which is a commercial State body, with the rest being run under contract to An Post by postmasters and postmistresses. Nevertheless, as indicated in a programme for a partnership Government, the Government is, and will remain, committed to working with all stakeholders to find solutions to ensure the sustainability of the post office network into the future. The Government would ideally like to see the maintenance of a national network of customer-focused post offices in the community. To that end, the Post Office Business Development Group, chaired by Mr. Bobby Kerr, was established in 2014 to examine the potential for new and existing Government and commercial business that could be transacted through the post office network and to identify new business opportunities for the network. This process came about following the loss of 198 post offices over the term of office of the previous Government. The final report of the group, which was published in January of this year, made a number of recommendations to support the future sustainability of the post office network, including network renewal.

On foot of this report, the post office network renewal implementation group was established to progress the recommendations arising from the final report of the business development group, the Kerr report. The implementation group is an independent group chaired by Mr. Kerr and includes representatives of An Post and the Irish Postmasters’ Union. The group has been examining issues such as the number and spatial distribution of post offices, branch modernisation, the streamlining of products and services, postmaster payments and contracts, and training and qualifications for post office employees. Some of the issues under consideration are quite complex in nature. Both I and the Minister, Deputy Humphreys, have met with Mr. Kerr and members of the implementation group on a number of occasions over the past few months. I understand that the implementation group is nearing the conclusion of its work and that recommendations will issue to the board and management of An Post in the next few weeks. It will be a matter for An Post to consider these recommendations and to bring their proposals to the appropriate Government Ministers for discussion.

Given my brief, and being a rural Deputy, I am fully aware of the importance of the local post office to rural communities. I firmly believe that post offices could, and should, play an important role in rural renewal, fostering community engagement and generating economic activity that supports the revitalisation of rural Ireland. To explore this concept further, I established the post office hub working group to identify potential models under which post offices
could act as community hubs, especially in rural areas. I have chaired a number of successful meetings of this group over the last number of months, and we have now identified three potential options around the hub concept.

The first option is co-operative post offices which would provide communities with opportunities to run their local offices as community co-operatives. The second option is shared value post offices which would see local post offices act as multi-purpose spaces for communities, an approach that has proven successful in other jurisdictions. Thirdly, mobile post offices operating in some areas of rural Ireland would ensure the continuity of this important service for communities where it may not be economically feasible to operate a full-time office.

My officials are finalising a report from the post office hub working group with a view to potentially establishing a number of pilot projects in 2017. My officials are also working with the Department of Housing, Planning, Community and Local Government to examine the potential for motor tax renewal services to be offered through the post office network. Three options for this service have been identified to date and it is expected that, following a short consultation exercise with stakeholders, these options will be brought forward for consideration.

My officials have also been examining the potential for An Post to offer a basic payment account. However, I understand that An Post separately indicated when it addressed the joint Oireachtas committee on 9 November that it intends to launch this service in 2017. I very much welcome the stated intention of An Post to launch this account in the future.

A programme for a partnership Government hopes that An Post, the Irish League of Credit Unions and other interested stakeholders will be asked to investigate and propose a new model of community banking which could be delivered through the post office network. In this regard, the Government programme includes a commitment to investigate, among other options, the German community banking model for the development of local public banks that operate within well-defined regions. The role of my Department will be to work with other Departments and stakeholders to examine the feasibility of this model and identify what part, if any, An Post could play in rolling out such a model in defined regions of Ireland. I understand the Minister of State at the Department of Finance, Deputy Eoghan Murphy, along with his officials, met recently with the Savings Banks Foundation for International Cooperation about the community banking model. My officials have also been provided with details of the proposal by Irish Rural Link. Following on from these initial contacts, my officials will work closely with the Department of Finance and other stakeholders, as required, over the coming months in progressing the commitment in a programme for a partnership Government.

The Government is therefore taking a range of measures to support the post office network to adapt to the changed business environment in which it operates. I take this opportunity to confirm this Government’s commitment, as well as my personal commitment, to the post office network and the process being led by Bobby Kerr. I also put on the record of the House my gratitude to Bobby and the Irish Postmasters Union. He has done tremendous work over the last two years under difficult circumstances. This process, which is very close to completion, needs
to be allowed to conclude before any commitments of a financial nature can be considered in any way by the Government. It is also important that individual postmasters are prepared to adapt to the changing business environment in which they operate and that local people and local businesses make the best use of the post office network to conduct their transactions.

Deputy Brendan Griffin: I wish to share the 120 seconds left with Deputy Deering.

Acting Chairman (Deputy Declan Breathnach): I will stick strictly to it.

Deputy Brendan Griffin: There was a programme on RTE a few years ago called “Talk About” on which one had to say as many buzzwords in 60 seconds as one possibly could.

Acting Chairman (Deputy Declan Breathnach): Does the Deputy want to try it?

Deputy Brendan Griffin: I very much welcome the motion. It is a very progressive effort. Any of us from rural communities will absolutely support and acknowledge the importance of the post office network. Into the future, I see the network not as a post office network but a community services network. I welcome the work of the Minister of State, Deputy Ring, in that regard, particularly on the post office hub working group.

5 o’clock

I put forward a number of proposals by thinking outside the box. They included using our post office infrastructure as possible points for tourist and citizens’ information or coin and note exchange. There are basic facilities that local authorities are not currently providing, such as toilets along the Wild Atlantic Way, and other public facilities such as defibrillators. If all the agencies responsible for the provision of those types of services were to help subsidise post offices, with a small bit from everyone, it would make them viable and we could protect that infrastructure.

Deputy Pat Deering: I have 49 seconds so here we go. I reiterate the points already made. As a rural Deputy, I know the important part the post office plays in rural communities. It is not just a financial resource; it also plays a social part, particularly for older people. It is not only those who want to collect their pension on a Friday but for those who want to meet next door neighbours and people they might not see from one end of the week to the next.

It is important to remember also that only a small number of post offices have closed in the past couple of years. We now have a roadmap for the future on where the post office service is going and we need to give the people of Ireland, particularly those in rural Ireland, an opportunity to go to post offices. They need an incentive so they are not just going for financial reasons. Deputy Griffin mentioned other perspectives, including tourism. It is important to point out that we now have a roadmap for the continuation of the post office system in Ireland. We know where we are going and I hope over time the post office system will develop further.

Deputy Éamon Ó Cuív: I absolutely welcome tonight’s debate and it is vital that this issue be dealt with. The Minister of State, Deputy Ring, knows I have admiration for him but he has changed dramatically from the time he was on this side of the House. When he was here, it was about straight action and getting things done without letting bureaucracy stand in his way. There would be no more reports but it would be about delivery.

Deputy Michael Ring: That is what I am at.
Deputy Éamon Ó Cuív: Those opposite are six years in Government and the reality is nothing has happened in those six years. We have plenty of reports and working groups that encourage this, that and the other, but nothing is happening. We are going to get the argument that An Post is a commercial company and if we cannot get it to do this work, why not contract services directly from the State to the post office? I was fascinated to hear Deputy Deering speaking about encouraging agencies to work on this. Sometimes I wonder why we get elected if we hand all the power to other people to decide things, with nobody answering to those of us elected by the people. Deputies know that if they return to their constituencies saying they cannot do this or that because of independent bodies, the quick answer is that the people elected us to do things.

I always understood the theory of semi-State bodies was that they were agents of Government policy and they are not independent in the way some people in The Irish Times would like them to be independent. Their job is to implement Government policy and they do not have a choice in the matter. They have a choice in day-to-day matters but not in policy. Listening to the Minister of State’s speech, that message does not seem to be getting across to these agencies; they do not realise that the Minister of State needs to get a resolution to the issue.

I read the speech very carefully and the Minister of State must be investigating so many issues because there are so many groups.

Deputy Michael Ring: I certainly am.

Deputy Éamon Ó Cuív: The Minister of State is six years there.

Deputy Pat Deering: No.

Deputy Michael Ring: No, I am here a few months.

Deputy Éamon Ó Cuív: The Minister of State is part of a collective that is there for six years. Constitutionally-----

Deputy Michael Ring: There were 198 closed under the Deputy’s party.

Deputy Pat Deering: How many did Fianna Fáil close?

Acting Chairman (Deputy Declan Breathnach): The Deputy, without interruption.

Deputy Éamon Ó Cuív: Constitutionally, they are all collectively responsible for this issue-----

Deputy Michael Ring: Like the Deputy. He asked a question and I gave an answer.

Deputy Éamon Ó Cuív: It is six years and the Deputies, as a collective, have done nothing about it. It is the simple fact.

Deputy Pat Deering: That is untrue.

Deputy Éamon Ó Cuív: I hope I will not continue to be interrupted from the other side.

What we need to know is not who the Minister of State will speak to and how many more investigations will be set up but if An Post does not deliver what he needs, will he go around An Post and make sure Government policy is implemented? On what date will he have motor tax
services delivered through post offices? Will he tender services to be delivered by some agency of the State within 15 km of 95% of the population? He knows only one person or group can do that. Will he arrange for people to go to a local post office and fill in a social welfare form with a personal identification number with a direct connection to the Department? Will the Minister of State make that happen or will he keep talking? In the meantime, we know the vast majority of post offices have seen a decline in their income through review and are on their day deireadh. It is not time for talk or agreeing with everybody on this side and doing nothing. We need action and we need it now.

Deputy Michael Moynihan: I welcome the opportunity to speak in this debate. Deputy Ó Cuív’s final line was that we need action now but for many years and even decades people have been talking about protecting post offices and keeping them alive. All that time, An Post has been sitting back and letting post offices close when a postmaster retired or died, leaving communities without those facilities.

I listened to the Minister of State’s comments about reports and plans, etc. The simple and fundamental fact is that we must accept that as legislators we must empower An Post. The memorandum of understanding regarding how An Post is set up must be changed. As legislators, we must take control of An Post, which is a semi-State body, and it should be put into a contract that there should be a retail outlet within a certain distance of everybody’s house. That is a simple fact. Otherwise, whoever is here in ten or 15 years will be speaking about post offices and lamenting their passing. Going back over the years, there was talk about the different services that should have been made available in post offices but it is still the same language that is being spoken, and it will continue until we tackle the fundamental issue.

The management of An Post does not seem to have any plan for maintaining these post offices. They are vital hubs that keep communities alive. There are oceans of scope, capability and capacity within the An Post retail network. It is a trusted brand throughout the country. There is much scope to advance the services for people from all age groups in rural Ireland, who will interact with the local post office network to maintain them. Until we change the memorandum of understanding with An Post, challenge it and legally have a framework meaning it must maintain the network, An Post will not wake up and go after the businesses that will maintain these networks.

Deputy John Brassil: I thank the Minister of State most sincerely for meeting me and Deputy Martin Ferris this morning. I know the other Kerry Deputies were also available for the meeting but there were other engagements at the time. To cut to the chase, the Minister of State gave a commitment that in the next number of weeks he will publish proposals to save our network. I look forward to those and I have no doubt the Minister is completely committed to the cause, as are all politicians in the House and all postmasters and postmistresses across the country. It is really a matter of knuckling down and providing the network with the armoury to deliver services that will keep them viable.

The Minister of State mentioned that only approximately 30 post offices are in the control of the State. In other words, we are not going to close any post office; they will close themselves because they do not have the ability to provide services. When I lived in the UK in the late 1980s and early 1990s, entire villages were without any postal service because all the post office networks across the UK had been closed. The people of that country regret that to this day and will regret it forever. We cannot allow this to happen in Ireland.
I will not repeat all the points that have been made about the services that are, or could be, available. The Minister of State is aware of those services, as are all other Members. We know how important the post network is to us.

I will conclude with an important message. The Minister of State and all politicians, like the postmasters and postmistresses across the country, will do everything possible to keep this service alive. The public at large has to use the service.

**Deputy Michael Ring:** Yes.

**Deputy John Brassil:** The general public must use our post offices. It is a question of “use it or lose it”. We need to get the message across that post offices have to be used. We want to keep our post offices alive. We want to provide the services. I do not doubt that the proposals that are made can be worked on. We need to ask the people of this country to use the service that is there for them because it is a critical part of rural Ireland.

**Acting Chairman (Deputy Declan Breathnach):** I remind Deputy Cahill that two more Deputies are due to speak after him before Fianna Fáil’s eight-minute slot concludes.

**Deputy Jackie Cahill:** Lip service will not save our post office network. I listened intently as the Minister of State spoke about the Kerr implementation group. I was worried to learn that the implementation group has met just once since July. While the commitments in the programme for Government are grand, no progress has been made in this regard in the seven months that have passed since the programme was agreed. If one stands in any rural town or village on a Friday morning, one will see the social interaction that stems from the increased footfall into the local post office, which is the lifeblood of the town or village in question. If we allow this infrastructure to collapse, we will never be able to replace it. It would be like performing open-heart surgery on a rural village or small town. We would be taking the heart out of it.

The post office service must adapt to modern Ireland. Greater services should be provided at post offices. It took a long time to get the Department of Social Protection to bring an end to its policy of encouraging people to use banks rather than the post office network. Thankfully, that policy has stopped in recent months. As Deputy Brassil said, people have to play their part in this as well. We have to put the infrastructure in place, provide the services, adapt to modern living, let the post offices operate as banking institutions and move the model on. We have this great infrastructure in rural Ireland. Much has been said in this House about rural Ireland being attacked and neglected over a period. We have to move quickly to ensure this structure adapts to the needs of modern Ireland and survives.

**Deputy Dara Calleary:** I thank the Rural Independent Group for giving us an opportunity to discuss this matter. I want to pick up on Deputy Aindrias Moynihan’s point about the particular role of An Post in the network. Any organisation, with a bit of imagination and commercial cop-on, would make the most of having 1,131 distribution points throughout the country. It seems that An Post is determined, at every level, to undermine and weaken that distribution operation. It did nothing to stop the Department of Social Protection from encouraging people to take their business away from the network. That policy was not reversed until action was taken by this House and the Irish Postmasters’ Union. An Post is continuing to pursue a model of putting products that are available in post offices into multiple supermarkets, thereby undermining the very quality of its distribution network. It is refusing to engage properly with postmasters.
and postmistresses about appropriate terms and conditions of employment for the job they do on behalf of the company. An Post needs to recognise that if it did not have these independent contractors, it would be missing a serious asset.

We all have ideas about what can be done. One of the frustrations is that these ideas have been around for some time. The Kerr report was produced in 2014. Everything is put on the long finger. In fairness to the Minister of State, he has laid out some suggestions this afternoon but there needs to be a timeline for action to be taken. This House needs to know when the various services will be rolled out. An assurance needs to be given that those who work in the post office network will be properly compensated. I welcome the steps that are being taken with regard to car tax but we should be doing something in respect of the driving licence system as well. Even though we are supposedly in an information technology age, one must be physically present at a driving licence centre if one wishes to get a driving licence. However, there is just one such centre in most counties. Given that we trust post offices to issue passports, I suggest that a driving licence service could be provided at post offices. Similarly, the queries that are made at all public offices, including those of the Department of Agriculture, Food and the Marine, could be resolved through the putting in place of information points at local post offices. This would encourage people to come in. We want people to use the service. We need to give them a reason to do so. There are many ideas doing the rounds but we need action now. Deputy Griffin suggested that defibrillators could be put into post offices. I suggest that the post office network - and its team of postmasters and postmistresses - needs a defibrillator at this stage. Unless it gets it, post office services will not continue and the potential to provide Government services at the 1,131 distribution points throughout the country will not be fulfilled.

Deputy Robert Troy: I welcome the opportunity to speak briefly on this motion. I would like to declare my own interest as a third-generation postmaster. I continue to run Ballynacargy post office in County Westmeath. I am an unashamedly strong supporter of the post office network. I know at first hand that the people who work in our post offices play a pivotal role in local communities. Every Member of this House knows that too. During this debate and the previous debates we have had on this issue, not one Deputy has had anything negative to say about the post office network and the role it plays in the communities it serves. The number of people in this House who have the direct influence to support that network is quite limited. I refer to the Deputies who are sitting across from me. The same people would have been able to influence the support of the network for the past five years but, unfortunately, they did not do so.

I compliment the Irish Postmasters’ Union on the work it has undertaken in bringing this issue to the fore in recent years. The representatives of Irish postmasters know they cannot stand still. They have made numerous suggestions to the Minister of State and his predecessors about how the services provided at post offices can be changed to put the post office network on a sustainable footing as we go forward. Unfortunately, those suggestions have not been taken on board. When the issuing of driving licences was being put out to tender, that tender was framed in a manner that prohibited post offices from putting in for it. The Department of Social Protection’s conscious effort to make people change from receiving their payments in post offices to receiving them in their bank accounts was highlighted here on numerous occasions before the Department changed its forms.

A number of Deputies alluded to the Bobby Kerr report, which was published earlier this year. There is little point in asking someone to draw up a report if one is going to sit on one’s hands and do nothing about the report when one gets it. We need to see a plan for the implementation of the recommendations in the Kerr report. This is a time-sensitive issue. We do not
have any spare time on our hands. I would like to repeat a question that was asked before. Who is going to stand up and say “Stop”? If we do not stop the decimation of our rural services, there will be nothing left in our villages and communities. The previous Government closed rural schools and Garda stations. It took community welfare officers out of rural Ireland.

Deputy Michael Ring: The Deputy’s party did that.

Deputy Robert Troy: We have an opportunity to put the services back in our local post offices. I ask the Government not to turn its back on rural Ireland. It should support Irish post offices because it will regret it if it fails to do so.

Deputy Michael Ring: They closed 198, just to remind the Deputy.

Deputy Éamon Ó Cuív: They did not open them.

Acting Chairman (Deputy Declan Breathnach): I remind Members there are many contributors. I ask them to stick to their times and refrain from interruptions. I call Deputy Fitzmaurice.

Deputy Brendan Griffin: Given the former Minister with responsibility for rural affairs is in the House, he might inform us how many offices closed while he was in office. My understanding is that almost 20 were closed in Kerry.

Acting Chairman (Deputy Declan Breathnach): Deputy Fitzmaurice, without interruption.

Deputy Brendan Griffin: With respect, I had 60 seconds and he had six minutes.

Acting Chairman (Deputy Declan Breathnach): With respect to the Chair, I call Deputy Fitzmaurice.

Deputy Brendan Griffin: For the record, the former Minister needs to acknowledge that. He had a shameful record in his time.

Deputy Michael Fitzmaurice: My time is being wasted.

Acting Chairman (Deputy Declan Breathnach): I will allow Deputy Fitzmaurice two minutes.

Deputy Brendan Griffin: This is not something to be partisan about but if he is throwing stones like that, he needs to be reminded of his shameful record.

Deputy Michael Fitzmaurice: I am grateful for the opportunity to speak on this issue. I congratulate the Rural Independent Group on bringing forward this motion. As those from rural areas in particular will know, and given we were discussing mental health in the House only yesterday, many people go to a post office on a Friday who may not have spoken to someone all week. The post office is an avenue to having someone to talk to, to have a chat with and to catch up on what is going on around the area. It is very important in that way.

I reiterate the point made by many previous speakers that people need to use it. I have heard people talking and talking about the post office but they then put their accounts through the bank. That is no good to the post office network.
I welcome some of what the Minister of State has said today. We have the ball in our hand because he who pays the piper calls the tune. We are giving a big social welfare contract to An Post and we should be able to call the tune for the people throughout rural Ireland. It should not be An Post dictating what will close and what will not close. New initiatives need to be found, as everyone agrees, including in regard to driving licences and the different aspects Members have spoken about. Throughout the country, more and more deliveries are made by courier but a postmaster is not allowed to take in those deliveries. An Post needs to cop on, given some of the stuff it is at, and give post offices more freedom to work the services.

I agree wholeheartedly with the suggestions on public banking. The credit unions and the post offices need to join up. Every Department needs to have joined-up thinking on this. At the moment, the Department of Agriculture, Food and the Marine is telling people in rural Ireland who do not have broadband or a computer, many of whom do not even know how to drive the computer, if they had one, that they have to go online next year for their single farm payment or their areas of natural constraint payment. That is not the way to protect post offices or the way to ensure more postage goes through the post office to protect it.

Acting Chairman (Deputy Declan Breathnach): The Deputy should conclude.

Deputy Michael Fitzmaurice: There is one thing I do not agree with. I do not want to see a little van or lorry, or whatever the idea is of this mobile implement going around from place to place like Noddy, and telling Mrs. Brown to be at a place at 3 o’clock and the rest of them be at some other town at 4 o’clock.

Acting Chairman (Deputy Declan Breathnach): I have been lenient with the Deputy.

Deputy Michael Fitzmaurice: Let us give it to a local shop or to a local community, as was said. We must make sure that wherever there is a post office at the moment, it will stay there to bind the community and so the community can work with it. I do not know what that lorry, or whatever it is, going around the country from place to place will cost. That money would be better in the pockets of local people than being spent burning diesel for this lorry.

Acting Chairman (Deputy Declan Breathnach): I have already said that time is scarce. I do not want to be interrupting Members. Everybody wants to have their say.

Deputy Michael Fitzmaurice: I did not spend two extra minutes talking.

Deputy Brian Stanley: I welcome the opportunity to speak on this motion from the Rural Independent Group. The post office network should not just be protected but should be enhanced and expanded because it provides a vital service, like that provided by Garda stations, rural schools and shops. We have seen the decimation of rural villages, which I recognise as a Deputy representing a rural constituency.

People in rural Ireland have heard their public representatives say they support the postal service but they also supported liberalisation through the EU directives that have threatened the post office network and the postal network. The problem has been exacerbated because, as we have seen in the past, Departments have moved services away from the post offices and encouraged people towards the banks instead of using the post office service.

We support the motion and think it is very important. There is broad agreement on this issue. The Government does not have a majority and obviously needs the support of Members in
Despite the negative comments by a former Minister who presided over the closure of 198 post offices, while we criticise the Government for many things, we recognise that at least a stab is being made at addressing this problem. Sinn Féin will hold the Government to account but we want to be constructive. The Government has brought forward proposals and we will look at them and give feedback on them. It is to be hoped that, working together, we can protect and enhance the services. Nothing was done in the past but a start is now being made. The ball must be grabbed and we must run with it.

There has been a lack of progress on the Bobby Kerr report. I read the timelines in the report, some of which are for six months and 12 months. The Minister of State mentioned some progress, which is welcome, but we need to move on. Last week, John Daly, the director of retail operations at An Post, warned the rural affairs committee that 700 post offices are not sustainable. The Minister of State is a rural Deputy like myself and he understands the importance of that. The Government needs to act quickly, as we all do, or there will be branch closures, which will result in communities losing services. In my own constituency, we have lost post offices at Ballacolla, Timahoe and Arless, and the remaining post offices, such as at Ballybrittas, Ballinakill and other small villages such as Kildangan in south Kildare, need to be protected.

Rural communities have lost many services and we cannot allow more services to go. The post office is a vital, core service. If we take a service out of the community, be it a small Garda station, a small school or a shop, if we take part of the cluster, it is like taking a leg from under a stool in that it all topples over. We must try to cluster services and maintain those clusters.

There is a strong case to be made for the viability of the post office network, which has more than 1,100 branches. It is very important we enhance that. I understand post offices have to be made viable and, to do that, we have to increase the volume of business. The reinvigoration of the post office network can be achieved by extending services. I taxed my car in a post office in Scotland many years ago but we have never got around to doing that here. There are local government services that can be provided through local post offices. The Grant Thornton report and the Bobby Kerr report outline a range of options and there are also ideas from Members of this House.

The banks have stepped back from rural Ireland and have closed branches left, right and centre. They have also brought in the concept of staffless banking, which is driving some people up the wall. There is a vacuum but, given the banking sector has pulled back from providing face-to-face contact and from providing branches in towns and villages, this provides a big opportunity. We must push the whole operation of post offices towards this area. There is an opportunity which we must grasp. We must use computerisation and the roll-out of broadband to help improve services. We must improve viability and sustainability because post offices must be viable and sustainable into the future. We have a problem with the mobile services but some of the other ideas the Minister of State is putting forward are workable.

Deputy Martin Ferris: I thank Minister of State, Deputy Ring, for meeting Deputy John Brassil and me this morning. I found it very informative and helpful, and I sincerely appreciate it.

Listening to some of the commentary over the past half an hour, particularly that coming from Fianna Fáil, I can fully understand how the people have such a terrible view of the political establishment. I have never heard hypocrisy like I have heard here today. It is disgraceful. Fianna Fáil closed 198 post offices and it closed Garda stations and now its members attack
the Minister of State for not moving fast enough. The small shopkeepers, the creameries and the Garda stations are gone. Rural Ireland has been decimated by the hypocrisy of Fianna Fáil and the political establishment. I hope and believe that the Minister of State understands the value of rural post offices and the social consequences resulting from the terrible decisions of the past. If the post office disappears from a community, the small shop and the pub in the area will disappear as well. The first point of contact that isolated elderly people have on a weekly basis with their local post office will be gone.

I have considered the three proposals the Minister of State brought forward today. I share concerns regarding the mobile because I think it is an excuse but I am a great believer in co-operatives and share value. There is a lot of merit to those proposals. Deputy Stanley said that 700 post offices of 1,131 are not sustainable. How does the Minister of State define sustainability? I define it by value and service to the community not the monetary value. Sinn Féin is approaching this in a very honest way to try to resolve a terrible problem for rural Ireland and we will not be found wanting in that.

Deputy Pearse Doherty: I welcome the motion and commend the Deputies for bringing it before the House. I am glad that there will be all party support for this motion. That sends a very clear signal.

In the past two weeks I have been facilitating public meetings in my parish, Gweedore, where the post office network in Dunlewey, a strong Gaeltacht area and a very rural one, is out for public consultation because the postmistress, who has given lengthy service to the community, is retiring at the end of the year. Tonight’s debate will send a very clear signal to An Post which is, that a decision should be made before the end of next week to the effect that we want a five-year holding plan to ensure that the network will remain both in place and viable and that we will have adequate time to discuss the various options. At the meeting I facilitated between the community and An Post on Monday, the passion of the residents for their community and its services was very clear from their recounted experience and testimony. This is a small rural community and the post office is crucial for the people who access its services and obtain their pensions there. I witnessed the closure of the post offices in Gweedore, Magheroarty and many other places, all on Fianna Fáil’s watch. The threatened closure of Bunbeg’s post office was averted and I was glad that we were able to do that. We facilitated community engagement in respect of that and in other areas. I hope we have stemmed the tide of post office closures.

Before this debate I reread a report I compiled on behalf of the Oireachtas Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in 2008 when I was a Senator. One of the sections in it related to the future of the post office network. I recognised that unless we moved forward we would not have a network in the future. The report was debated in the Seanad. Deputy Ó Cuív was the Minister responsible. We drew from international experience, in California, Essex and Leeds, of integration with council and financial services and making post offices part of an enterprise hub. That was what was required. Unfortunately, the Government response was to close down almost 200 post offices. The same type of solution is being put forward in the Kerr report. I hope there will be positive solutions to maintain this network. An Post has to hear very clearly as we decide on this matter that no post offices should be closed until adequate time is given to see the solutions the Oireachtas provides.

Deputy Sean Sherlock: We support this motion. There are aspects of it worthy of further interrogation, particularly the publication by Grant Thornton of its report predicting that 450 to 500 post offices will cease to exist by 2017. I question that figure because the evidence during
the past five years would not bear it out. It would take a major diminution in services for that figure to be borne out in real terms. Notwithstanding that, there is a problem. Are people in rural areas going into their local post offices to use their services or do they drive past them and go to the nearest town, urban conurbation or city?

When I was a county councillor, I advocated strongly for young couples who wanted to build houses in rural areas. Between 2004 and 2007, I spent a great deal of time helping young people to obtain planning permission in rural areas where there are post offices. It is arguable, however, that most of those people do not use their local post offices but drive to the nearest town to avail of all the services available there. How do we disrupt that behaviour and incentivise people to develop a loyalty to their own local offices? That will be challenging. It will require behavioural change.

An Post made a submission recently to the Oireachtas Joint Committee on Arts, Heritage, Regional, Rural and Gaeltacht Affairs setting out metrics. It has introduced the court fines payment system. It will extend the National Lottery service to all post offices nationwide. The State savings business is growing and is worth over €20 billion. It is talking about plans to enhance those services but will that translate into more people going into post offices to transact that business or will people prefer to do it online? Since March 2014, An Post has experienced a decline of over 11% in core mail usage. Since the peak of mail reached in 2007, it has experienced a 38% decline. There is behavioural change from posting letters to online transactions, particularly for Government services.

I do not see the State directly subsidising individual post offices but a co-operative model for communities where the local post office is under threat has been mentioned. We had and still have a strong co-operative ethos in this State and I do not see why, with soft or hard supports, communities where there are offices at risk of closure, not being passed on to the next generation or with no uptake if somebody decides to retire, could not develop a social enterprise model. I do not know how many motions about rural post offices I have witnessed in the past ten years. If we can be progressive and expansive in our thinking and work with communities, we can see whether, short of direct subsidisation, we can build out a co-operative model. It is only one suggestion but it could be done on a trial basis in one or two communities. If they feel strongly enough about their local post offices, and the surveys tell us that they do, then let us put that to the test and see if there are others ways of dealing with this issue. It is worth reading into the record again that which was stated by An Post. In March 2014, An Post said that it had more than 750,000 weekly Department of Social Protection customers. I know this has been mentioned already. This has now fallen to 625,000 customers, a decline of 17%. An Post has said that it was caused primarily by a decline of 30% in the number of jobseeker payments as people gained employment or moved onto schemes. An Post then experienced a reduction of 5% in pension payments due to the very low number of new pensioners choosing the post office option for their payments. I know that there were some tensions around that but we have to be honest: if people decide that they want their payments paid in a particular way, that is the choice of citizens.

While we in the Labour Party support the motion, I do not take the dystopian view that post offices will be wiped out. We have seen a growth in the number of one-off rural houses and we have seen investment in schools in rural areas. What we need to do now is see how we can help communities, particularly those in sensitive areas, such as the ones that Deputy Pearse Doherty spoke about in his own native Gweedore. If we take that as an example, and there have been public meetings around this, perhaps it is one area that we could look at as a model in which
stakeholders can come together to sustain the post office and roll in other services, not just post office-related services but other social services, to create the kind of hub that is so vital to the rural communities to which we refer in the context of the motion.

Deputy Bríd Smith: I welcome and support the aims of this motion to save and fully appreciate the rural post office and the vital role it plays in rural life. In recent months, I have raised this and associated issues in the House and have always received the same response from the Minister. I quote the Minister, Deputy Naughten:

It is Government policy that An Post remains a strong, viable company in a position to provide a high quality postal service and maintain a national network of customer focused post offices in the community.

I support him on that one. The Government supports this policy, so I guess it is supported by Fianna Fáil. Yet the irony is, despite the commitment given in the programme for Government, that this issue still remains, the threats remain and the uncertainty remains and grows stronger even as we hear Ministers trot out the same rhetoric time after time. A couple of weeks ago, the Minister reiterated the Government’s commitment to rural post offices. Since then, on 3 November a local newspaper in Cork, The Corkman, quoted a fourth-generation postmaster, Mr. Henry Keogh, who says that he will be the last such postmaster in Rockchapel because the post office is no longer viable. If closed, as he points out, it will follow the post offices in Cullen, Rathcoole, Meelin, Milford, etc. The same paper recorded the closure of Kiskeam post office and the threats facing Duhallow. This is repeated throughout the country. I am sure it is reassuring to postmasters who have worked for little more than the minimum wage to keep these offices open. I am sure that it helps them as they see the offices close as I am sure it helps the elderly and isolated in rural communities to hear that it is actually official Government policy to keep them open, though they are closing day in and day out. If it is official Government policy, why did we hear Mr. Jim Daly, the director of retail operations in An Post, warn that many of the country’s remaining 1,100 post offices are unsustainable and, in effect, on the verge of collapse. I argue that it is not simply because people are posting fewer letters, because we are in a new digital age, because it is a sign of the times or because it is inevitable; it is because the sector of rural post offices has not been invested in or protected and its vital and social role is not appreciated or valued. The problem has been compounded by decisions such as that taken by the Department of Social Protection to remove cheque payment schemes from the post office network, the insistence by Government Departments that payments to them be made by bank draft rather than by means of methods offered by post offices and by the lethargy and slowness in producing an actual plan that would see real investment in rural post offices. There is a constant threat that the tendering of Government business such as that relating to welfare payments could be lost at some stage by An Post, not to mention the issue that is often the trigger for actual closures, which is the reorganisation in the network and the sorting and delivery services being centralised outside of the offices themselves. There is no real effort or vision in the context of setting up an alternative banking system similar to the Kiwibank model in New Zealand or Sparkasse in Germany, which are examples of what is possible. We still await any real steps to introduce proposals such as the use of post offices as local community hubs, with an extended range of services for the people living in those communities. The wider issue here, however, is embedded in the Government’s economy policy, which is a neo-liberal model. It is a model that says that there is no alternative to it and that sees everything as being bought, sold or delivering a profit.

In supporting this motion, I believe we should remember how quickly this State sprang into
action to bail out banks and bondholders and compare it to the foot-dragging of the current Minister and the Government on this vital issue.

**Deputy Mick Barry:** The post office network has sharply declined in this country under both Fianna Fáil and Fine Gael-led Governments. How many post offices have closed since 1984? Approximately 1,000. The Irish Postmasters’ Union clearly fears that many more may face closure next year. To allow this to happen would be an act of social vandalism. Apart from anything else, there are 3,700 people employed in the country’s 1,150 remaining post offices. The Government seems to imply that there is a degree of inevitability about this. It seems to indicate that the rise of e-mail and the decline of the letter means that post offices are more or less in inevitable decline. It would flow from this analysis that those who seek to defend the post office system are, in some respects, dinosaurs. Nothing could be further from the truth. I want to bring into the debate a number of important issues that are left out of that way of looking at it.

With the rise of the Internet, the decline in traditional post is severe without being catastrophic. Traditional post has declined by 38% in this State since 2007. However, alongside this, parcel deliveries from online orders have increased significantly. Up to €6.6 million per day is spent online by Irish households on clothing and household goods alone, yet An Post’s SDS delivery service was shut down at precisely the time it should have been beefed up. An attempt was made to force 625,000 social welfare recipients to have their payments sent electronically to bank accounts. Thankfully, the Government, under pressure, has since retreated in respect of this matter. This has not been the first time that Government action has served to undermine the post office. When, at the start of the crash, billions of euro in savings were transferred from banks to post office saving certificates, the rate of return was lowered, at least in part, it would seem, to shore up the commercial banking sector.

The suggestion that a State-run post office bank be established is a positive one that we support. It works well in New Zealand, where Kiwibank seems to be quite a success story. I have seen a number of reports which indicate that, at various times, customer satisfaction ratings for the state-owned post office Kiwibank have been significantly higher than the four Australian-owned trading commercial banks in that New Zealand. Post offices should, of course, also be a hub where a whole range of other State services can be accessed. This would require significant investment but it would be an important investment in light of the social importance of post offices. It would clearly be an investment of a very worthwhile character. We will be supporting the motion.

**Deputy Maureen O’Sullivan:** I acknowledge the passion of the Deputies in the Independent Rural Group in respect of this particular issue. Déanaim comhghairdeas leo toisc go bhfuil an díospóireacht agaínn anocht.

I totally accept the value of post offices for rural Ireland and the value of one aspect in particular. I think of elderly people in rural Ireland, who are not IT-savvy and who are not doing their business or paying their bills online because they do not have those skills. Then there are those who do have the skills but they do not have broadband access. In the absence of that, post offices provide a very valuable service.

We discussed this topic last year and there was widespread agreement on the value of the postal network. There is a commitment in the programme for a partnership Government to protect the postal network. It is time to put the fine words into action as the postal network is evidently under threat.
I acknowledge the value of the postal network to rural areas but it also provides a value in urban areas. I know very well the work and services provided by post offices throughout Dublin Central. There is a trust in post offices which we do not see in banks. When one goes into a post office there is a point of human contact. There is a person at the desk who can answer one’s questions, respond to queries and who has the time and patience to deal with people. They know the customers, their families and circumstances. When one goes into a bank, increasingly, the service is from a machine. If one uses telephone banking one has to dial 1 for this, dial 2 for that and suddenly one is at dial 6 or 7 and the process is extremely frustrating unlike in the post office where there is a person to help which is much better.

I like the idea of community banking but I wonder whether there is a role for credit unions. Most communities that have a post office also have a credit union and perhaps they could complement each other. Post offices have massive potential to complement the work they are already doing and we should examine the possibilities in that regard. The post office system is working well, despite the closures, and I question why we are undermining a system that is going well. If we want post offices to continue there is an onus on the public to use them as much as we can.

Deputy Thomas Pringle: I welcome the opportunity to contribute to this motion. As has been outlined by other Members, there is no doubt the post office network is vital to rural communities and to helping communities to survive.

In the past week in Donegal a consultation concluded on the future of the Dunlewey post office in west Donegal. One wonders why An Post is even having a consultation on the matter given that the nearest post office is approximately 8 miles from Dunlewey. It should be a no-brainer that the post office would be maintained in the community and An Post is obliged to ensure that the post office there will be maintained now and in the future.

The post office network business development group has been meeting for approximately two years and it is about time for it to begin to deliver on some of the proposals that have emerged. Government commitment is required to make that happen. While some of the proposals the Minister outlined earlier are interesting, we constantly see the Department of Social Protection trying to move people away from the post office network. It is just not acceptable that various Departments behave in a different manner towards the network. Deputy Sherlock outlined that people can choose whether they want their social welfare payment to be paid into their bank account or to collect it in the post office. They can make the choice but the way it is pitched by the Department of Social Protection means they do not appear to have an option, which is not right. That results in the figures being skewed. For the foreseeable future the social welfare contract will be the lifeblood of the post office network right across the country and it must be maintained in order to allow the other proposals to develop, if they are introduced.

The public banking proposal is interesting but I wonder how the Central Bank will view that and how it will be regulated. I could see the proposal being bogged down in regulation for the next five to ten years while we wait for the Central Bank to make a decision. The Department could make a decision to have community banking but I would like to hear more details about its regulation. All the ducks need to be lined up in a row in order that such a proposal can be put into practice as quickly as possible.

The option outlined by the Minister concerning a mobile post office does not make sense and I do not think it could be introduced because An Post would baulk at that option and would
not want to carry the cost of operating such a system. We must find another option to maintain the post office network. In addition, there must be an option for postmasters to choose to move out of the service and to be compensated if they choose to do so, especially in the event of a co-operative post office taking over.

**Deputy Thomas P. Broughan:** I am delighted to have an opportunity to speak on this very important motion, albeit briefly. I congratulate the Rural Alliance on introducing the motion, given the colossal importance of protecting the post office network, not just for rural areas but also for urban communities. This is an issue that fully unites urban and rural Ireland.

The depletion of the post office network is an issue in urban districts also. Approximately ten years ago the north Coolock parishes of Priorswood and Clonshaugh in Dublin Bay North were devastated to learn that their post office was closing and moving to the Tesco-owned Clare Hall shopping centre. For many senior citizens and others with poor mobility the closure of the post office in Clonshaugh shopping centre was a major blow and inconvenience to their daily lives. Similarly, about two years ago people in Howth were taken aback by the closure of the then stand-alone post office. It moved not too far away into the local Centra supermarket but we like to have specialist post office services and that is now gone. I have been informed in recent days by Councillor Keith Redmond and others that Sutton post office is threatened with closure. That seems to go back to the refusal of the new management team in An Post to financially support post offices in districts such as Sutton. I call on the new chief executive, David McRedmond, whom a number of us know well from his previous roles in other parts of Irish public life, to ensure the outrageous threatened closure of Sutton post office does not go ahead.

The Minister made commitments to support the post office network in the programme for a partnership Government and it was agreed that the recommendations of the Post Office Network Business Development Group, which reported in January 2016, would be implemented. I am especially interested in the recommendations put forward by the group, including basic payment accounts, the motor tax recommendation, the credit union recommendation, the social value recommendation, the procurement recommendation and the white labelling recommendation. All of those options could offer important avenues for the post office network to be maintained.

I also warmly welcome the investigation into developing a German Sparkassen model of local banking, in alliance with the post office network and I urge that it would be pursued. I thank my colleague, Deputy Joan Collins, who arranged for us to meet advocates for Sparkassen. I warmly congratulate our Rural Independent Group colleagues and urge the Minister to take on board what they are advocating today.

**Acting Chairman (Deputy Declan Breathnach):** I now call on Deputy Róisín Shortall who is sharing time with Deputies Eamon Ryan, Seamus Healy and Stephen Donnelly. The four speakers have seven and a half minutes between them. Is that agreed? Agreed.

**Deputy Róisín Shortall:** I commend the Rural Independent Group on bringing this motion before the House. I very much welcome it and acknowledge the pivotal and vital role post offices play not just in rural areas but in urban areas also.

It is important that we not only maintain the presence of post offices but ensure that they are supported in setting out a new role for themselves. It is true to say that those working in An Post, and certainly management in An Post as well, are quite keen to forge that new role for
A number of years ago we had very grand plans in terms of setting up Postbank and for various reasons An Post did not get the required support to do that. That is regrettable. That is particularly regrettable given the recent history of the Irish banking system, which has not covered itself in glory, and played its own part in the significant difficulties this country has faced in recent years. Bearing in mind the kind of bailout the Irish people provided to the banks, they are not seeking to repay that in any way. In fact, it is quite the opposite. We see more and more banks closing down and losing interest in domestic business and only being concerned about business customers. That has had a huge knock-on effect in local communities.

For that reason there is huge potential for post offices and credit unions to provide community banking in local communities but especially in rural areas. We know that when people get money from whatever financial institution, they are highly likely to spend the money there and then in those premises or in other local premises. That is the kind of local business we want to generate in rural areas for domestic customers but also for small and medium enterprises. Our aim should be for self-employed people to have access to financial services locally in their own village or town. There is considerable potential in going forward with such projects.

6 o’clock

The Government would be remiss not to avail of that opportunity and to use it as a way of reinvigorating the many towns and villages in rural Ireland which badly need it.

Deputy Eamon Ryan: I support this motion. In the short time available I will concentrate first on the Sparkassen banking model. Irish Rural Link held a seminar today in the RDS at which the president of the World Savings Bank spoke about some of the benefits, and they are real. It is a public savings bank model where, critically, the deposits raised in a region are lent in that region. It has a specific benefit in terms of lifting areas that are disadvantaged regionally. Second, in terms of the capability of such a banking system to specialise in small business lending, it is not lending by cash models but on the basis of knowledge of the business. It is also a model that has explicit training in that sort of professional lending system. This is a stable, professional banking model and it is perfectly suited for the development of rural Ireland. It also has a centralised service system that could be used to assist credit unions and post offices as that banking model is rolled out. I commend the inclusion of that issue in the motion. I commend the Government also in terms of carrying out the analysis it said it would do in the programme for Government such as the Sparkassen public banking model.

When it comes to An Post, we have to look at the entire postal system. It is not just the post offices that will be in difficulty. It is almost inevitable that within the next four or five years we will lose another 50% or so of the current mail business. We cannot ignore that. We have to plan for it and plan alternative businesses into which the postal network, in its entirety, can go. We have to give it a role in retail online mobile banking, transport and other services. That is why I agree with this motion which we as a party very much support.

Deputy Seamus Healy: I welcome the opportunity to speak on this motion, which I support, and commend the rural Independents for bringing it forward. I sponsored a very similar motion during the term of the previous Dáil but unfortunately, despite no less than two Grant Thornton reports, an Oireachtas committee report and a report from the Post Office Network Business Development Group, little or no progress has been made in securing the future of the post offices.
A viable, progressive and sustainable post office network is a cornerstone for social and economic development in our communities. If an action plan for the post office network is not implemented immediately, Grant Thornton has stated that approximately 500 post offices will close. That would be horrendous and it cannot be allowed.

All the reports I have mentioned pointed out the essential elements needed to maintain and expand the services and the network. These include: prioritising and increasing the use of the post office network for social welfare payments; providing a community banking service in all post offices to ensure that post offices act as a one-stop-shop for all Government services; providing a once-off capital injection to modernise the post office network; and ensuring that any and all tendering for services must be done not just on the basis of economic criteria but also on social criteria.

We have had enough reports and recommendations. What we need now is for the Government to put its money where its mouth is and take immediate steps to save the post office network. Furthermore, the Minister should forget the mad notion of the mobile post offices.

Deputy Stephen S. Donnelly: My colleagues, the rural Independent Deputies, deserve great credit for using their Private Members’ time to bring forward this motion, which seeks to secure the future for rural post offices. I commend them on a thoughtful, well-considered motion. My understanding is that the Government will not oppose the motion which, if I am right, is to be welcomed.

We are all acutely aware of the challenges faced by rural post offices. In Arklow, south Wicklow, recently, the post office on the main street nearly closed. That would have caused a huge problem for many people in the town but, thankfully, it did not come to pass.

We have had the Post Office Network Business Development Group report for ten months and while it is within the programme for Government that progress must be made, we have seen little so far. We know that almost half of all post offices face closure. We know there is an extensive network in place which is key to rural communities, villages and towns. We know the post office network employs over 4,000 people. A combination of the post office network and the credit union network can provide a viable, sustainable, very important network, access to credit within rural communities and, critically, keep the post office network not just alive but growing to ensure it remains a key part that is central to rural communities.

An Leas-Cheann Comhairle: The rural Independents have ten minutes, starting with Deputy Michael Lowry. I understand the Deputy is sharing with Deputy Michael Collins.

Deputy Michael Lowry: That is correct. As a signatory I welcome the opportunity to speak to this motion, which calls on the Government to honour its commitment to the reorganisation and development of the postal network and to maximise the future economic and social potential of the network.

The post network is in disarray. It is not economically viable and it urgently requires a strategic survival plan. We have had exhaustive assessment, analysis, reports and recommendations. Every report written has concluded with a common thread: the post office network as it presently functions is not sustainable in the long term.
Post offices face massive problems and huge challenges. There has to be a defined programme of action to arrest the decline. From Government we need leadership, vision and initiatives to rescue post offices from obliteration. We need an effective co-ordinated plan to breathe life back into the network.

Post offices are an essential key part of the fabric of a rural village. They are a focal point, a centre of activity and interest to locals, and a community hub. They have a beneficial binding influence on local communities.

The problems with post offices are a symptom of what is happening in rural Ireland, namely, rural decline. The root cause of the crisis in rural Ireland is the lack of job opportunities for young people. Thousands of our young people have had to emigrate. They were forced to leave their homes, families, friends and communities. Parents are denied the privilege of being close to their loved ones and the gift of seeing them mature to adulthood. Many issues arise as a consequence of this emigration. Fewer houses are being built. There is no work for builders and tradesmen. Fewer children are being born. Schools are losing numbers, putting teachers’ jobs at risk, with small rural schools facing closure. Small shops and Garda stations have been closed.

The Government and the national agencies have done absolutely nothing to correct the imbalance between city and rural regeneration. We now have a two-speed economy - one for Dublin and one for the rest of the country - operating in a fast and a slow lane.

The closure of Garda stations has left older people in particular feeling vulnerable at a time when city crime gangs are roaming the country causing fear and anxiety. That feeling of isolation is made worse by the fact that we do not have any local transport, which makes it impossible for people to socialise.

Post offices have suffered badly because of this rural depopulation, neglect and decline. Hundreds of post offices have already closed. Those that are left are wobbling. We need a renewal programme for post offices and a totally different business model. We need an imaginative creative blueprint which includes the expansion and development of new business and additional services. There are opportunities to further develop post offices as front offices of national Government, local government and essential citizen services.

An Post should be enabled and financially supported to provide a new community banking service. Most rural and disadvantaged urban areas have been abandoned by our so-called pillar banks. This Government, in partnership with the post office sector, must save what is left of the network by implementing immediate and decisive policy initiatives that are capable of reinventing and reinvigorating the network and underpinning the financial security of post offices.

**Deputy Michael Collins:** For the past 300 years the post office network has been an integral element of Irish society. It has been at the forefront of economic and social activity in towns and villages across the country. With over 1,150 post offices nationwide, An Post is a huge resource which needs to be further utilised. The post office network provides a large range of services. As well as the standard postal services and welfare payments, post offices now provide Passport Express, National Treasury Management Agency, NTMA, savings, Garda fixed fines, dog licences, television licence renewal, toll tag top-up, bin collection payment, tax payments, including local property tax, LPT, mobile top-up and some banking services.

The post office is the centre of social interaction for many older members of our society, as
they look forward to the Friday visit to collect their old age pension, where they meet many of their own generation. It is a safe environment in which they can collect their money. In rural areas in particular, a grocery shop is attached to the post office. Many elderly do their entire week’s shopping in the local shop. It is convenient for them not to have to travel, and the shopkeeper knows their individual needs and stocks the shop accordingly. Closure of a rural post office will almost certainly mean closure of the local shop as well, and this will have significant implications for the survival of that community.

The social and community value of the post office cannot be underestimated. The post office network is long established in our country and is valued and trusted as being able to deliver an excellent service to all its customers over the past 300 years. However, evolving technological and behavioural changes are placing the future of the post office network under increasing pressure. The move to Internet-based transactions is ongoing and inevitable, and nobody would deny that there is a need for the network to continue to improve and modernise.

The preparation of a modernisation plan for all post offices needs to take place. Rural post offices, in particular, need to embed themselves further into the social and economic fabric of their communities and, just like any other business, become increasingly relevant to their customers. The post offices’ approach of front-of-counter staff is accessible and engaging for customers, and in an age where banks and other institutions are rapidly decreasing the number of front-of-counter staff, post offices should use this to their advantage.

The Government needs to look at adapting the post office network to meet the changing needs of modern Ireland. It would be an ideal solution for delivery of motor tax and driving licences, and would alleviate the pressure on the overcrowded city offices. Cork County Council has only one motor tax office in the county and three offices in the county for driving licences. It will eliminate the strain on the designated motor tax offices. Some €63 million could be saved in five years on motor tax alone if post offices were to be used to deliver this service.

There are enormous opportunities for using our post offices as the point of contact for more Government services. The decision to develop post offices as Government front offices will have a spin-off effect on enhancing the viability of rural communities. Other Government services that the post offices could provide include, in the health area, medical card applications; in agriculture, farm grant applications; in transport, driving licences and tax certificates; and in social welfare, payments, acceptance of medical certificates, back-to-school allowance applications and all applications for payments. The post office network could also be paid to provide assistance and advice to people looking for information on Government services. Then post offices could play an increasingly important role.

Where appropriate, post offices should be open for longer hours, including lunchtime opening. Integrating post office tills with point of sale terminals for some services may reduce costs and ensure out-of-hours provision.

Electronic banking, that was promised for early 2016, needs to be introduced now and the delays at Government level need to be resolved. The only viable alternative to a declining social welfare dependent model is community or public banking through the post office network, such as that in New Zealand that has led to the turnaround in fortunes for the Kiwi post office and made it the success it is today. An Post needs to roll out debit cards and full access to ATM and point of sale facilities. An Post accounts need to be accessible by Internet, phone and mobile phone apps. Does the Government acknowledge that a post bank is the way forward, and
if so, what action has it taken to research and develop a model, such as the Kiwibank, that can be implemented through the post office network and thus ensure viability? An Post should also examine the potential for introducing ATMs external to post office premises. An Post should provide banking services to all banks. I have had complaints from many of my constituents about the fact that they have to travel more than 30 miles from their local post office to lodge money into their bank each week.

Mobile post offices are not the answer and I am strongly opposed to their introduction. I come from a community where banks have been replaced with mobile banks. Is it, as Deputy Fitzmaurice stated, a Noddy-type service we will have people going around from place to place with their little vans so that the post offices can be got rid? The quickest way of dismantling our valuable post office network is the mobile service. It is the death knell of the postal service. We must not allow an unwise decision to be taken. It is possible for us to use this highly effective network to deliver a wide range of services at little cost. As stated, the post office network, if utilised in the way which I have outlined, has the potential to save millions of euro while creating further employment and enhancing the sustainability of rural communities.

I am also completely opposed to the idea of having only one post office every 15 km. This is unacceptable and unsuitable. In particular, it does not serve people in rural Ireland where there is no public transport service. I urge the Government not to introduce this damning measure.

An Leas-Cheann Comhairle: I am looking for a little co-operation. We have exceeded the time. I ask both the Government and Deputy Mattie McGrath, who have ten minutes each, to confine it to nine.

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty): Does the Leas-Cheann Comhairle want us to go faster?

An Leas-Cheann Comhairle: It is the order of the House.

Deputy Regina Doherty: I know.

An Leas-Cheann Comhairle: I understand the Minister of State is sharing with Deputy Jim Daly and the Minister, Deputy Humphreys.

Deputy Regina Doherty: I thank the members of the Rural Alliance for using their Private Members’ time to talk about the postal network, to highlight not only the importance of it but also the challenges the network is facing, particularly in the digital age.

A Programme for a Partnership Government acknowledges the importance of the post office network and commits to take action to protect the future of the network, including through the implementation of the post office business development group report, the roll-out by An Post of an e-payment account and the development of community banking along with a range of other services. We want to see the local post office re-established as a hub, giving people living locally access to a range of services.

As a Deputy representing a constituency that includes large urban areas but very large rural areas, small villages and large towns, I understand the importance of the local post office as a community focal point for a wide variety of different people, such as those living in isolated rural areas for whom the local post office is a vital link to services, those living in small villages for whom the post office is a major economic driver and those many older people living
in larger towns for whom the post office is a community touchstone. For all these reasons, the post office and the wider network is worth protecting and defending.

It would be naive of us not to accept the reality of the digital age in which we live. If the local post office is vital to older people who grew up using its services, we must recognise that for many young people today, our digital natives, the local post office is seen as an outdated institution. This generation uses e-mail, text, WhatsApp and Facebook. They do not use postage stamps. They bank online, pay their bills online and live a large portion of their lives online without the need to queue in line in a post office for any service that is currently provided. This is as true for those young people living in rural Ireland as it is for their counterparts living in urban Ireland. Our post office network needs to offer the digital natives, who will in a few short years make up the majority of our population, access to the services they need.

We all are aware of the post office network business development group’s report and I will not dwell on it. I refer to a second report that was prepared last year by Accenture, entitled Achieving High Performance in the Post and Parcel Industry. This international report assessed a number of postal services in countries across the world, all of which are facing challenges like ours, and highlighted where those companies were succeeding. The report identified a number of areas where traditional postal services could find success, including the need to take steps to defend their core business by investing in product innovation to offer a better service, investing in parcel opportunities, which is an area of real potential, and diversifying, especially into the area of logistics and taking advantage of the digital opportunities which are being created.

Every single post office in this country is an ideal opportunity to provide a Parcel Motel location. It will bring our younger people, who are doing all of their purchases online, directly into this community touchstone to allow them to access the other services they are not even recognising in their daily lives. In the development of our post offices, can we please look not only at Parcel Motel but also at that kind of initiative?

An Leas-Cheann Comhairle: I thank the Minister of State for her co-operation.

Deputy Jim Daly: Fáiltím roimh an deis labhartha ar an ábhar tábhachtach seo. At the outset, I will declare an interest. My brother owns the local post office in the village I come from, Drinagh, in west Cork. I spent many happy summers delivering the post for An Post and I have many fond memories of that.

This debate always amuses me at some points and infuriates me at others because we miss a lot of the real detail when we start talking and when politics gets introduced. Populist politics does not really contribute much to the debate on post offices.

I come from a constituency where recently I had the great honour of attending the re-opening of a post office in west Cork. Leap post office, which had closed a couple of years ago because an issue arose with the people running it, thankfully re-opened two or three weeks ago. We had a great afternoon celebrating it. My colleague opposite, Deputy Michael Collins, was there as well. It is not all doom and gloom in the post office sector, but there are threats there and issues we must keep a watchful eye out for. However, it is not Government intervention that is required in the post office system, but old-fashioned management. Somebody must take it by the scruff of the neck, drag it up and ask what it will do to make itself relevant and join the real world. Government intervention will be all about bureaucracy, rules and regulations, so that is not the solution. The decline of post offices is a symptom, not the disease. People attacking the
symptom are missing the point. The issues affecting rural Ireland are much bigger and greater. It is far too narrow a focus to discuss them in the context of post offices.

I will conclude on a final issue. It really annoys me to hear Members of the House demand that the Department of Social Protection insist on payments being made through post offices. I resent and reject that call by the Members on the benches opposite. It is abhorrent that we should force people who are sick, elderly, vulnerable or who are carers not to have their money put into their banks like the rest of us. They must traipe down to the post office and collect their payment.

**Deputy Michael Healy-Rae:** We never said that.

**Deputy Jim Daly:** I did not interrupt the Deputy. If he is feeling the heat, there is a reason for it. I resent that demand being made to the Minister. I have seen Members of the House try to insist that the most vulnerable in society----

**Deputy Michael Healy-Rae:** Not us.

**Deputy Jim Daly:** In fact, they are using the most vulnerable in society as a pawn in their attempt to keep post offices alive. People should be entitled to have the moneys delivered to the place of their choice. Every option should be made available to them, and that should be made known to them.

**Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Heather Humphreys):** I acknowledge the commitment shown by the Deputies who have spoken on this motion. I also acknowledge the presence in the Visitors Gallery of members of the Irish Postmasters’ Union. It is clear from what has been said that there is a strong wish for the post office network not only to survive, but to thrive in an increasingly digital world. I commend the Members on bringing the motion before the House. They are committed to supporting communities across rural Ireland and the rural post office network is very important in that regard.

As Minister with responsibility for rural Ireland, I am acutely aware of the numerous challenges that exist. There is no single, quick-fix solution for rural Ireland. That is the reason I am taking a new co-ordinated approach across Government to help rural communities to succeed. I am currently putting in place an action plan for rural development. Since taking on the rural Ireland brief, the Minister of State, Deputy Ring, and I have invested €22 million in rural initiatives such as the town and village enhancement scheme, the rural economic development zones and rural recreation scheme, to name a few. That is in addition to the €250 million Leader fund for rural Ireland.

Specifically in regard to post offices, my colleague, the Minister of State, Deputy Ring, has highlighted some of the fundamental issues that face An Post. At the same time, no Member of the Oireachtas would deny that the post office network plays a valuable role in serving the needs of rural businesses, communities and domestic customers. The ongoing systematic change in the postal sector is forcing post offices across the world to evolve. An Post is no different. The company is very aware that it must complement its existing products and services with new revenue streams. The proposal from the Minister of State, Deputy Regina Doherty, is something we should consider pursuing further. Despite the obvious challenges, I remain optimistic about the future of the company and the network.

There are many positives on which to build. Over 1 million people visit post offices through-
out the country every week. The post office remains the most important source of access to cash for many elderly citizens and its retail network is unrivalled in terms of both size and distribution. I am also greatly encouraged by the work of the post office hub working group, as outlined by the Minister of State, Deputy Ring. The models it has identified, such as co-operative post offices and shared value post offices, have the potential to make a significant impact on rural communities. Officials in my Department are also working with colleagues from the Department of Housing, Planning, Community and Local Government to examine the potential for a motor tax renewal service to be offered through the post office network. This option will be of benefit to people who might not have the facilities at this time to renew their motor tax online, which is becoming increasingly popular, or who might wish to pay for their motor tax renewal with cash.

The post office network renewal implementation group, led by Mr. Bobby Kerr, is concluding its work in the next couple of weeks. Recommendations from the group are expected to issue shortly to the board and management of An Post. It is important that every Member of the House recognise the value of letting this process come to a natural conclusion before any decisions are taken. The fact that it has been ongoing for a number of months reflects the complexity and impact of the issues at stake. I strongly believe that if we work together we can achieve our collective goal of a sustainable post office network which will deliver for everybody.

Deputy Mattie McGrath: I thank everybody who has contributed to the debate, as well as the Leas-Cheann Comhairle and other Acting Chairmen. I also thank Deputy Michael Healy-Rae, my other colleagues in the Rural Independent Alliance and the Minister of State, Deputy Ring, for the discussions last weekend to try to reach an agreed solution, and I thank the Chief Whip, Deputy Regina Doherty, for accepting the motion. It is important to have a united front tonight. I acknowledge Tom O’Callaghan and the members of the IPU. Indeed, I must declare an interest as my sister is a postmistress in Tipperary. I thank her and wish a speedy recovery to the main member of her staff, Helen, who had a stroke recently.

Much has been said in this debate, but all talk and no action is no good. However, there were many decent and honest contributions. I am disappointed that Deputy Jim Daly made allegations. I hope he will withdraw them before this concludes or clarify who is trying to coerce people on social welfare to be paid only in the post office. We never said that. We only seek choice and not to be forced to have it paid into banks. We never asked that anybody be coerced or bullied as to where it is paid.

The Minister of State, Deputy Ring, addressed the meeting. The one item I wish to call him out on is the wanderly wagon idea. He should forget it. The wheels have fallen off enough wagons and we do not want them falling off this one as well, because that is what will happen. We will be going around with satellite navigators trying to find it. I accept that his colleague the Taoiseach had a wanderly mobile clinic, as I had at one stage, but do not try to imitate that. We do not need that.

Deputy Michael Ring: The Deputy was the one on the wanderly wagon.

Deputy Mattie McGrath: The Minister also mentioned customer focus and the Kerr group.

Deputy Michael Ring: Remember when he went to Fianna Fáil.

An Leas-Cheann Comhairle: The Minister of State had his opportunity to speak, so please respect the speaker.
Deputy Mattie McGrath: I have only two questions. Will the Government give a commitment that its contracts for procurement will include a social as well as an economic element in the future? That is vital. We saw what happened with the driving licence system. It was farmed out and made so prohibitive that the post offices could not tender for it. John Daly, director of retail operations in An Post, told an Oireachtas committee on 8 November last that the future of the country’s 1,100 post offices is now unsustainable and that the network is on the verge of collapse. Deputy Donnelly spoke about the post office in Arklow town. It is not a rural issue, but a rural and urban issue. There are small post offices in the heart of Dublin. I cannot say enough to thank the postmistresses and postmasters, fir an phoist agus mná an phoist, and everybody who has worked to deliver post. Even Deputy Jim Daly delivered post when he was a buachaill óg, as he said. I thank all the people who provide that service.

This is a vital service which has existed for hundreds of years. It must be enhanced. I have been a Member of the House for more than nine years and we have talked about this matter repeatedly. Successive Governments, one of which included me, talked about it, but more post offices were closed than were kept open. I put my hand up and admit that. Now, we have reached the bottom line. It is down to the core issue. We must protect these services. Many Members made excellent contributions tonight. Deputy Harty got elected for the “No Doctor, No Village” campaign. If there is no post office, there is certainly no village. There is no postmaster or postmistress to provide a service for anybody. These people were a social focal point. They were form fillers and did everything for people. When people did not have telephones, they were uimhir a haoin ar an dial-up telephone and they made contact for everybody. They filled forms, notified people about funerals, telegrams and so forth. The history, heritage and legacy are there and we must protect that.

People talk about rural Ireland as if it was a foreign place. It is here and we live in it, but it is diminishing and disappearing. Garda stations, factories and creameries have gone, so the post office is the last bastion and the last stand. I welcome the people who have come to the Visitors Gallery tonight. We must promote them. Other models have been mentioned, including the one in New Zealand. There are also models in Germany. I wish to put some figures on the record. We all believe Germany is full of huge multinational companies that are very successful. We tend to think that is down to Siemens, Allianz, Bayer, Mercedes and the like. In fact, a research report found that 3.6 million small and medium entrepreneurs are the backbone of the German economy. That is similar to the situation in Ireland, although it is not to the same scale. These entrepreneurs represent 99.9% of all companies, and 87% have a turnover of less than €1 million. Less than 1% have a turnover greater than €50 million. This is where we are coming in. We can emulate what they do in Germany, where community banks are supported and profits go back into communities. I compliment The Wheel and Irish Rural Link on holding the conference and the people who attended. Some of them are in the Gallery. We need to consider it in order to revitalise rural areas and allow them to have banking facilities in the post offices.

As Deputy Michael Collins said, there should be a front-office focus for Government services instead of taking them away and banishing them to hell or to Connacht. We should support and enhance them. We should take the handcuffs and the blindfolds off postmasters and allow them to do what they do so well. We should give them the tools of the trade in this regard. They are not begging. We are not beggars looking for charity. We want to be allowed to continue thriving businesses that provide employment. We want them to be used as official tourist offices, given that they operate in this way in an unofficial capacity. Somebody said that they are not allowed to accept parcels from courier vans. They do it anyway. They provide all kinds
of services. If the parish priest cannot turn up for mass, who does he tell? The postmistress.

I have anecdotal evidence of three people in my small area who missed collecting their pensions at the post office and alarm bells went off. Two of them were found alive thanks to the alertness of the postmistress or her staff. One of them, sadly, had been out preparing for Christmas, picking material to make holly wreaths and was, unfortunately, found dead. He would not have been found for a week had the postmistress not missed him. It is the social fabric that we discuss here in debate after debate. They had a social fabric, in the veins of rural Ireland. We just enabled them. The Kerr report was been published in January. What aspects of it have we implemented? We get eminent people to produce reports. We put money in and carry out consultation processes but what happens to the reports? They gather dust on a shelf. There is confusion as to which Ministers in what Departments are responsible for rural development and we need to sort it out.

Many of my Rural Independent Group colleagues took part in the creation of the programme for Government and negotiated many aspects of it. Our job is to police it. I thank the Government for taking the motion. It is the second motion we have brought forward, and the Government has accepted both. It is magnanimous and is new politics working. However, we need action and delivery. I will be here, week in week out, as will my colleagues on these and other benches watching the Government and policing it. Tá an leabhar agam san oifig. I have the programme for Government and I will monitor it line by line. No issue is more important for rural and urban Ireland than that we are discussing.

The Government can provide Internet hubs for training courses. Rural Ireland is 30% behind compared to towns. We want outlets where students can go to fill in their CAO forms. They can have the broadband in the post offices, maybe not provided by Eir but by some other means. We cannot get it in rural Ireland. We are being hindered, restricted and stifled. That must change. Driving licence applications could be dealt with in post offices. Farm grants applications and transactions could be completed there. There are numerous services that could be handled by post offices, simple thinking and simple changes are all that is required.

I address myself to the Department’s officials. In the programme for Government, the Taoiseach promised official Ireland would change as well as the Government, that it would be more engaging and interested in allowing activities to transfer from Department to Department. He promised that there would be more normalised behaviour, not empires in which Departments have ownership of areas and tell other Departments to back off. We do not need that. We need a modern post office network that will deliver what it is capable of delivering. We have come through decades of services from the postmistress. They moved on, upgraded, got IT-savvy and did everything else they were asked to do, will do, are able to do and want and wish to do in order to support people and supply services. All we have to do is allow them to proceed. We are prohibiting them and tying their hands behind their backs.

I have just enough time to thank the people who worked with me on the motion and my office staff. I appeal that all this talk will not go to waste and that the motion be agreed to without a division tomorrow, that the Government will implement what we, the IPU, Tom O’Callaghan and postmistresses around the country have asked for, and what is common sense, namely, to allow this, one of the last bastions of rural society, to continue to flourish, not to stifle it but to allow it to serve the public. They want to be of service. We are Teachtaí Dála, public servants; they are public servants. They receive a pittance for every transaction, not a salary. I ask the people out there, my family and everybody else, to use it or lose it. We must support the post
offices. We will ensure the Government plays its part. The postmasters and postmistresses will do it, as will the sub-offices. It is up to the people to use the post offices. Deputy Jim Daly might be able to clarify his remarks. Could the Minister ask him to withdraw them? Nobody is trying to coerce anybody. People should have the option of receiving their social welfare payments in the post office, and not be discouraged from doing so.

**An Leas-Cheann Comhairle:** I have to terminate. Whatever injury time we had, the Deputy used it up.

**Deputy Billy Kelleher:** It was like the speeches the Minister of State, Deputy Ring, used to make when he was over on this side.

**Deputy Michael Ring:** I was clearer.

**Deputy Mattie McGrath:** He is able to deliver now, if he wants to deliver.

**Deputy Michael Ring:** Leave it to me, Mattie.

**Deputy Mattie McGrath:** The Minister of State is well able to. Forget the mobile.

**An Leas-Cheann Comhairle:** The Deputy and the Minister of State can have a bilateral outside.

Question put and declared carried.

**Health Insurance (Amendment) Bill 2016: Order for Second Stage**

Bill entitled an Act to amend the Health Insurance Act 1994 to specify the amount of premium to be paid from the Risk Equalisation Fund in respect of certain classes of insured person from 1 April 2017; to amend that Act to further specify the circumstances in which a registered undertaking may terminate or refuse to renew a health insurance contract; to make certain other amendments to that Act; to make a consequential amendment to the Stamp Duties Consolidation Act 1999; and to provide for related matters.

**Minister for Health (Deputy Simon Harris):** I move: “That Second Stage be taken now.”

Question put and agreed to.

**Health Insurance (Amendment) Bill 2016: Second Stage**

**Minister for Health (Deputy Simon Harris):** I move: “That the Bill be now read a Second Time.”

I am pleased to have this opportunity to address the House on the Second Stage of the Health Insurance (Amendment) Bill 2016, which was published last week. Over 2 million people in Ireland have private health insurance. Health insurance in Ireland is community rated. This means when someone purchases health insurance, their age, gender and health status do not affect the amount they pay. Older and sicker people pay the same amount as younger and healthier people. Our community-rated health insurance market means the cost of health insurance is shared across all members of the market. Older and sicker people pay much less for health insurance than they would in a risk-rated market. People who are less likely to need health care pay more than they would in a risk-rated market. Our market is based on generational solidarity. Younger and healthier people effectively subsidise older people who may be
less well and need more care. This is intergenerational solidarity.

Community rating means health insurers must offer health insurance policies at the same price to everyone, regardless of a person’s current or potential health status. There is a limited number of exemptions to this which include lower prices for children and young adults and higher prices for people purchasing health insurance for the first time after the age of 34. Community rating is a very different concept from the usual way of setting insurance premiums in other markets. In risk-rated markets, the premium charged is based on the insurer’s estimate of each person’s risk, taking into account relevant factors such as their age and existing medical conditions. Healthier people pay lower premiums and sicker people pay higher premiums. The premium for someone who has held health insurance for many years will rise if his or her health deteriorates under a risk-rated system. We can all see the disadvantages and concerns a risk-rated system poses to people who have health insurance.

In 2015, private health insurers in Ireland paid out €2.1 billion in claims. Average claims costs vary significantly for different age groups. In a risk-rated market, people would be charged very different prices for health insurance depending on their age and risk of ill health. In a community-rated market like ours, the risks are shared across the market as a whole. This means health insurance is more affordable for sicker and older people than it would be in a risk-rated market. While community rating does not tell insurers what price they can charge, it ensures that they charge everyone the same price.

We have community rating because we want to ensure the cost of private health insurance is shared between everyone who decides to buy it. Community rating provides all insured people with peace of mind and certainty that if they get sick, their health insurance premium will not increase as a result. The Health Insurance Act requires all insurers to apply community rating. However, older and sicker customers are not shared equally across the Irish market, given the relatively recent arrival of competition. This is the crux of the issue. Some insurers have higher risk profiles than others given that they have a much higher proportion of older members. In a competitive community rated market like ours, insurers have a strong incentive to try to attract low-risk people and avoid high-risk people. Claims costs for older people can be up to 25 times higher than claims costs for younger people.

I draw the House’s attention to the statement issued by the VHI welcoming the legislation. It stands in contrast to the prevailing narrative that blanket higher premiums are the only inevitable result from making the changes recommended by the Health Insurance Authority, HIA. From the VHI’s statement, we can see that this is not the case. Insurers, understandably, want to attract healthy people and they do this by advertising in a particular way or by offering additional benefits that appeal to younger and healthier customers. They try to avoid people who are more sick by designing products that do not provide services that older and sicker people are more likely to need. We do not want insurers to compete like this. We want them to compete by offering better health insurance products to everyone at lower cost.

To support community rating and reduce the incentives for insurers to target or avoid particular groups of people, some form of risk equalisation is required. This is a policy view that has been shared across many different sides of this House over the past number of years. Community-rated health insurance systems across the world use risk equalisation to share some of the higher costs of older and sicker patients across the whole market. The US, Australia, Germany and the Netherlands are just a few examples of other countries which use risk equalisation to support community-rated health insurance.
Risk equalisation supports community rating by providing cross-subsidies between insurers with different risk profiles. It aims to equitably neutralise the differences in insurers’ costs that arise due to variations in the age and risk profile of the insurers. Risk equalisation is a transfer mechanism whereby money flows from insurers with healthier customers to insurers with sicker customers. The overall goal is to channel competition in the health insurance market in a way which benefits everyone who wishes to purchase private health insurance. Risk equalisation reduces insurers’ incentives to attract only low risk consumers or to charge higher prices for products that are marketed to high risk people.

A permanent risk equalisation scheme was introduced in Ireland in 2013. Under the scheme, credits are paid to insurers for their older and sicker members. These credits are funded directly by stamp duty levies on all health insurance contracts written. The scheme redistributes funds between insurers to meet some of the additional costs of insuring older and sicker members. The scheme is self-financing and Exchequer neutral. It is how we share the cost of insurance between all insured people and ensure that sicker and older people are not unfairly targeted.

As well as sharing the cost of insurance we also want to keep private health insurance affordable for those who wish to purchase it. This is done in a number of ways. Insurers must compete with each other to attract customers. In a competitive market insurers have a strong incentive to manage their costs and offer insurance at the best possible price. Premiums have increased in recent years. The prices of individual policies have gone up. However, the average premium paid by people buying health insurance has not increased to the same extent. By exploring lower cost options with the same level of cover, people have avoided paying very large increases in premiums that they may otherwise have experienced. The State also provides tax relief at source of up to €200 for everyone with private health insurance.

Supporting affordability in an ageing market is a challenge. The Society of Actuaries in Ireland estimates that the ageing of the private health insurance market accounted for approximately 2.5% of the increase in claims costs each year between 2009 and 2015. This consists of ageing of the overall population, a lower proportion of younger people with cover and a higher proportion of older people with cover. The society estimates that claims costs will increase by 1.7% per year over the next ten years due to market ageing. Attracting younger and healthier people into the market reduces the average cost of insurance across the market.

In 2015, we introduced lifetime community rating. Loadings now apply when someone buys health insurance for the first time after the age of 34. This measure has encouraged and will continue to encourage people to take out health insurance at a younger age. We also introduced young adult rates which encourage younger people to retain their health insurance. I am pleased to say that the number of people insured increased last year by over 100,000 following the introduction of lifetime community rating and young adult rates. This also reflects positive employment trends which are a key driver of the demand for insurance. This upward trend continues with a further increase of almost 18,000 in the first nine months of this year.

Legislation is needed each year to update the amounts of credits paid to insurers under the risk equalisation scheme and the amounts of stamp duty levied on health insurance contracts to fund the credits. The Health Insurance Authority carries out an evaluation of the market and recommends the level of credits that should apply in the following year. This analysis is supported by my Department’s actuarial advisers. I have considered and accepted the recommendations made this year by the authority. Higher credits are required under the scheme next year for a number of reasons. Claims costs have increased. Payments to public hospitals have
increased as a result of the changes to charging regimes for private patients in public hospitals. The market has continued to age and insurers must also cover the cost of medical innovations in treatments and new drugs. No changes are proposed to the existing level of hospital utilisation credits provided to insurers under the scheme. These remain at €30 for each day case admission and €90 for each overnight stay.

I propose to significantly increase the age-related credits paid to insurers in respect of older people. Increasing the amount of age-based credits provided under the scheme requires changes in the stamp duty levies. The scheme is designed so that the total amount of credits paid out to insurers is matched by the total stamp duty levied on insurers. The stamp duty on health insurance products will increase by 10%. This means that the stamp duty on advanced cover products for adults will increase from €403 to €444. It is important to note that increasing the stamp duty levies does not increase costs across the market. This is a really important point and one which various commentators in the media need to remember. We need to encourage our insurance companies not to use this as an excuse to hike up insurance premiums and we certainly do not need people defending it as an excuse. All money raised is paid back to insurers in the form of credits. Increasing the credits and stamp duties under the scheme is needed to continue to share costs across the market. The amount of any increase or decrease individual insurers pass on to consumers is a commercial decision for each of them, but the money from this scheme and this stamp duty goes to insurers to ensure we continue with our community-rated scheme, which provides support to older and sicker people with health insurance.

In previous years the revised credits and stamp duties have come into effect from 1 March. This year the proposed effective date for the revised credits and stamp duties is 1 April. This change in date will facilitate the administration of the stamp duty collection by the Revenue Commissioners and provide an additional month’s notice to insurers.

While the changes to the credits will help to maintain existing levels of support for community rating, sometimes referred to as the effectiveness of the risk equalisation scheme, I am pleased to note that further improvements are planned. I am committed to making the risk equalisation scheme as effective as possible in a way that promotes fair and open competition. The introduction of a more refined measure of health status for the allocation of credits between insurers is required. Using diagnosis related group data in the future will allow for better targeting of credits to all people who require higher levels of health care. We need to ensure these credits are getting to where we want them in the market. This will further reduce the incentive for insurers to attract low-risk people and avoid high-risk people. Introducing this change will take time, as there are complex data collection and system issues to be addressed. I have asked my officials to focus on progressing this, in conjunction with the Health Insurance Authority, over the months ahead. I am pleased that the risk equalisation scheme was approved by the European Commission earlier this year as a compatible state aid for the period 2016 to 2020. The scheme underwent detailed examination by the Commission to ensure it is administered in a fair and transparent manner and does not unduly distort competition in the market. As part of the process of achieving Commission approval, two changes to the scheme are proposed in this Bill. First, the Health Insurance (Amendment) Bill 2016 provides for a new objective to be considered by the Health Insurance Authority when recommending the level of credits to apply under the scheme. The net projected average claims costs for all age groups aged 65 and over should not be less than 125% of the projected market average net claims costs. This limits the amount of credits that can be provided under the scheme while allowing credits to increase in monetary terms to reflect any claims cost inflation. As Minister for Health, I must also have
Second, the measure of reasonable profit, used to ensure that no insurer is overcompensated by the risk equalisation scheme, will be defined as an average return on sales, gross of reinsurance and excluding investment income, of 4.4% or less over a three-year period. Using return on sales to measure reasonable profit has a number of advantages over the existing return on equity measure. It is based on easily observable accounting profit and sales data and it avoids the valuation and allocation of assets between different services. These proposed changes to the operation of the scheme will ensure that competition between insurers is protected.

People are naturally concerned about any increase in the price of health insurance. While both the Health Insurance Authority and I would encourage people to keep their options open and compare between insurers to obtain the best value, I also understand that it can be difficult to make a decision when there are so many products on the market. This is a real problem. There are so many products available offering similar benefits at very different prices. It is not easy to pick the best option when so many products are available. The market needs to be simplified. I am pleased to see that the number of products on the market has reduced in the past year from 381 to 354. I hope to see this downward trend continue and encourage our insurance companies to continue to simplify the list of products that are available to customers so that it is easier for them to compare and to contrast policies and their cost.

This Bill provides further clarity for insurers about when they can withdraw products from the market. It also ensures that when people’s existing plan is withdrawn they will be offered a plan which provides at least the same level of benefits as their current one. These proposed changes will mean that the existing lifetime cover regulations are no longer required and I will revoke them in due course.

I will now outline the specific sections of the Bill. Section I defines the principal Act as the Health Insurance Act 1994. Section 2 substitutes subsection 7AB(3) with a new subsection that provides that insurers cannot change a plan from advanced cover to non-advanced cover or vice versa except on 1 April each year from 2017 onwards. This is a technical amendment to facilitate the administration of stamp duty levies. Section 3(a)(i) is a technical amendment to section 7E of the principal Act to delete the reference to “bed”. Section 3(a)(ii) is an amendment to section 7E of the principal Act which provides that the Health Insurance Authority must have regard to the objective that the projected net average insurance claim payment per insured person for a relevant group of insured persons should not be less than 125% of the projected net average insurance claim payment per insured person for all age groups, which is a point I outlined a moment ago.

Section 3(b) is an amendment to section 7E of the principal Act which requires the Minister for Health to have regard also to this objective. Section 3(c) inserts a new subsection 7E(4) which provides for definitions of “net” in relation to the average insurance claim payment per insured person and “relevant age group of insured persons”. Section 4 amends section 7F of the principal Act to provide that from 2016 onwards, a reasonable profit for the purposes of determining over-compensation of a net beneficiary of the scheme is defined as a return on sales gross of reinsurance and excluding investment income that does not exceed 4.4 % per annum over a three-year period.

Section 5 amends section 9 of the principal Act to set out the circumstances when a health insurer can withdraw products from the market. It also provides that when a particular product
is withdrawn from the market by an insurer, people holding the product being withdrawn from
the market must be offered a replacement contract with the same level of benefits, subject to
small differences in excess amounts. Section 6 amends section 11C of the Principal Act. It
provides for 1 April 2017 as the effective date for revised risk equalisation credits to be payable
from the risk equalisation fund. Section 7 replaces table 2 in Schedule 4 of the principal Act
with effect from 1 April 2017. The risk equalisation credits payable from the risk equalisation
fund for certain classes of insured persons are revised. Section 8 amends section 125A of the
Stamp Duties Consolidation Act 1999. It specifies the applicable stamp duty rates from 1 Janu-
ary 2017 to 31 March 2017 and from 1 April 2017 onwards. Section 9 provides for the Short
Title, collective citation, commencement dates and construction of the Bill. Sections 5 and 8
will come into operation on 1 January. Sections 6 and 7 will come into operation on 1 April.
All other sections will come into operation when the Bill is enacted.

This annual adjustment of the credits and levies under the risk equalisation scheme provides
us with an opportunity to reflect on the role of private health insurance in the health service.
One of the first priorities I identified as Minister for Health was the need for a long-term con-
sensus on the direction of health policy. To help achieve this, the Committee on the Future of
Healthcare has been established to devise cross-party agreement on a single long-term vision
for health care and direction of health policy in Ireland. I have no doubt the current and poten-
tial role of private health insurance both as a source of funding for the health service and as a
driver of the model of care people receive will be considered as part of the committee’s work.
I look forward to receiving the committee’s deliberations. Through the work of the committee,
I hope we will be able to clearly articulate our desired model of care, the implications of moving
towards it, and how it can be achieved.

We want to move towards a sustainable public health service that all our citizens can have
confidence and trust in that they can access the care they need when they need it. In the mean-
time, we must maintain our support for the core principle of community-rated private health
insurance. By revising the credits and the stamp duties required to fund those credits to take
account of market trends, we can continue to provide the necessary support to ensure the costs
of health insurance are shared across the insured population. We must not fall into the trap of
believing spin on this matter. These stamp duties go into our insurers, every single cent of it, to
make sure our sicker and older patients can continue to access private health insurance without
being penalised for being older or sicker. It is a principle we, as a House, have valued and it is
a principle that should not be used by private health insurance companies to exploit customers.

I commend the Bill to the House.

**Deputy Billy Kelleher:** I welcome the opportunity to speak on this legislation. We have
had numerous debates in recent years on health insurance. There have been lots of changes in
recent years, including legislation, the establishment of the Health Insurance Authority, amend-
ing legislation on a regular basis, the establishment of the community lifetime rating and other
welcome decisions. The entire health insurance industry went through a very difficult and tur-
bulent time with the downturn of the economy since 2008. We saw drastic numbers of people
falling out of the market and the market beginning to teeter on the brink of being unsustainable
in terms of the vibrancy and competition in the market. Just as critical to the sustainability of
the market was making sure that we had inter-generational solidarity and were able to encour-
age younger people back into the market. For a long time, there was a downward spiral that
was very troubling. As a result of the lifetime community rating and the returning growth in the
economy, it has stabilised and we now see the numbers increasing again.
There is an interesting phenomenon in voluntary health insurance in this country. Up to half the population takes out private health insurance cover. They take it out for a number of reasons. Many people take it out because of the fear of the public health system. Let us be under no illusions about that. While there may be other incentives, many people do not trust that if they get sick or require diagnostic services they could get them in a timely fashion through the public health system. It is something we have to acknowledge and try to address as best we can in terms of investing in our public health system. At the same time, we have to acknowledge that there is not a bottomless pit of money and that it has to be found through general taxation in some way.

In addition to taxing to fund the health system, there are other challenges in terms of competitiveness and retaining people in employment. Getting that balance right will be the critical challenge for this House, for Government and for society at large. In the context of the discussions of the Committee on the Future of Healthcare, chaired by Deputy Róisín Shortall, it will be a key challenge to provide a direction and pathway for the public health system in the years ahead and beyond the horizon. At the same time, we have to be honest about how we fund it and make sure it is sustainable into the future. That is a challenge.

Previous Governments announced that they would introduce universal health insurance. It took the ESRI and the Department of Health a number of years to work out how much it would cost. In the end, they were not able to do that effectively and the policy was subsequently abandoned.

What I find fascinating in the context of the debate about health insurance is that very often there is a perception that those who are the most affluent, at the very top, are the only ones who have private health cover. Ordinary working families take out health cover. Pensioners take out or retain private health cover. It is a large chunk of household income in any one year. The reasons for taking it out are myriad. One of the fundamental issues is that they do not trust or have confidence in the public hospital system. That issue has to be addressed. When they are taking it out, they are doing two things: they are protecting themselves and lightening the burden on the public hospital system. If every person who has private health cover had to attend diagnostic clinics or receive treatment through the public hospital system as it stands, it would collapse in terms of capacity and loss of revenue. It is something we have to be conscious of when we are trying to address the challenges in the public health system.

We will not be opposing the Bill. We have to acknowledge this is another hike in insurance premiums. It will cost people more. We have to be conscious that while there is growth in the economy and while there is an increase in the number of people taking out private health insurance, there is also a limit to the ability of people to afford the continual increases.

I want to make some observations on which I might get some clarity from the Minister at some stage. I do not expect it this evening but perhaps he will address them in the discussions on Committee Stage. A big problem with the levy is that it is a flat levy. It is totally socially regressive from a taxation perspective. That is something we should look at. Somebody who pays €700 for a plan has a levy of €440, which is the same as somebody who pays over €5,000. There is no other stamp duty in that context. The cheapest non-advanced plan, which costs €433, has an annual levy of €202, which means the levy is over 40% of the overall insurance premium. The most expensive non-advanced plan is approximately €1,300, which means the levy is effectively 15% of the overall premium.
Now, let us consider advanced plans. The cheapest advanced plan on the market is approximately €655. The associated levy is €403, accounting for 60% of the premium. The most expensive plan is €6,300. Effectively, this means the levy is approximately 6% of that premium. I am keen to hear some observations from the Minister on the matter at some stage. Stamp duty is a form of taxation and if we continue to have a flat rate, then we are penalising those who are only just able to afford private health insurance. Perhaps the Minister can examine the matter in the context of the Bill or of broader policy in the future.

In recent years, when the former Minister, Senator James Reilly, was in the House, we often debated the issue of private health insurance and the fact that premiums were continually increasing. The increase in private health insurance costs has resulted in the proliferation of health insurance policies, to the point where there are currently 354 policies on the market. Thankfully, the number has decreased from 380 or thereabouts. In any event, many people are simply incapable of processing all the information. It is difficult to sit down and assess which insurance premium policy right for individuals and their families. That matter must be addressed and HIA has a role in this regard. I have raised the matter at committee level and in the Dáil on numerous occasions. There should be streamlining of the number of policies available in the marketplace. The difficulty in assessing these policies can be overpowering for many people. Moreover, the policies are opaque and there are small-print conditions in many of the premia as well. There are certain basic requirements but sometimes companies can be imaginative or inflexible in terms of how they present their policies and packages. We should remain vigilant in this area to ensure transparency in how policies are advertised and sold.

Risk equalisation is a concept we support. Indeed, we initiated the idea. At one time Fine Gael opposed it some years ago. That is history, however, so we can leave it behind us. It is a decent concept for society, something that should be supported and encouraged to ensure that we continue to have a sustainable market. The debate is unfolding in other countries too. For example, a debate is under way in the United States with regard to Obamacare and how to potentially change some elements of that system. This could make it difficult for certain cohorts of people with illnesses and pre-existing conditions to access private health care.

Let us consider the marketplace here. VHI is the dominant player in the sense that it has approximately 50% of the overall market share. From a historical perspective, VHI was a monopoly. It carried a historical legacy into the modern market, where there is competition. There is a duty and an obligation on us to ensure this is managed properly because VHI has an older cohort of people. This means that it has a higher risk rating and risk equalisation is the way to address that.

There should be continued vigilance. The HIA must ensure that when it is assessing the marketplace sufficient due diligence is undertaken. Over a given period, we anticipate that the market, the make-up of the various players in the market and the profile of customers would change. This is why there should be continual assessment. Certainly, we have no wish to see cherry-picking of people who are considered low risk. Some of the packages being offered by insurance companies are tailored to attract younger people. As time unfolds, we expect that some people would become more high-risk when it comes to insurance cover. This should be reflected in how the HIA assesses the market.

The figures for the various age cohorts in the market are positive. Over 100,000 people
have entered the market in recent times. I assume these are primarily from the younger cohort of individuals because of lifetime community rating and the upturn in the economy.

Other issues arise when we talk about private health insurance, private health care and the vibrancy of the market. We have to accept that 50% of people have some form of private health insurance. In that context, a broader issue arises in respect of how we provide services to people through the public health system. As the Minister is aware, we requested an extra €15 million for the National Treatment Purchase Fund for the purchase of additional health care for people who are on waiting lists. For the foreseeable future we must ensure that the National Treatment Purchase Fund is adequately resourced to enable it to buy health care, whether through the public hospital system by supporting public hospitals to expand their capacity or by buying private care.

I have raised the issue of scoliosis today already by way of a Topical Issue. I thank the Ceann Comhairle’s office for facilitating me in that regard. I read three cases into the record and I have information on two more. Some of these cases are harrowing. The Government must be imaginative. I am in no way trying to be partisan or political. We must be imaginative in how we address this in the coming weeks and months.

The winter initiative has invested €2 million in this area. However, there are children aged five, six and seven years of age who have been waiting an inordinate length of time for life-changing surgery. If they do not get it, this illness will limit their lives. It is as serious as that. We have heard of cases involving children who had a spine curvature of approximately 35%. However, by the time they got to surgery, it was over 100%. That is an example of the severe impact of waiting times. I know of a case involving a child who is six years of age. The child can no longer retain his food because of the pressures on his stomach due to the curvature of his spine. That is an indication of the serious nature of this matter. I urge the Minister to address this. I have no monopoly on compassion. I urge the Minister to look at this in the most creative and imaginative way possible. I know the Minister has had contact with these families as well. The difficulty needs to be addressed quickly for this cohort of people on waiting lists. These people require surgery now. I will continue to raise the point in the hope that the Minister, the HSE and Our Lady’s Children’s Hospital Crumlin can use imaginative ways to speed up access to this life-changing surgery.

I recognise that commitments have been made for new theatres in Crumlin and the winter initiative and everything that flows from that. However, having examined the calendar and dates for these policies to be implemented, it is clear many of these children will be subject to severe and long-term damage while they are waiting. Some of the dates in question have been kicked out to July 2017 because of recruitment of additional consultants, etc. I understand that there are difficulties with the recruitment of theatre nurses but I believe the Government could be imaginative. If it is proving difficult to recruit on a long-term basis, then perhaps there could be some form of short-term contracts to bring in staff on a short-term basis. I am sure that with imaginative packages something could be done to bring in theatre nurses for these specific cases. We could recruit paediatric theatre nurses and additional consultants for several months to try to front-load the activity and capacity in Crumlin to address this particular issue. I urge the Minister to take action on that issue.

We will not oppose the Bill. We have always supported the two concepts of inter-generational solidarity and risk equalisation. The legislative programmes that have been brought forward in recent years seem to be working in this case.
In future, when the HIA makes recommendations the associated reports should be published as well.

When a report is being acted upon and when we bring forward legislation in this House, the very least we should have is the report on which the legislation is based so that we can make an informed decision. While we do not distrust the information the Minister gives us, at the same time we would like to see the reports. Reports on which legislation is based should be published as a matter of form. If there are challenges in the insurance industry and the broader private health insurance market, we would like to be able to see a report to that effect to make our own assessments of it.

Overall, this Bill will increase premiums and that will place additional pressure on families. I urge the Minister to consider the regressive nature of the stamp duty in that regard. Perhaps some tweaking is possible to lighten the burden on those who are already struggling to hold private health insurance and move to a situation in which those on higher premiums, who potentially have more flexibility in their disposable income, be considered as well. However, we must remember that there were tax reliefs and changes in budgets presented by the Minister for Finance, Deputy Noonan, in previous years which at the time were described as gold-plated insurance premiums and so on. There is no doubt we must accept that this policy change impacted on the cost of private health insurance for ordinary working families as well, even though it was said at the time that it would not have that impact. Sometimes people in their contributions on private health care put forward the view that the people who take out private health insurance are just the affluent and those who try to queue-jump and that there are gold-plated circles. There may be people who have substantial sums of money in this country, but when one considers that half the population takes out private health insurance, it must be acknowledged that these are just ordinary working families. As I said, they take it out for many reasons, among which the fact that they do not have confidence in the public health system. We must collectively address that in this House. I would like to reach a stage at which private health insurance is seen as something to be availed of not out of fear of a public health system not being able to deliver but because those who are insured want additional services available, as opposed to the basics, namely, treatments and diagnostics.

I look forward to the debate on Committee Stage. I ask the Minister to consider the regressive nature of the proposed duties.

**An Leas-Cheann Comhairle:** Tá 20 bomaite ag an Teachta Louise O’Reilly.

**Deputy Louise O’Reilly:** I do not think I will need the full 20 minutes.

We can all agree that the main deficiency in our health system must be the absence of universal health care. Unfortunately, this continues to be reinforced by the Government and its backers in Fianna Fáil. Despite the fact that my party colleague, Deputy Caoimhghín Ó Caoláin, has repeatedly raised the inherent inequality in our health system each year during debates on consecutive Health Insurance (Amendment) Bills, that inherent inequality has been allowed to flourish. This happened on the Government’s watch and on that of Fianna Fáil. Rather than finding ways to navigate a way out of a reliance on a two-tier system, it appears that oxygen has been given to the private sector at the expense of vital investment in public health services.

This morning, the CEOs of the hospital groups attended the Committee on the Future of Healthcare and spoke to us about stretch targets. I was not exactly aware of the detail of these
stretch targets but I was mostly interested in what the CEOs will do if they do not meet these new targets. In the context of cutting services and cutting back, I specifically asked how they will determine what will be cut. There is a target. The Minister has been very clear that he will set targets for hospitals. Those hospitals that do not meet their targets will have to face the consequences. In truth, the patients will face the consequences. I asked all the CEOs and representatives who appeared before the committee how they would determine what gets cut. One of the replies was that they would cut the fat from the system. There is no fat in the system. Fianna Fáil started cutting it a long time ago and Fine Gael has continued the process. There is no fat in the system to cut, so these stretch targets, when they fail to be met - as they very well might - will end up resulting in cuts to front-line services.

Successive Governments have failed to introduce universal access to our health service based on medical need rather than ability to pay. Many critics noted that the introduction of lifetime community rating in 2015 made the health system less universal. This was because penalising people over the age of 35 for not taking out private health insurance exacerbates the two-tier health system we have all apparently set out to dismantle.

During the course of the meetings of the Committee on the Future of Healthcare, we have had the benefit of listening to the expertise of some very eminent professionals, academics, researchers and practitioners in the health service. Having seen all the evidence presented to us, it is clear that those who will suffer will be the poorest, the sickest and those with disabilities. These are the people who find it most difficult to pay charges, no matter how small those charges may be, and who are obliged to wait longest to access care.

This leads me on to the private health insurance market, which will continue the scandal of two-tier access to health care. The diminishing minority who can afford private health insurance get to jump the queue. That is a fact. That is why they buy it. They buy it because, as Deputy Kelleher rightly pointed out, some of them do not have confidence in the public health system. They do not have confidence that they will be seen when they need to be seen, so it is not selfish on their part. I think it is borne out of fear rather than anything else. They take out private health insurance because they fear that the public health system will let them down. That is very unfortunate.

Inability to pay continues to deny people access to the opportunity to lead full, long and healthy lives. That is a fact. We need to increase investment in the public health system and directly challenge and eliminate the structural inequalities in it. The current heavy reliance on private health insurance will not facilitate that. The Minister knows it will not. It cannot. As I read the transcripts of successive debates relating to health insurance legislation, it became strikingly obvious that the Government has no roadmap to address this inequality. It looks like more of the same: leave the private insurance market alone and retain two-tier health care access. This State, as a relatively high-income OECD country, is unique in having managed to marry private health insurance with its public hospital system. People who can afford to pay privately can get their diagnostic tests more quickly, get to see a specialist more quickly and, if they have the right kind of insurance, might even be able to get their treatment more quickly.

When she was before the Committee on the Future of Healthcare earlier this year, Dr. Sara Burke advised us that the policy analysis work undertaken by her and others, which was published at the end of last year, found that despite the rhetoric and the intention of increased universalism between 2011 and 2015, there is in fact less, not more, universalism now than there was in 2011. This is due to the further increase in drug charges for people with and without
medical cards, the introduction of lifetime community rating and the failure to reduce waiting times for access for public patients. For individuals earning annual €17,000, €35,000 or €65,000, the purchase of an average private health insurance premium at the rate of €1,200 per annum takes up 7%, 3.4% or 1.8% of their incomes, respectively.

One of the most striking parts of Dr. Burke’s presentation was her analysis of 2009-2010 data exploring the extent of affordability of private health expenditure and what proportion of Irish citizens is financially protected and what proportion is not when they access health care. The analysis found that the poorest 40% of the population spent the most on private health insurance, yet the Government has no plan to redress this. Universalism is regressing, but we see no roadmap. The Committee on the Future of Healthcare is tasked with designing one but, as I have said before - the Minister will be well aware of my comments in this regard because I have voiced them on a number of occasions - I fear that while we are in one room trying to figure out a ten-year roadmap for universal access to health care based on need rather than ability to pay, the Government is busy in another room actively undermining any hope we might ever have of achieving it. The Minister can shake his head but we have seen this and other examples which repeatedly show that inequality will deepen while we are in a room talking to people and trying to work out a roadmap in order to resolve the position. It is a case of us perhaps taking one step forward but being dragged two steps back by the actions of the Government.

We know, internationally, that insurance-based systems are more expensive and cause inequalities. In Ireland, 45% of our population has private health insurance but it contributes less than 10% to the overall health budget. This matter was raised at a committee meeting with representatives of the Economic and Social Research Institute. In the explanation as to how 45% of the population has private health insurance when it only contributes to 9% of the cost, Dr. Burke explained it is because private health insurance in Ireland largely insures someone for inpatient or day-case elective procedures. It does not cover most other issues. For example, it does not cover outpatient care generally, outpatient appointments with specialists in the first instance, the cost of drugs or most primary care payments. In effect, what we have seen is that this insurance is inpatient hospital insurance that people are scared into taking because it gets them faster access than they fear they will get via the public system.

Nobody could disagree that this is a blatant example of very poor value for money. It indicates that the public system is subsidising the private system because 45% of the population has private health insurance but the majority of the expense of health care is not paid for by private health insurers. Nowhere near 45% of the cost is paid by private health insurance. So why are we perpetuating this? Why has the Government not made any moves to break this self-fulfilling cycle of failure? I do not know.

Nine years ago, Ms Susie Long died from bowel cancer after a seven-month delay in getting a colonoscopy because she could not afford private health care. Before her death, she was very brave. The Minister is aware of the case, as I was, and I happened to listen to her on the Joe Duffy show when she spoke. It would have broken anybody’s heart. She was very critical of the politicians in charge of the health system at the time and stated, “all they can think to do is put resources into privatisation”. How far have we come in the intervening nine years? Honestly, how much progress has been made and how sure would we be, sitting here this evening, that there will not be another example like Susie Long? How is promoting private health insurance a step towards universal health care? How is perpetuating this market and subsidisation of private insurance in Ireland benefitting the public health services? It is not. It is exactly the same principle as the argument we had here when we discussed pay increases for Deputies. Out one
side of the mouth comes the wish to prioritise low to middle income workers but this is done by
giving people who earn €87,000 per annum a €5,000 pay increase. It is counter-intuitive and
we are not fooling anybody if we think people cannot see that.

Our public services are underfunded and we cannot retain or recruit staff. The Minister may
quote all the statistics he likes but the chief executives this morning stated they cannot retain or
recruit staff. Even the staff they can manage to entice to work here do not find the Irish health
service an attractive place to work. That is a fact. Although part of the issue is money, it is
not all about funding. The Minister knows that. We cannot attract and retain the bring young
people we should be. Most of these people want to work in the public health service. I visited
student nurses in universities who wanted to stay here and work but they felt they could not
do so. The issue is not just with nursing as there is a crisis throughout the health service with
staff. There is also a crisis with waiting lists. This morning there were 528 patients on trolleys
or awaiting admission to our hospitals. That is just unacceptable.

Before I conclude, let me respond to the much-publicised measure in this Bill, the introduc-
tion of a 10% increase in health insurance stamp duty levies, a move likely to lead to further
price hikes for subscribers. In the media at the weekend, the Minister was reported as saying
companies should “think carefully” before passing on these increases in stamp duty and that the
legislation was “necessary to maintain a stable and sustainable health insurance market ... This
is the way in which we ensure that everyone pays the same for their particular plan, regardless
of age, health status or gender.” If the Minister really believes that increases are not going to be
passed on to consumers in some way, he is being somewhat naive. The reality is that when one
does business with private companies, profit is their underlying motive and a few well-meaning
words will not cut it. A private company exists to make money and any opportunity to make
more of it will be grabbed with both hands. I am sure the Minister’s intentions are good but
asking people not to do something will not have the desired effect. I hope it will but it will not.

I was struck when the Minister indicated the need to maintain stability in the health insur-
ance market. We have an ailing public health system, massive public waiting lists, repeated
trolley crises, failures to recruit and retain staff and primary care that leaves a lot to be desired,
yet we are concerned with the stability of a for-profit, private market. That is unbelievable and
not what people want the Minister to do. They do not want him to spend his time worrying
about providing stability for private health insurance companies. Good luck to them but they
are private companies. Let them off. The Minister should be worrying about the public health
service and the people depending on it.

If we want to ensure equality in our health service and that people get access to health care
based on need, we need universal health care. Sinn Féin is committed to the realisation of a
world-class system of universal health care, accessed on the basis of need, free at the point of
delivery and funded by progressive taxation from the Irish State. This Government clearly is
not so committed. In a short period, the Committee on the Future of Healthcare will report. I
do not yet know the blueprint that will be proposed or if consensus can be reached. I genuinely
hope we can reach that consensus. I have heeded a great deal of advice during the course of the
proceedings and much of this points to the need to disentangle the private activity from public
health services and invest in our public services rather than relying on the private sector. I hope
that next time we come to this House with a Bill of this nature, we will have such a plan. It is
counter-intuitive to say we want to disentangle private involvement in our public health service
while saying we are very concerned about the stability of private companies.
Despite the rhetoric of universal health care, the reality is that the Government’s measures are mitigating against universalism. In its Better4Health document launched last year, Sinn Féin recommended an end to the special treatment of private patients in public hospitals by incrementally eliminating private activity and replacing the revenue lost with increased public funding to their core activity budgets during the lifetime of a Government. The HSE estimated, in its 2014 submission to the consultative forum on the health insurance review group, that, “the private health insurance market generates roughly €500 million per annum for the statutory and voluntary hospital system”. Sinn Féin would make an additional investment of €100 million, rising to €500 million annually, for the core activity budgets of public hospitals to replace the revenue streams from private insurance. The first three years of this funding increase would be covered by a corresponding incremental reduction in tax relief on private health insurance, on which €355 million is currently expended.

My party and I are serious about ending the two-tier system of health care access that is currently in place. This Government, backed by Fianna Fáil, clearly is not as serious.

An Leas-Cheann Comhairle: Deputy Gino Kenny is sharing the next slot with Deputy Barry.

Deputy Gino Kenny: It looks as if I am jumping the queue as the Labour Party Deputies are not here.

An Leas-Cheann Comhairle: Does the Deputy wish to contribute now?

Deputy Gino Kenny: Yes. Private health insurance is part of Ireland’s two-tier health system. Health insurance is a way for people to jump the public queue for health care, particularly elective surgery and investigations like scopes and scans. This distorts our health service by prioritising health care on the basis of wealth and not medical need. As this means the most needy get more sick as they wait, it causes unnecessary suffering. Those who jump the queue onto consultants’ private waiting lists are seen more quickly by those consultants because decisions on who sees consultants are not made on the basis of need.

In 2011, the Fine Gael-Labour Party Government that was in office at the time promised to bring an end to the two-tier system by putting everyone on private health insurance. The proposed system of universal private health insurance, or UHI, was not costed by Fine Gael until very late in the day. By 2013, it was a flop. It was prohibitively expensive at approximately €3,000 per person. A system of private health insurance distorts the way patients are seen. It sucks out money in profits, advertising, corporate salaries, bonuses and transaction costs. The billing, accountancy and legal costs associated with private health insurance are above and beyond those encountered in the public system, where the bill is one’s tax bill. UHI collapsed, not surprisingly, and Fine Gael still has nothing to put in its place. Instead, we have the ongoing sticking plaster of a wasteful and inefficient supplementary private health insurance system that is propped up by tax breaks. The National Treatment Purchase Fund is continuing to sell patients on public waiting lists to private hospitals, often to be seen by consultants who have their own public waiting lists.

Private health insurance should be replaced by a system of universal health care as advocated by the Anti-Austerity Alliance-People Before Profit. If this does not happen, the current wasteful and unwieldy market system will continue to need constant attention and intervention by the State to prevent the overcharging of sicker and more elderly patients as part of the system.
of risk equalisation, which involves redistributing payments between different private health insurers. This system of health insurance, tax rebates, stamp duty and credits unnecessarily complicates the health service. It also duplicates the functions of the taxation and funding systems of the Departments of Finance and Health. In 2016, private health insurance covers 46% of the population. This represents a reduction from 51% in 2008. Many of these policies offer very limited cover, usually for hospital overnight stays and accident and emergency charges. The decrease in the number of people paying for health insurance is largely due to reduced incomes as a result of austerity and the mass emigration of our youth. It is estimated that the large private bureaucracies of the private health insurance companies and the Health Insurance Authority handle €2.45 billion a year. That money would be better and more efficiently spent as part of the public health system.

The community rating system that this Bill is designed to regulate through risk equalisation payments has been described as being designed to promote “intergenerational solidarity” regardless of “age, gender or health status”. Anti-Austerity Alliance-People Before Profit strongly recommends this social solidarity, but equally strongly it points to the waste associated with private health insurance and the distorting effects it has on our health system. The use of progressive taxation to increase the tax rates paid by the richest individuals and corporations would fund equal access and improve health by reducing inequality. The sooner private health insurance is replaced by a national health service, the sooner all of this wasteful, complex, time-consuming and ultimately unnecessary regulation will come to an end. The two-tier health system is bad for everybody’s health.

Deputy Mick Barry: This legislation proposes to make several changes to the law on risk equalisation between insurance companies, to regulate the health insurance market and - this is the main element of the Bill - to increase the health insurance levy on health insurance premiums by 10% from April of next year. I understand the Minister wrote to the insurance companies to plead with them not to pass on this increase to their customers.

Deputy Simon Harris: No, I did not.

Deputy Mick Barry: Okay, the Minister did not write to them, but he made an appeal over the airwaves asking them not to pass on the increase to their customers. I would say the executives of the health insurance companies probably cracked up laughing when they heard that appeal. As a result of this Government’s refusal to introduce price freezes or ban the private health insurance companies from passing on the increase provided for in this Bill, it is certain that the companies in question will hike insurance premiums next year. Penny for penny and pound for pound, this will mean insurance policy hikes of between €20 and €41 per adult and between €7 and €14 per child. Health insurance price hikes are now more or less equal, in percentage terms, to increases in rent rates. Rents increased by an average of 11% last year. Health insurance premiums are in the same general field. This comes on top of average health insurance price hikes of 63% in the period from 2008 to 2015. The Fianna Fáil leader, Deputy Micheál Martin, said the other day that he supports wage restraint and argued instead for bringing down living costs as a way of assisting hard-pressed working families. Just days after those comments were made, Fianna Fáil spokespersons are expressing their support for a Bill that will lead to a 10% hike in health insurance costs next year.

Deputy Simon Harris: That is not what the Bill does.

Deputy Mick Barry: I think it is glaring hypocrisy. The reality is that the impending health
insurance price hikes demonstrate the need for pay increases for all workers.

**Deputy Billy Kelleher:** Mass protests.

**Deputy Mick Barry:** Trade union action on behalf of working people in the public and private sectors is fully justifiable, given the pay cuts of recent times and the sharply rising cost of rent, car insurance and, as we are debating tonight, health insurance etc. This Bill underlines the urgent need to establish an Irish national health service to provide universal health care that is free at the point of use and is funded from general taxation. An Irish NHS would represent a sharp break with the current health service model, which is increasingly based on and relies on the for-profit element. An Irish NHS should draw from the experience of the model used in Canada, where private practice is illegal in most areas. This eliminates the need for private health insurance. I understand that a health expert, Professor Charles Normand, has estimated that the cost of replacing health care covered by private health insurance with public spending would be between 5% and 7% of total health spending, or between 7% and 10% of current public health spending. We could close this gap and widen the basket of services significantly beyond the level of service currently covered by health insurance premiums by introducing a genuinely progressive tax system that makes the super wealthy in this society pay tax bills which correspond with reality. Even though 46% of people had private health insurance at the end of last year, the private health insurance system contributes a mere 9% to the overall cost of health care. By contrast, the State pays a whopping 77%. A health expert, Dr. Sara Burke, said recently that “this shows that the public system is subsidising the private system”. It also shows how inefficient reliance on the private health insurance model actually is. It gives us an idea of the level of profit-gouging that is being carried out by the insurance corporations. The scandal of health insurance profiteering further underlines the merit of the clear and overwhelming case for an Irish national health service.

**Deputy Catherine Connolly:** I understand what the Minister is trying to do with this Bill. It is to be welcomed within the restricted criteria. Insurance companies should not be able to pick and choose the age group or what illness they will treat. Within that restricted area, I see what the Minister is trying to do but it will certainly lead to hikes in premiums.

One cannot discuss this Bill without putting it against a background. Since the day I came into the Dáil, I have raised the Galway situation, not parochially, but as an example of what is happening to our public health system. I am disappointed in the Minister, even though he is not that long in office. I have repeatedly drawn this to his attention. Let me preface my remarks by saying I firmly believe in public health. I agree with previous speakers who have argued we are subsidising the private system. We have been subsidising the private system during my entire life as a local councillor and in sitting on the health board since 2006. Every single initiative from this Government, the previous Government, the Government before that and, in particular, the Fianna Fáil-PD Government was to subsidise the private system in every way possible. This was particularly the case with regard to councillors rezoning land to facilitate private hospitals and with regard to initiatives like the National Treatment Purchase Fund, which channelled public patients into the private system and accounted for a substantial amount of the profits made by the two private hospitals in Galway, in particular the one at Doughiska. Without that public money, that private hospital would not have made a profit.

I was tired tonight and was not going to speak on this Bill. However, I could not miss the opportunity, on behalf of the people of Galway who have elected me, and those in this country who believe, like I do, in a public health system, to keep putting pressure on the Minister in
regard to private health insurance. I feel for those paying private insurance because they really believe they have no choice. It is based on fear, not on privilege, although they seek a privilege. All of us holding insurance seek that privilege to get quicker access but I do not blame people for that, such is their lack of trust in the public system.

Practically every week for the last seven weeks, the nurses in Galway have pointed out that the hospital is on code black. Code black is the highest level of warning in regard to what is happening in Galway hospital, which is known as a centre of excellence and looks after a region with a population of some 1 million people. I will give some figures to make a general point. On 11 November, there were 52 patients on trolleys and a 13 hour backlog was reported in the emergency department. At 4 p.m. that Wednesday, a 90 year old patient had entered her 80th hour on a trolley waiting for a bed. Staff were operating out of a single cubicle in the department to deal with life and death cases as all other cubicles in the 12 unit facility were taken up by patients in a queue for the wards.

I raised this with the Taoiseach last week but his reply made no sense. I actually printed out the reply to see whether I was mistaken but he made absolutely no sense when I asked him to step outside the rhetoric and bland assurances and deal with the crisis in Galway. The reply he gave is on the record and it made no sense. On that day I noted there was a full capacity protocol in place every day in the Galway hospital and code black. At the time I raised the issue, four people required access to the resuscitation room. In other words, there was a queue and a waiting list for resuscitation in Galway hospital, a centre of excellence which serves counties Donegal, Roscommon, Galway, Mayo and other counties. Elective procedures and cancer clinics are cancelled on a regular basis. Somebody who has an appointment on a Tuesday might get a phone call on a Friday evening. Irony of ironies, a warning was given out, stating: “Please only attend the emergency department in the case of emergencies.”

Savita, as we know, died tragically at the end of 2012. Subsequently, recommendations were put in place, including additional staff. Since then, two senior midwifery experts have resigned and the statement from Saolta was that it was concerned. We have no idea what has happened in that regard. On 15 October Galway Bay FM newsroom stated:

A review has been launched at University Hospital Galway after an amputation was performed in a general ward yesterday. Medical protocols normally require that amputations take place under sterile conditions and under anaesthetic in a scheduled theatre. Saolta says it cannot outline the circumstances of the incident due to patient confidentiality but it has confirmed that the incident did occur on Friday.

The report referred to an inquiry but I am not sure where that inquiry rests at the moment.

Why is this happening? It is because there has been a sustained running down of the public hospital in Galway and other public hospitals in this country, while at the same time there has been a sustained investment in private hospitals. It is quite extraordinary that the Taoiseach was in Galway lately and he said he would visit the hospital when he had time. Prior to the election, he described the accident and emergency unit as not fit for purpose. The leader of Fianna Fáil described it as not fit for purpose. Post-election, the Taoiseach said he would visit it when he had time. Fine Gael had time to visit Galway and open a new wing, new ward or new something in the private hospital in the last 14 days but it did not have time to go into the public hospital and witness at first hand what is happening.
I understand a presentation was made today to the committee in regard to the need for a new hospital. I have repeatedly asked the Minister and the Taoiseach about a new hospital for Galway, and I have been told repeatedly, including in a bland reply on 12 July, “There are no plans for a new hospital to be built in Galway”. I have raised this consistently since then. To be fair to the Taoiseach, when I raised it on 9 November and asked about a new hospital, he replied:

The Deputy has asked me to confirm the status of a new accident and emergency department and a new hospital. A new accident and emergency department was built at Wexford hospital, which is in Deputy Howlin’s constituency.

That is the beginning of his reply. He then talked to the Ceann Comhairle because, naturally, I was being a bit obstreperous after a reply like that about Wexford. He next told us: “There are no trolleys in the emergency department at Wexford hospital.” I do not know what the Taoiseach was saying. I think he was speaking English but perhaps the Minister can translate it for me. In any case, that was the reply.

I have asked on this consistently since I came into this House. The reason I have done this is, first, because of my own personal experience with family members, second, due to my experience as a local councillor sitting on a health forum consistently asking four questions every two months and, third, because finally last year the clinical director and the manager of the hospital said a new hospital was essential. They said the lack of capacity in the regional hospital was the No. 1 risk factor on their risk charter. That urgency of a new hospital in Galway was repeated today in the presentation to the committee.

I do not know how often we have to say it. Unfortunately, I will be coming back to a further investigation that has just been completed in Galway in regard to another very serious matter that has arisen in addition to the ones I have mentioned and in addition to the case of Savita Halappanavar.

To make a general point, I think we in this Dáil are all lessened if we do not have a public system for everybody. If our health services are based not on need but on ability to pay or to have private health insurance we are in serious trouble as a civilised society. I have seen no attempt, apart from the committee which we all agreed to set up, to examine the health service in any urgent way or to commit to a public health service based on our taxes that will provide the service based on need that we all deserve. Private insurance should be for private hospitals and for those who wish to have a special room or suite. We want a first class health service and not to go from crisis to crisis and channel public money into the private system as we have done consistently and not clap ourselves on the back for putting €20 million or €30 million into the National Treatment Purchase Fund. I have watched that and the special delivery unit and have kept a close eye on the profits of the private hospitals based on public money. I appeal to the Minister to visit the regional hospital in Galway, not to see the accident and emergency unit, which is a symptom of the overall problem of overcongestion on an overcongested site, in respect of the car park and the services. Every good doctor down there has admitted that and despairs of the constant talk of the crisis there. I appeal to the Minister to commit to the planning of a hospital on the 150 acre site in Merlin Park, which is a stone’s throw from the regional hospital.

He should commission an immediate and urgent report on what staff are necessary to provide a public health service in Galway. In the past two weeks patients were scheduled for procedures related to kidney stones and other problems but because the theatre was closed the
consultant in charge gave the patients the option of going in his car to the private hospital for the procedure. They willingly took him up on this and went in his car to the private hospital and returned to the public system in an ambulance and were discharged. They were delighted.

I have no idea what the Minister has done since I asked him about the building of a new hospital. He assured me he was meeting management which came out publicly today to say what was said months ago about the need for a public hospital and the fact that the regional hospital is not fit for purpose. As a result, the staff are under enormous strain and mistakes are being made. I will return to this point next week. Can the Minister hear that? It would be something to hear it and it would be marvellous if he committed to a public health system and private health insurance for private hospitals if that is what people want. We should have a public health system provided by our taxes and the Minister should take on board that the regional hospital in Galway is not fit for purpose, and that is not just the accident and emergency unit.

Deputy Michael Fitzmaurice: I am grateful for the opportunity to speak on this Bill. For the past few years when new insurance companies moved into the health sector elderly people were treated differently because of their age and young people got away lightly. The insurers were taking the low-hanging fruit, which would not cost them. Something had to be done to regularise that but the levy for an ordinary family on an average wage struggling to pay a mortgage compared with the levy a millionaire pays is disproportionate in terms of the type of cover each can afford. That needs to be examined.

Many people use the private health service out of fear. Any person with young children will save their last few euro to make sure their children are not waiting in accident and emergency departments for a full day. They scrimp to give their children something they may not have had and out of fear that something may go wrong. The Minister is not long in his job and nobody is going to wave a magic wand in the health service overnight and solve the problem which has been going on for years. I know from talking to the Minister that his heart is in the right place. Whether in the private or the public sector, until we take on the hidden agendas in the health service we will never solve it. Sometimes people involved in the health service speak out of both sides of their mouths and that is difficult for any Minister. Until somebody faces them down and sorts this problem out I cannot see it being solved quickly no matter how many of us speak in here. There are plans afoot for the primary care centres to do more. Machines around the country are lying idle because someone disputes whether they should work a double shift or work late at night. In private hospitals X-rays are done at 11.30 p.m. or midnight. This is where they win. I come from a sector that constantly uses machinery. If a machine is bought and there is a big backlog of work whatever resources are needed are brought in to work triple shifts if necessary to make sure the backlog is taken away. We can talk until the cows come home but unless something like that is done and people work with everybody it will not be solved.

Health insurance costs go up every year and people cannot afford to pay more every year. Where is efficiency coming in? Where is the joined-up thinking? With the amount of money that goes into the health service we should have a gold plated service but unfortunately with the way it has been mismanaged many people are, sadly, left in a bad way.

The headlines every day in Ballinasloe and Galway are about the chaos in the accident and emergency departments. We have to consider people who may unfortunately have cancer and have to travel 300 km each way from Donegal to Galway on bad roads. There is no joined-up thinking to find a solution maybe in Sligo or in Altnagelvin to help them. Let us think of a wider area and make sure those people will not have to make the harrowing journey to Galway. I am
fully in favour of centres of excellence. I am not saying we should be going to every place in Ireland but surely there is some way of bringing sick people fewer than 300 km each way to get the help they need.

8 o’clock

For every Deputy in this Dáil, both Government and Opposition, there is a young child born that needs special attention. There is great work done. Let us not condemn everything. Once one gets inside the system, there are great consultants, nurses, doctors and others. Phenomenal work is done by those people. However, getting in those doors is the big problem. Unfortunately, whether it is a heart bypass, a hip replacement or another treatment, Merlin Park is the same. In the last fortnight, I saw youngsters for whom an X-ray machine is needed as they require dental work. The machine was broken. In fairness, a new one has replaced it, but the backlogs are not being dealt with. We could spend money and subcontract the work out to the private hospitals under the National Treatment Purchase Fund. We could do something like that for a while to get rid of those backlogs. There are an awful lot of youngsters that need to be seen, be it for dental work or ear or eyesight issues. There are many elderly people who are suffering day in, day out with knees, hips and different things that need to be treated.

There is a problem with health insurance. There is one aspect that is not in the average run-of-the-mill policy that would enable someone to prevent a problem happening. If one wants to go for a medical, one must pay for it out of one’s own pocket. If insurers were forward-thinking and trying to save themselves money, there would be some system or initiative that would allow people in their 40s or whatever to have a medical every year or two years to make sure of their health down the road. A stitch in time saves nine. A lot of expensive treatment can be saved if something is identified on time. I would urge that something like that is brought in to insurance.

There is another issue I would like the Minister to address, although obviously he will not be able to address it in this Bill. In the commitments in the programme for Government, there is a review of the helicopter service. I saw last week that the health service in Northern Ireland is after getting a helicopter in memory of a doctor, I think. It is my firm belief that two helicopters are needed in the Republic of Ireland to make sure that there are options for those areas that an ambulance is unable to get to within the designated time. I believe that should be moved forward as quickly as possible. The Minister is six months in the job now. I would love to hear him say tomorrow that he is starting that review, because we need it. No matter where one lives, whether it is three hours from an accident and emergency department, like some people in Roscommon, or right beside one, everyone deserves the same health care and treatment.

I know there is congestion in many of the hospitals at the moment. As Deputy Connolly said, it stands to reason that if an accident and emergency department is closed down, more people are obviously going to go to other hospitals. Whether it is Ballinasloe or Galway, traffic congestion and parking are major problems. Thankfully, Roscommon hospital has become very busy with what has been put into it. However, there are serious problems with parking around Roscommon hospital. At the moment, people going to the hospital are actually parking up at the Hyde Park GAA pitch. This is not an ideal situation for elderly people who may be going into the hospital for an appointment. It is not suitable and it needs to be addressed.

I know a review is being carried out on mental health services. Unfortunately, that review which will include Roscommon mental health services has not come out yet. I would welcome that being published. We have had difficulty in Roscommon. I do not know whether Ministers
did not know what was going on or whether the HSE was not telling them. The new system has patients living in the community, which everyone agrees with, provided the patient is fit to live in the community. Unfortunately, instead of contacting their families, giving them a liaison officer and the right to say “no”, patients in certain parts of the country are being pushed out into the communities. That is not the way to treat the people. The way to treat them is to work with people and their families to make sure the health service is doing the very best for them, and not telling them where they are going and wrecking their minds day in, day out. This is especially true for people who are vulnerable. What went on in the last six weeks in our area with some people is intolerable. We had a meeting with the HSE and, in fairness, it seems to have started to listen to what we have said over the last couple of weeks. However, there is no good in the HSE telling the media it is doing something when Deputies on all sides of the House hear a different story about the situation from the people affected.

Another issue that needs to be dealt with is the rates charged and the costs. Bills that come back from hospitals, VHI, Laya or whatever insurance supplier one has are phenomenal. There should be some system to evaluate what it actually costs. One can get a hotel bed in Dublin for €100 a night. However, a hospital bed is €1,000 a night. I know that more equipment is needed and I understand all that, but, my God, there seems to be a serious problem.

I echo what Deputy Connolly has said about the chaos above in Galway. Nurses and doctors will tell the Minister that it is a place where no one wants to go. Some people would rather stay at home than sit in an accident and emergency department for maybe 12 or 14 hours, through no fault of nurses or doctors. Patients could be on trolleys for two or three days. This has to stop. There are ways of doing it. I know that the Minister has tried to solve the problem over the last few months with the winter initiative but there is a serious problem there. Perhaps the solution is step-down care for patients who would be fit to go to another place, be it a nursing home or a respite home for a few weeks. There are plenty of nursing homes in Galway and Roscommon that would be able to look after people.

The seven-day service in some of the category two hospitals was discussed in the programme for Government. I know that no hospital is being singled out as the Minister outlined that in the programme for Government. There are a few hospitals around the country that it relates to and I ask the Minister to speed up that process, because it could be helpful in solving the overall problem.

There is another issue that has not been addressed. If an elderly person twists his or her ankle in Dunnes Stores in Roscommon and ends up lying on the ground, someone might not know what is wrong with him or her and, out of the goodness of his or her heart, might dial 999. If someone dials 999 at the moment, the ambulance will have to go past the hospital that is able to cater for minor injuries and bring the person to the accident and emergency department in Ballinasloe or Galway.

There should be a system in place to provide for greater discretion for paramedics, who are great people at what they do, and advanced paramedics at least should be able to make a call on whether a person really needs to go to an accident and emergency unit or if they could deal with them. If we keep putting everyone in the one place it is inevitable that the system will get bunged up. If a person needs an X-ray and he or she can go to a category 2 hospital that is what should be done, rather than an ambulance bringing a person elsewhere and then perhaps two hours later a family member going there to bring the person home again. That does not make a lot of sense.
If someone has a heart attack he or she needs to go to an accident and emergency unit or a hospital that can handle it, for example, University Hospital Galway, but if a person breaks his or her ankle then Merlin Park University Hospital should be well able to handle it. We need to ensure we are not bunging up the system with problems that could be sorted in other hospitals. Unless we do that, we will not solve the problem.

I understand the Minister is required to introduce this measure to ensure elderly people will be treated fairly, but I urge him to take on board what we have said. In fairness to Deputy Connolly or any Deputy from the west, sadly, we are aware of the amount of reports coming from Galway, although once people get into any of the hospitals then we hear good things. The accident and emergency unit in Ballinasloe hospital needs attention. We must ensure we keep that hospital working properly.

I urge the Minister to do what I asked him in terms of the items relating to Roscommon that are included in the programme for Government. Above all, I urge him to expedite the introduction of a helicopter service in certain parts of the west, not just in the constituencies represented by Deputy Connolly and me, but including Mayo, Donegal and the midlands. A lot of money is not being spent well. The money should be put into the provision of a 24-hour air ambulance service in this country, not just for one section of it. I urge the Minister to examine the issue. I will support the Bill. Go raibh mile maith agat.

Minister for Health (Deputy Simon Harris): I thank Deputies for their varied contributions on this issue and a range of interconnected health matters as well. I assure them I take their contributions seriously.

I reassure the House that I am a fully supportive advocate for an Irish public health service, as are all individuals in this House. We have a public health service that needs more support and further investment, in particular after the very difficult years we have come through. I genuinely look forward to the work of the Oireachtas Committee on the Future of Healthcare in devising a ten-year strategy. To take up the point Deputy Fitzmaurice made about vested interests, the only way we will deal with vested interests in the health service is by saying that it does not matter who sits here as Minister for Health, this House is unified, regardless of the outcome of elections or party politics, in a certain direction of travel and therefore the vested interests cannot just wait out a Minister or a Government, they have to wait out all of us and that makes it an awful lot more difficult. I genuinely look forward to the committee reporting.

The publication of the HIA report is a reasonable and fair request from Deputy Kelleher. That will happen in the coming days and I hope it will then help inform the debate. It is important that we share the report and we will make it available as quickly as we possibly can.

One issue that was raised related to a percentage-based levy. The suggestion is that the current monetary approach has a disproportionate impact on consumers with cheaper plans. That is a legitimate point to raise. The scheme is approved by the European Commission on the basis that the key rationale for a risk equalisation scheme is to support the achievement of the principal objective of the Health Insurance Act, namely, to remove or reduce the incentive for insurers to target younger, healthier consumers at the expense of the less healthy or the less young. That is something to which we can all subscribe. The purpose of the risk equalisation scheme is not to support competition for the most price sensitive but to equalise the risk and to ensure intergenerational solidarity. People with lower level products do benefit because they get a higher rate of tax relief as the rate of tax relief is restricted to the first €1,000.
In relation to the levy, we have four levies and there are lower levies for non-advanced plans, which account for approximately 10% of the market. A percentage-based levy could have the inadvertent consequence of penalising older or sicker people who buy higher cost policies to provide the services they require. However, I take the point Deputy Kelleher made and I will reflect on it. Perhaps we could discuss it further.

On the waiting times for children with scoliosis, the Deputy is right to raise the matter which is an extremely important one. I have had significant engagement with parents and advocacy groups of children and adolescents with scoliosis. That is why, as part of the €40 million winter initiative funding, I have allocated the specific sum of €2 million for scoliosis patients. That will ensure 39 adolescents and an additional 15 to 20 paediatric patients with scoliosis are treated by the end of the year. We have more to do in this area but I am pleased to have this ring-fenced, targeted investment in scoliosis to address those who are waiting the longest for treatment in order that we can begin to deal with the waiting list.

I heard one or two Deputies sneer but they did not stay to hear my response to their comments. I felt it was a very fair comment to tell private health insurance companies not to use legislation passed by this House to protect older and sicker customers as an excuse to hike up the price. Let us be honest, every single cent of this stamp duty is going into a fund to support the market. It is going into a fund which supports risk equalisation and recognises that some insurance companies have a disproportionate amount of older and sicker patients and that they should not be discriminated against. Therefore, when people talk about passing on the cost of higher stamp duty levies I hope some politicians in this House and their media advocates will also talk about passing on the benefits of the higher credits in which this legislation will result. As I noted in my opening speech, the VHI statement welcomed that measure. Deputy Kelleher made the point that the VHI has approximately 53% of the market but it has about 67% of the claims because it has, historically and to this day, an older and often therefore sicker customer base. Let us be clear: this is not a levy to go into some sort of black hole, this is a levy to provide credits to insurance companies so that they can continue to provide cover for and not discriminate against older and sicker customers. That is an important point to make and one that might have been lost in some of the debate and commentary.

Deputy Connolly asked what I have done in terms of supporting the public health system since coming to office. The first thing I did was provide €500 million of additional funding on behalf of the taxpayer to stabilise the funding for the public health service. The second thing I did was deliver the largest ever health budget of €14.6 billion for the public health service in the history of the State, including the boom years on a like-for-like basis. Let me be clear: that is not to suggest it is a panacea or that there are not significant challenges. We are coming through a period in which there has been huge pent-up demand for investment, in particular capital investment in infrastructure. I have visited 24 hospitals in the past six months and I see a need for capital investment to upgrade infrastructure and to provide more space to deal with more patients coming through the door and to provide better working conditions for front-line health care professionals. I know that is an acute issue in Galway. I will visit Galway and do exactly what Deputy Connolly asked here this evening.

We have a capital review across Government next year and that is an opportunity to look at how we can add additional capital projects, not just in health but in a range of areas, but obviously I am particularly interested in health, to our capital programme. I will look at Galway in that context. When I visit Galway in the coming weeks I hope to have an opportunity to engage further with the health care professionals, hospital management and clinical directors on the
issues Deputy Connolly raised. I am aware of the discussion about Merlin Park Hospital but I will not give false assurances that I cannot back up with funding.

A number of issues arise with regard to Galway, one of which is the emergency department situation in terms of the physical capacity. The second issue is the medium to longer term project in regard to Galway on which I look forward to further engaging with the Deputy. I would make the point that we have a number of initiatives aimed at increasing capacity in Galway. Earlier this year we saw 30 new beds opened. In addition, there is a 75 bed ward block and an acute adult mental health unit under construction, both of which are expected to be operational in 2017. Furthermore, a Programme for a Partnership Government contains a commitment on a new emergency department at Galway University Hospital.

Also in regard to Galway, which falls within the community area of CH02, that area has received €5.5 million for additional home care as part of the €40 million additional winter funding I have provided. In addition, that area is also receiving €1.8 million specifically for University Hospital Galway, which provides six additional home care packages each week starting last month and going forward to February 2017. That will provide 114 additional home care packages associated with University Hospital Galway during that winter period.

I heard Deputies talk about the public hospital subsidising the private system. People need to make those comments in the context of initiatives that have taken place in recent years because since 2004 we have seen the new charging regime for private patients in public hospitals. Our insurers must now pay for all private patients in public hospitals. To give some figures on that, we have seen payments increase from €454 million between July 2013 to July 2014 to €650 million from July 2015 to July 2016.

With regard to risk equalisation, I want to be clear. I do not hold any candle for private health insurance companies here. The reason we are doing this, and I thank the many Deputies who acknowledged this, is to benefit individual consumers, not to protect individual insurers. This is a key consideration in the European Commission analysis. If we did not do this, how exposed would we be leaving some of our sickest and some of our most elderly citizens who access private health insurance? They are not here now but some of the Deputies wished to have an ideological debate about private health insurance, and that is their right, but we cannot close our eyes, put our hands over our ears and pretend that almost 50% of our citizens do not have private health insurance. This is a real issue for almost half of our citizens and some of those, particularly the oldest and the sickest, need us to pass this legislation to make sure that the now long-standing policy of risk equalisation and a community rated scheme can be provided, which would protect them from much higher premiums were we in a risk-rated free market type approach to this.

There should not be scare-mongering, misinformation or partial information regarding this matter. This is not the Government saying that the cost of health insurance policies must be increased by 10%. It might suit some people to try to present it as that. This is the Government taking the expert actuarial analysis of the Health Insurance Authority, HIA, in making sure we apply adequate credits to the insurance market through stamp duty so that we can continue to carry out a community rated system, a risk equalisation system and a system that supports older and sicker patients in particular. I welcome the fact that the VHI has acknowledged that this supports it in protecting that consumer base.

I look forward to this legislation progressing, and to further discussion on Committee Stage.
I will revert to Deputy Fitzmaurice directly on the important issues he raised. I know the air ambulance is of particular concern to the Deputy. I thank Members for the debate.

Question put and agreed to.

Health Insurance (Amendment) Bill 2016: Referral to Select Committee

Minister for Health (Deputy Simon Harris): I move:

That the Bill be referred to the Select Committee on Health pursuant to Standing Orders 84A(3)(a) and 149(1).

Question put and agreed to.

Education (Admission to Schools) Bill 2016: Order for Second Stage

Bill entitled an Act to make provision, in the interests of the common good, that a school recognised in accordance with section 10 of the Education Act 1998 shall prepare and publish an admission policy and that such policy shall include a statement that the school shall not discriminate in its admission of a student to the school on specified grounds, and to provide that in certain circumstances the patron or Minister may issue a direction to a board of management in relation to the admission of students to a school and to provide that in certain circumstances the patron may appoint an independent person to comply with such direction, and to provide that in certain circumstances the National Council for Special Education or the Child and Family Agency may designate a school or centre for education which a child is to attend, and for those and other purposes to amend the Education Act 1998, the Education (Welfare) Act 2000 and the Education for Persons with Special Educational Needs Act 2004, and to provide for related matters.

Minister for Education and Skills (Deputy Richard Bruton): I move: “That Second Stage be taken now.”

Question put and agreed to.

Education (Admission to Schools) Bill 2016: Second Stage

Minister for Education and Skills (Deputy Richard Bruton): I move: “That the Bill be now read a Second Time.”

I am very pleased to be introducing this Bill to the House. A similar Bill was drafted in the previous Oireachts but did not make it through. This is part of a suite of measures I believe we need to introduce in the education area that will equip our education service to meet and respond to the expectations of citizens for a progressive education system. The expectations of citizens are changing and we have to make sure that we have the capacity to change with them. I hope to introduce a number of measures that will bolster that. For example, we have already brought in the fitness to teach measure which gives parents and students the expectation that there will be accountability for the standards of teaching. That is an important measure and is a piece of the Teaching Council Bill. Work had to be done to bring it to this point but it is welcome that it is in place.

I also intend to introduce a parents and students charter, which I know the Acting Chairman is particularly interested in, so that more issues can be resolved at school level and that schools
have in place the sort of charters that meet the expectations of pupils and parents, and that they ought to expect. This admissions area is another important area in which we need to have modern legislation. In introducing the Bill I am conscious that there is a wider range of issues regarding admissions that people have concerns about, and people want to see greater diversity and more choice within our education system. An important element of that is to promote new schools which will have a broader range of choice. We come from a situation where most schools are denominational, and there are changing expectations among citizens. We also need to see the transfer of school patronage where there are opportunities to switch from the existing patrons. I am working to deliver those as well.

This Bill provides the opportunity to bring greater transparency and fairness into school admissions. It makes clear that every school must be welcoming to every young person regardless of their colour, abilities or disabilities. For example, it will help to end soft barriers that some of our schools erect in the way of children with special needs. It is my firm view that we should have that spirit enshrined in an admissions Bill that sets out in detail the laws that should prevail in this area. This legislation derives from the Education Act of 1998 but things have moved on since then and we need to codify and put in place a better framework that emphasises transparency and consistency in school enrolment generally, thereby giving greater confidence to parents that the admissions criteria laid down by schools and the procedures used by them are legitimate, reasonable and fair.

I will go through the Bill section by section if time permits but I want to first highlight the main aims and provisions. A key objective of the Bill and its associated regulations is to improve access to school for all pupils. In this regard the Bill will strengthen our capacity to cater for a child who cannot get a place at school. This is important, particularly for children who are vulnerable and at risk. The Bill will allow the National Council for Special Education, NCSE, and the Child and Family Agency, Tusla, to designate a place for a child in a school. It is important to be clear that the Bill does not enable the Child and Family Agency or the NCSE to increase the school’s capacity. The school must have places available for a designation to be made.

The Bill will enshrine in law a ban on schools charging parents to apply for a place in school. The Bill, while including provision for single-sex schools and denominational schools to reflect in their admission policy the exemptions applicable to such schools under equality legislation, makes clear that every school must be welcoming of every child regardless of his or her colour, abilities or disabilities, or indeed, sexual orientation or membership of the Traveller community.

The Bill also requires schools to publish an admission policy which will include details of the school’s arrangements for students who do not want to attend religious instruction. This is an important measure which will help ensure transparency from the outset as to how a school will uphold the rights of parents in this regard.

Many parents are happy with the schools their children attend and that the vast majority of schools are inclusive and welcoming places, but there are cases where there is disappointment and dissatisfaction, with limited means of dealing with this. It is with this in mind that the framework aims to strike an appropriate balance between school autonomy and the interests of parents in our education system.

This can be achieved through regulations that foster greater transparency and consistency
in terms of how schools communicate and interact with parents. To that end, the Bill sets out clearly-----

Deputy Thomas Byrne: On a point of order, the attendance here is pitiful. With no disrespect to the Minister, I call a quorum.

Notice taken that 20 Members were not present; House counted and 20 Members being present,

Deputy Richard Bruton: The emphasis should be on instilling best practice in relation to what schools do and how they do it in order to reduce difficulties or the need for grievance resolution subsequently. Within an overall regulatory framework of clearly set out requirements, procedures and timelines, better transparency and effective compliance mechanisms, the number of cases where grievances might arise should diminish. The Bill is the first step in putting this framework in place.

In some schools there are more applicants than places available and a selection process may be necessary. This selection process and the admission policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. In this regard, the Bill will prevent schools from prioritising applicants on the basis of waiting lists, a mechanism that often blocks students who move to a community from being able to access the schools in that community.

In regard to a school providing priority in admissions to children of past pupils, the approach taken in the draft regulations, which were published in September 2013, aimed to strike a balance by limiting the number of places that could be allocated to children of past pupils to a maximum of 25%. The previous Oireachtas committee’s report on the draft general scheme considered that a school should not be permitted to give any priority to children of past pupils. At present, this Bill is silent in relation to a limitation on the power of a school to determine a priority for children of past pupils. I have already had discussions with Opposition parties and Oireachtas colleagues on this matter and I consider that in bringing the Bill through the Oireachtas, there will be further opportunities for Members to raise and debate this matter, which I plan to deal with in primary legislation by way of a Committee Stage amendment. My view is that the previous proposal, that this limitation be set at 25%, is broadly where I see consensus being possible. However, I intend to listen to all views on this matter.

I am committed to increasing choice and diversity in the Irish education system. The best and quickest way of providing diversity and choice for parents is by providing additional multi-denominational schools for parents, and I have committed to trebling the rate of delivery of these schools to reach 400 multi-denomination and non-denominational schools by 2030. The reality is that little progress has been delivered in this area under recent Governments. My intention is to step up activity in this area in order to deliver on these ambitious targets.

Before I discuss the Committee Stage amendments that I intend to table to this Bill, I wish to clarify that, in accordance with the decision of the Government and, indeed, the Dáil, any amendments to section 7(3)(c) of the Equal Status Act, which currently provides that an oversubscribed denominational school may admit persons of a particular religious denomination in preference to others, will proceed separately to this Bill. I recognise the need to deal with the situation whereby some religious schools, when they are oversubscribed, admit children of their own religion from some distance away ahead of children of other religions or no religion who
live close by. However, we have to protect minority religions, the tens of thousands of Irish people who subscribe to Judaism, Islam and various Protestant denominations among many other religions. Many of these people travel long distances to attend schools of their own denomination, and we have to make sure that the laws we introduce protect that right. The Dáil has agreed that the Joint Committee on Education and Skills will take time to scrutinise the proposed legislation, which was tabled in Private Members’ time by the Labour Party, consider submissions and hold hearings involving legal experts and stakeholders in order to tease out the potential problems and propose solutions. It will give students, parents, teachers and other stakeholders an opportunity to appear before the committee and have their say, before we progress this law. Our parliamentary committees have previously noted the significant constitutional difficulties in this area. A previous report concluded that the provision in the Constitution poses a particular difficulty when legislating in this policy area. Teasing out the legal issues properly will ensure that any change in the law is not later struck down by the courts.

In regard to Committee Stage amendments, I can advise that the most significant amendment that I intend to bring forward involves amendments to section 29 of the Education Act to make this appeals process fit for purpose. The proposals for the Bill originally provided for an appeal against a decision to refuse enrolment to be excluded from the independent appeal process provided by section 29 of the Education Act. In the course of drafting the Bill, the Attorney General advised that an independent appeal should continue to be provided. Concerns were also raised by the then joint committee about the absence of an appeal process independent of the school and to take account of these concerns and the advice of the Attorney General, I intend to bring proposals to Government shortly involving amendments to section 29 of the Education Act to be introduced on Committee Stage.

I will also be tabling amendments to the Bill on Committee Stage to ensure that this Bill, when enacted, does not disrupt the smooth operation of the admission process to special classes or special schools. I have also advised that I intend to table a Committee Stage amendment that will deal, in primary legislation, with a limitation on the power of a school to determine a priority for children of past pupils where a school is oversubscribed.

I will briefly go through the provisions, many of which the Deputies will be familiar with. There are ten sections. Section 1 defines the “Act” as the Education Act 1998. Section 2 inserts into the Education Act an interpretation for the term “admission policy”, which is defined as having the meaning assigned to it by section 62 of the Bill. Section 3 amends functions of a school of the original Education Act by providing for a school to conduct its activities in compliance with any regulations made from time to time by the Minister under the Act of 1998 and not just regulations under section 33 of the Act as is currently provided for. Section 3 also amends section 15 of the Education Act by providing that the current reference to a board publishing the policy of the school concerning admission to and participation in the school be amended to “subject to this Act, publish the admission policy of the school” and that the principle of inclusion be considered in addition to the principles

Section 4 amends section 10, the recognition of schools, of the Education Act by providing for a school patron to agree that the school shall operate in accordance with the Education Act and such regulations as may be made by the Minister from time to time.

Section 5 amends section 15, functions of a board, of the Education Act by providing that the current reference to a board publishing the policy of the school concerning admission to and participation in the school be amended to “subject to this Act, publish the admission policy of the school” and that the principle of inclusion be considered in addition to the principles
already specified in the Act. The amendment also provides for the removal of the requirement on a board to publish the policy of the school concerning admission to and participation in the school by students with disabilities or who have other special educational needs, as the school’s admission policy should set out the arrangements for admission of all categories of students without itemisation in that way.

In addition, the requirement on a board to publish the policy of the school “relating to the expulsion and suspension of students” is being removed, as this policy is a separate policy to the admission policy of a school and the existing requirement to publish such a policy will be addressed by an amendment to section 23 of the Education (Welfare) Act 2000, which is provided for by section 8 of this Bill. The amended section 15(2)(d) will then read as follows: the board shall “subject to this Act, publish the admission policy of the school and ensure that as regards that policy principles of inclusion, equality and the right of parents to send their children to a school of the parents’ choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerned, are complied with,”.

Section 6 amends section 23 of the Education Act by including a requirement for the principal to be accountable to the board of management for the implementation of the admissions policy of the school and by replacing the reference to regulations made under section 33 with a broader reference to “regulations made under this Act”.

Section 7 provides for the insertion of a new Part in the Education Act 1998. Part X, entitled “Admission to Schools”, contains sections 60 to 69 and aims to set out the key provisions of the regulatory framework for school admissions in primary legislation. Section 60 provides the definitions which apply to the new Part X. Section 61, while including provision for single sex schools and denominational schools to reflect in their admission policy the exemptions applicable to such schools under equality legislation, requires the admission policy of a school to include a statement that the school shall not discriminate in its admission of a student to the school on the following grounds: gender, civil status, family status, sexual orientation, religion, disability, race, Traveller community ground or special educational needs of the student or of the applicant in respect of the student concerned.

Section 62 sets out the arrangements by which a board shall, following consultation, draft, obtain patron approval for and publish an admission policy. It also sets some mandatory requirements for a school’s admission policy, which include: setting out the characteristic spirit of the school; including an admission statement; providing details of the school’s arrangements for students who do not wish to attend religious instruction; providing that the school shall enrol each student seeking admission other than where the number of students seeking admission is greater than the number of places being made available by the school, where the parents of a student fail to confirm in writing that the code of behaviour of the school is acceptable to them and that they shall make all reasonable efforts to ensure compliance with such code by the student or in accordance with the existing exemptions in the Equal Status Act for schools of one gender and for schools where the objective is to provide education in an environment that promotes certain religious values. It also will include setting out the selection criteria to be applied where the number of students seeking admission to a school is greater than the number of places being made available by the school and the manner and sequence in which selection criteria will be applied. It will include providing details of procedures for appealing a decision to refuse admission and setting out the procedures for admission of students after the commencement of the school year and to classes or years other than the school’s intake group. It
will include a statement that no fees or contributions can be requested as part of the admissions process, except in accordance with section 63.

Section 63 prohibits the charging of fees or seeking payment or contributions for an application for admission to a school or for the enrolment or continued enrolment of a student in a school. Exceptions are provided in the case of fees charged by schools known as fee-charging schools, fees charged by boarding schools for the boarding element and fees charged by schools for post-leaving certificate courses.

Section 64 clarifies the power of the Minister to make regulations, following consultation with the relevant education stakeholders, for the purpose of the preparation and publication by schools of admission policies and the admission of students to schools. These regulations may include matters relating to the preparation, content, publication and review of school admission policies and procedures relating to the admission process. The regulations may provide selection criteria that schools shall be permitted to apply and-or selection criteria that schools shall be prohibited from applying in cases where the number of students seeking admission to the school is greater than the number of places available at the school.

Selection criteria that schools shall be prohibited from applying may include criteria based on a student’s prior attendance at a specified category or categories of preschool or preschool service, the payment of fees or contributions to the school, the occupation or financial status of the parents of a student, a student’s academic ability, skills or aptitude, a requirement that a student or his or her parents attend an interview, open day or other meeting as a condition of admission and the date on which an application for admission was received by the school.

Section 65 provides for the Minister, where he or she considers that it is in the best interests of students in an area or in order to accommodate students in the case of a school closure, following consultation with the patrons and boards of the schools concerned, to direct two or more boards to co-operate with each other in their admission processes and to set out procedures relating to any such co-operation.

Section 66 provides for the National Council for Special Education, NCSE, to designate a school in the case of a child who has no school place for reasons related to their special educational needs and for the Child and Family Agency to designate a school in the case of a child, other than a child to whom an NCSE designation may apply, who has no school place. Section 66 also provides for the Minister to establish an appeals committee to deal with appeals that might arise with regard to designations by either the NCSE or the Child and Family Agency or with regard to an appeal taken by a parent regarding a failure to designate and sets out the process for hearing and providing notification of the outcome of such appeals. The Minister may, following consultation with the relevant bodies, make regulations to specify the time limits applicable to such appeals and to further set out the procedures to be followed by an appeals committee.

Section 67 enables a patron, following issuance of a notice and consideration of any representations received relating to same, to issue a direction to a board where he or she is of the opinion that the board has failed to prepare and publish an admission policy, the admission policy of the school does not comply with the Education Act or students are not being admitted to the school in accordance with the Education Act or the admission policy of the school. If the board fails to comply with the direction the patron may, following issuance of a further notice and consideration of any representations received relating to same, and subject to the consent
of the Minister, appoint an independent person to comply with the direction.

Acting Chairman (Deputy Jim Daly): Thank you. I gave the Minister additional time for some of the time lost during the call for a quorum.

Deputy Thomas Byrne: I will share time with the chairperson of the Oireachtas education committee, Deputy Fiona O’Loughlin. She certainly will have an interesting contribution to make as she will be central to much of the debate taking place on this.

Fianna Fáil supports this Bill. We are supportive of the overall thrust of the legislation. It is old legislation but it has been brought forward, at last. It requires schools to publish an admission policy and it gives the Department of Education and Skills new powers to determine what admissions criteria schools can use. As the Minister has acknowledged, the Bill must be strengthened and other matters are to be included in it. I am not entirely clear on the issue of religious preference, but it appears that the Minister is proposing that it not be dealt with in this Bill and that it be dealt with separately. Maybe the Minister can explain his view of it in more detail when he sums up. It was not my impression. My impression was that we could merge the equal status issue with it at some point to get an overall Bill. Many people are watching the issue and their voices need to be heard as best we can.

We need to introduce amendments to the Bill to achieve a stronger legislative framework that would more fundamentally reform school admission policies. As I said during Question Time today, every child deserves to be admitted to his or her local school. Without any issue of discrimination, there are areas where there is no room in the local school to admit children. This must be addressed and I will bring forward amendments on it to make Tusla and the Department of Education and Skills work more closely, particularly regarding capacity issues, which is becoming more of an issue around the country.

The Bill does not address the elephant in the room, namely, the religious preference issue. Fianna Fáil believes no parent should have to baptise his or her child simply to get the child into a school and that all children, regardless of their religious denomination or outlook, should have access to a school in their local communities. There are independent studies that demonstrate that the vast majority of schools do not need to operate a religious preference, given that there is no issue of oversubscription. However, it is an issue in urban areas and in parts of my constituency. It has been well documented.

We favour the introduction of standard selection criteria for oversubscribed schools based on locality and catchment. Selection rules should be based on two criteria. First, there should be a sibling principle. We would certainly allow siblings of pupils to be enrolled preferentially. It makes sense for families. There was an issue about it previously and I am glad it is out of the equation. It is only sensible. Second, children living in designated catchment areas would have to be prioritised. Catchment areas would have to be drawn up in order to have a workable solution. In certain parts of the country, particularly the city, people are able to move around in order to get into particular schools, and local people can lose out. In other parts of the country, particularly suburban towns, the issue is that there is not enough provision to cater for the demand, and the demand for diversity, that exists.

We recognise what the Minister said, which Oireachtas committees have said previously, that the “baptism barrier”, or the issue of religious preference, is a complex legal and constitutional issue. We must be cognisant of the rights of minority faith schools especially to protect
their ethos and identity. I say this most sincerely. The Church of Ireland community is very worried about any proposal to open up school admissions. A very simplistic approach to remove the issue of religious preference would have a disproportionate effect on our Church of Ireland communities. We will support them and their schools. The State owes them the preference in order to ensure their communities can continue to thrive. The issue is also a concern to some Roman Catholics. Roman Catholic priests I have talked to in my area, where this is an issue, are not overly concerned about it. One priest described it as an issue of administration and said he would prefer if it were not there. This is not the common view.

We must also say we value the Roman Catholic church’s contribution to education and acknowledge that many parents want to have their children educated in Roman Catholic schools. This choice and diversity is essential. The Minister will have to expedite the establishment of new non-denominational schools to give people the choice. There are people who want to continue to go to Roman Catholic schools and this choice should be respected. There are people who want to go to multidenominational schools and they must be given the opportunity to do so. Although the choice is excellent in certain areas, in large parts of the country, they are not able to do it. A constituent contacted me tonight about a particular town in which there are several Roman Catholic schools and there are no options. One school has told the constituent the child definitely will not get in given that the child is not baptised. The other school has said, as things stand, the child will get in, however there is no guarantee and it may change by the time the child reaches school age. I do not know what the answer is. Presumably the answer is to provide an extra school. Divestment has caused too much controversy. It just gets people’s backs up and has not achieved much.

We welcome the other main provisions outlined in the Bill, including the requirement that every school prepare and publish an admissions policy. Many schools do and the legislation simply tightens it up. We welcome the ministerial power that will allow the phasing out of waiting lists and other discriminatory admissions practices and we welcome the ban on non-fee paying schools charging application fees or admission fees. It is an oxymoron. I welcome the provision that a direction can be made to a number of schools to work together on an admissions list would be prepared. Maybe the Minister could elaborate on it. If it is the intention of the section, it would be welcome. Schools do not know how many of the children on their lists are enrolled at other schools. It causes serious problems. It causes stress for parents who do not know which school their children will get into. A common enrolment policy would greatly help the Department to know the numbers in areas of high pressure.

New powers are to be given to Tusla and the NCSE and this is very welcome. The Minister will bring further amendments on it and I may bring amendments too. This will enable these bodies to designate a school that would be obliged to admit a child who cannot find a school place elsewhere. The Minister mentioned they will not be able to interfere in issues of capacity. As I said earlier today, I have an issue in Ashbourne in which Tusla is trying to find a place for a child. There should be a provision in school admissions that children should be admitted to their local school. We have a situation in which a child who had been in senior infants since September before moving to Ashbourne has been told by a very hard working welfare officer in Tusla that the only option available is a place in junior infants in Ashbourne or a similar class in Garristown, outside the town. It is wrong. We need Tusla and the Minister to work much more closely together regarding the capacity issues that are appearing in certain parts of the country. When I took this brief, I was unaware that the issue of getting a school place in a child welfare
context was with a separate agency or Department. It is crazy. It is not joined-up thinking. The Minister should seek for it to be brought into his Department or, at least, to have a formal structure between Tusla and his Department on the issue. It is a difficulty. Talking off the record, civil servants agree with me.

There are more powers and obligations regarding patrons and the role of the patron is becoming more entrenched in the system. Patronage is an inheritance we have and we must live with it. Patrons offer excellent services and a particular ethos to schools. They are being asked to do more and have been given more powers. The complaint I am getting, particularly regarding second level patrons, is that the funding is not there and they do not know how they will do it. Often, they have been funding their activities themselves. I would be wary of further entrenching the patronage system. While it is good for what it should be there for, namely providing the ethos or value system in which parents want their children to be educated, I am wary of the patrons getting even more involved. Patrons themselves are wary of it, given that they do not have the resources. It is all right for ETBs: they are State agencies and this would be the expected work for them. However, it will present difficulties for the voluntary secondary schools.

What concerned me was the appeals mechanism established regarding the intervention of Tusla and the NCSE. The Minister could clarify it, and we will have plenty of time on Committee Stage to examine it. There seems to be an appeals system for the school. For a school to fight an appeal to prevent a child from being admitted seems a weird situation. Although the Minister may tell me it is necessary for fair processes, it seems weird. That is the best word. We will be seeking a new appeals body to be established in the Department for parents who believe their child has been discriminated against by a school in the admissions process.

9 o’clock

This will make it easier for parents who feel their child has been unfairly treated achieve redress.

This is a good Bill. It tightens things up that by and large are happening already in some ways. We will have to examine closely the issue of special needs. We will deal with the issue of religious preference on Committee Stage and I know that Deputy O’Loughlin will speak about that, but I would also like to hear from organisations involved with special needs education on Committee Stage. I invite them to contact members of the committee with their views on what is involved. Do they feel enough is being done or that anything can be changed? It is certainly something that people are beginning to contact us about.

A lot of work is required. I think all of us gave a commitment in the Dáil last summer, when the Labour Party tabled its Private Members’ motion, that the issue of religious preference would be dealt with in time for admissions next year. The clock is ticking. I want to see us live up to the commitment, while recognising that it is an extremely complex area with many interests, but the interests of the individual children must be at the heart of it.

I will now yield to my colleague, Deputy Fiona O’Loughlin.

Deputy Fiona O’Loughlin: The decision parents make about where to send their children to school is hugely important. Whether they are renting or buying, many parents choose where to live on the basis of the schools in the area. However, there are many parents who do not have a choice. Approximately ten years ago, when schools were becoming oversubscribed in Dublin, my area in Kildare saw a huge influx of young parents. They were coming to live in
Kildare because they could not get their children into schools in Dublin. We are now feeling the squeeze. We are at that point. What we are discussing is incredibly important.

We must note that Ireland is an increasingly pluralistic society, but this is not yet reflected in our school admissions policies. The statistics show us that 33.7% of couples opted for a non-religious marriage ceremony in 2015. There has been a 20% reduction in Catholic mass attendance rates between 2008 and 2014. Despite this significant social shift, approximately 96% of State-funded schools are denominational, with 90% of these Catholic. The treatment of non-Catholic parents and children in our education system is an issue that urgently needs to be addressed. I say this as someone who had the benefit of a Catholic education not just at primary and secondary level but also at third level when I attended Carysfort. I also taught religious studies at primary school level and enjoyed that engagement with children. Ultimately, we were working with children to help them respect their families, community and environment.

The existence of discriminatory admissions policies has resulted in children being forced to commute long distances to schools outside their localities and in baptisms of convenience, which are often against a parent’s conscience. These should not be necessary in a modern, multicultural society. All children, regardless of religious denomination, should have access to a school in their local community. The effect of discriminatory policies is more pronounced in more populous areas where schools are oversubscribed. The Department of Education and Skills reports that one in every five schools is oversubscribed. It is in these schools that enrolment that discriminates on the basis of religion takes place. These oversubscribed schools have been broadly allowed to draw up their own admissions policies based on criteria such as catchment area, religion, that a parent was a past pupil or that a sibling attends the school. There is also anecdotal evidence that suggests some schools use their admissions policies to select applicants based on academic achievement or socio-economic background. With population growth in many areas, including mine in Kildare, the number of oversubscribed schools will only increase. Where a school is oversubscribed, its selection criteria should not discriminate on religious or other grounds such as ability, race, etc.

Fianna Fáil also considers that simply amending section 7(3)(c) of the Equal Status Act, as proposed by the Labour Party and other groups, is too simplistic. It would endanger the ability of minority faith schools to defend their ethos. To remove completely a school’s right to use denominational criteria would be unconstitutional and would fail to acknowledge the rights of these minority schools. This is a complex legal and constitutional issue, given the rights to both religion and education in our Constitution. Fianna Fáil believes that locality or catchment area is the fairest selection criterion and that children who have a sibling in a school should be given priority in admissions. We do not believe schools should be able to give admission to children of a particular denominational background from outside their catchment area ahead of children inside the area. We also believe that catchment areas for schools should be provided for in our legislation and should be a statutory requirement in admissions policies. The size of the catchment area could reflect the popularity of the school’s ethos.

I welcome the phasing out of school waiting lists. These have also been a problem in my area. I also welcome the proposal to establish a new schools admission appeals body as a recourse for parents who feel that their child has been discriminated against in the admissions process. The improvements to transparency and fairness of schools admissions in the Bill are to be welcomed. As stated by the Minister, every school must be welcoming of every young person, regardless of ability, disability, race or religion. I welcome the Minister’s commitment to increasing choice and diversity in our education system.
The Bill obliges schools to publish their admissions policy but does not oblige them to change them. It obliges them to give details of arrangements put in place for children who do not wish to receive religious instruction, but gives no guidance or standards as to what these arrangements should be. The current arrangement of children sitting separately and alone for 30 minutes, possibly every day, while their classmates receive religious instruction is not satisfactory. This has a greater impact in communion and confirmation years.

My colleague referred to my role as Chairman of the committee that will examine this issue. I know that the Minister appreciates that we are currently dealing with the Cassells report. We have started our engagement with stakeholders and the matter is progressing successfully. This is a hugely important facet of the commitment of the Department and the committee to react appropriately and in a timely way to the Cassells report. The committee is committed to engaging with the stakeholders on this Bill prior to Christmas and has been in touch with the Department of Education and Skills to suggest possible meeting dates prior to Christmas.

This is hugely important to the committee, as it is to all Members of the Dáil. We look forward to further engagement with the Government and the members of every party on this hugely significant Bill.

Deputy Carol Nolan: On behalf of my party, Sinn Féin, I broadly welcome this Bill as an important first step in providing parents with transparency on, in particular, the criteria to be used for selection in school admissions. The Bill contains many important provisions and will require schools, for the first time, to prepare and publish comprehensive admissions policies. We particularly welcome the fact that agencies such as the National Council for Special Education and Tusla will have the power to designate a school place for a child in difficulty in securing admission to school. The fact that the practice of fees and contributions for an enrolment or continued enrolment at school has been prohibited, save in limited circumstances, is also welcome, although I must admit that I am not clear as to what affect this will have on the growing phenomenon of the “voluntary” contribution that is keeping many schools open in light of slashed resources.

These are the positive aspects of the Bill but I must also admit that the Bill, as presented here today, is a missed opportunity. There should be much more in it to address other issues, particularly that of religious discrimination. I appreciate that for the vast majority of schools there are no major issues around admissions. Where there are enough places for those who apply, each child is offered a place. However, in situations where a school is oversubscribed, there can be serious problems with the admission criteria applied by schools. The issue of religious discrimination in this context is by far the most pressing issue for many parents. The United Nations, the Irish Human Rights and Equality Commission and the Office of the Ombudsman for Children have all recommended that the Equal Status Act be amended to give effect to the principle that no child should be given preferential access to a publicly funded school on the basis of their religion. Countless campaign groups and commentators have called for the repeal of this law and there is a real sense that the campaign is growing momentum yet the Bill is silent on this fundamental issue. Let us be clear, this Bill will not do a single thing to change the status quo and, in fact, reaffirms it by restating the provision of the Equal Status Act. Furthermore, while the Bill will place an onus on schools to publish arrangements for those who wish to opt out of religious instruction, there is no minimum standard set down in this regard and there is no provision for the Minister to regulate in this area. The right to opt out of religious instruction in school is one that is set down by our Constitution. It is fundamental and yet nothing has been done by successive Governments to ensure that children who wish to assert that right can
do so effectively in practice. Schools have been left to their own devices in this regard and it is just not good enough.

Another area of considerable concern is that of access for children with special needs. I welcome the provision of the Bill that gives power to the National Council for Special Education to designate a place for a child that cannot secure one. However, I have some reservations about the impact of the Bill in this regard. First, will it be the case that all avenues must be exhausted before the NCSE can step in? Is it fair on parents to put them through a rigmarole of applying to every school in the county just to secure a place for their child? Children with special educational needs have as much right to attend their nearest school, where possible, and this Bill will need to reflect that. Furthermore, the issue of the establishment of special classes where there is clear local demand and need for such classes is not provided for in this Bill. We see particularly in cases of children on the autism spectrum that suitable places simply are not available and the NCSE must be given powers to address this where possible. This Bill is an opportunity to address this. There is also the need for an appeals process for parents in response to the designation of a school place where there is a genuine belief that the place designated is not suitable or not in the best interests of the child. In many cases, this issue boils down to resources and I am firmly of the view that a statutory timeframe for the provision of suitable resources for children with special educational needs would address many of the concerns of schools in this regard. It is something that should be seriously considered as the Bill progresses. While I appreciate the Minister has proposed a new resource allocation model, I reserve judgment on the proposal until the report of the pilot project is published. The fact that, under this new model, schools will have their resources set for a three-year time period is of concern. We need clarity on it. We need to see the published report. It is not clear how the model will work in providing schools with the necessary resources to provide for new admissions of students with special educational needs. It is clear that both the new resource allocation model and the admissions legislation need to be considered in tandem as they develop and progress. The measures must complement each other and we cannot realistically expect schools to be in a position to implement inclusive admissions policies. The majority of them would like to do so but they simply do not have the resources in many cases. Such short-sighted approaches are unfair on both schools and children.

Sinn Féin believes the right to education is a fundamental human right and every child should be able to access his or her local State-funded school on an equal footing without discrimination on any ground, including disability or religion. Sinn Féin has campaigned heavily on this issue and last year we produced a Bill that would eradicate religious discrimination in access to education. I commend my predecessor, Deputy Jonathan O’Brien, for his hard work on this issue. The support we give to this Bill tonight is a qualified support. My party would like to see this issue debated thoroughly with the views of all stakeholders taken into account. The State clearly has an obligation to ensure the rights of all our children are protected and it must take action to ensure that this is the case. This Bill does not go far enough to achieve that and we will be seeking to amend it on Committee Stage to ensure the most robust possible protection is in place for all of our children.

I look forward to working with my colleagues on this issue and making the most of this opportunity to ensure equal access to education.

Deputy Caoimhghín Ó Caoláin: As my colleague, Deputy Nolan, has indicated, Sinn Féin broadly welcomes this Bill and, in particular, the fact that schools will now be obliged to produce an admission policy that will include a statement that the school will not discriminate in its
admissions on the following grounds: gender, civil status, family status, sexual orientation, religion, disability, race, membership of the Traveller community and special educational needs.

We welcome that statutory agencies will be given the power to designate a school place for a child when they have been refused and that an appeal process will now be available. We also welcome that the Bill specifically prohibits the use of fees and the seeking of contributions for enrolment or continued enrolment in a school, although it is a little ambiguous - my colleague referenced this - as to what this means for the practice of voluntary contributions. Perhaps the Minister will address that in his closing remarks on Second Stage.

However, while we broadly welcome it and will support its passage to Committee Stage, we believe the Bill still does not address many of the issues of concern with respect to admissions. Special educational needs services in schools, both primary and secondary, are hard to come by and suffer from chronic underfunding, particularly in disadvantaged areas. In my capacity as spokesperson for disability rights, I am particularly concerned that this Bill does not give powers to the National Council for Special Education to request that a special class be established where there is sufficient demand as there is no power to increase capacity. The NCSE notes that many schools will not open autism classes where the local need is identifiable and there. A provision in the Bill that would give the NCSE the power to instruct a school to open an autism class would be welcome. The current situation is that a child can only be offered a place where there is an existing place. This is not acceptable and it is regrettable that the Bill will not address this issue. I ask the Minister to consider the importance of this. It is an opportunity to address this deficiency.

Given reports that have come to light this week, it is important to briefly touch on the urgent need that exists to reform the system which determines whether or not a child with particular needs can access special needs support. This issue, as the Minister will know, has been reported on quite extensively this week. It has been said that at present, the only way a child with particular needs can receive additional supports is to be diagnosed by a professional, such as a psychologist or psychiatrist, with a diagnosis that fits a very strict criteria. This is a flawed system in which young children are being diagnosed with a specific disability for the sole purpose of receiving additional educational supports. It is wrong, I believe, that resources are only provided for specific diagnoses. Teresa Griffin, the head of the National Council for Special Education, has said that professionals are actively making some children “fit a certain category of disability in order for them to get a resource” even though they “don’t theoretically meet the actual label”.

The NCSE has rightly proposed a reformed system whereby access to resource teaching would no longer rely upon a formal diagnosis of learning difficulty, emotional or behavioural problems. The particular educational needs of the child are what matters. This is a serious issue that must be addressed as a matter of urgency. I would appreciate it if the Minister referred to this in his closing remarks on Second Stage.

Many of the problems within the education sector are down to a lack of resources. Many schools, for example, create what are referred to as soft barriers to the enrolment of children with special educational needs due to issues around resourcing. This issue needs to be addressed. As I mentioned previously, we will support the Bill to Committee Stage, but the fact remains that without appropriate investment, resources and ministerial intervention, this Bill, in and of itself, will change very little.

An Leas-Cheann Comhairle: Deputy Brid Smith is next. You have 20 minutes.
Deputy Bríd Smith: The introductory part of the Minister’s speech was well written and moving in its aspirations. I could not agree more with the Minister’s view that we should use our economic success to build a fair and compassionate society. I could not agree more on the need to remove soft barriers in the way children with special needs are accommodated. I could not agree more that we need schools to publish enrolment policies and end waiting lists. I could not agree more that we need to ensure we do not discriminate against parents and children on a number of grounds. However, I am not at all happy with the Bill and I think many people take the same view. This is an historic opportunity to do something that no man has dared to do before in this country.

I will read a letter from a constituent of mine. She begins by saying the Dáil will debate the Education (Admission to Schools) Bill this week. She says the Bill makes many reforms that have the potential to affect the lives of children and families in a positive way. She cites the example of how schools will have to publish an official policy for pupils who want to opt out of faith formation during the school day. However, she goes on to say it is unacceptable that the Bill does not deal with the baptism barrier. She says she finds it incredible that we allow our publicly-funded schools to use a child’s religion or non-religion to discriminate in respect of a school place. She states that this is no longer acceptable in a modern pluralist Ireland and that it is discrimination towards children, plain and simple. Her view is that no institutions in receipt of taxpayers’ moneys should be allowed to discriminate against any citizens.

She asked me to raise these points with the Minister during the debate. She called on me to ask the Minister for Education and Skills to remove the baptism barrier as part of the Education (Admission to Schools) Bill in time for September 2017. She asked me to call on the Minister to publish the standard guidelines on opting out of faith formation so that all schools can use them as a template and to ensure schools would comply with the requirement under the Bill.

I strongly endorse those comments. This constituent referred to how it was incredible in this day and age that we have not dealt with this issue and that we are unwilling to deal with it. This reminds me of how difficult it has been in recent years to try to get this House to agree to a referendum to repeal the eighth amendment. At issue in both cases is the legacy of the domination of the Catholic Church over our lives, including every aspect of our bodies, health and education.

When we are marching and protesting to repeal the eighth amendment, we use a slogan: “Not the church, not the state, women cannot wait, repeal the eighth”. Obviously, the slogan does not fully apply here but a version of it applies in respect of school admission policies. I find it astonishing that no one has had the courage to face down the dominance of the church in education in this country in the 21st century. This year has seen the centenary of the Easter Rising. In 1916, Pearse, who was passionate about education, signed the Proclamation, which referred to how all of the children of the nation should be treated equally. They are not being treated equally. If they are not baptised, they cannot access 96% of schools. What in the name of God is that about? That is not to deride or abuse the idea of baptism or Christianity or the will of parents who want it to happen. Rather, it is to say that this is utterly unfair, unequal and discriminatory towards children.

The Minister referred to expectations changing and to how we must have the capacity to change with them. This Bill does not do that. Instead, it makes concessions to the idea that the Government has received certain legal opinion. This view has been expressed by the Minister, his predecessor and the Taoiseach. Apparently, the legal opinion states that it would be unconstitutional to remove from the legislation section 7(3)(c) of the relevant Act. This sec-
tion effectively allows religious schools to discriminate against children of different religious backgrounds from the patron. We have other opinions and there are more opinions taking the view that this is not the case and that it would not be unconstitutional to remove that section. We may have a problem with the Constitution and we may have to point out other aspects of the Constitution that should be put to a referendum or that require repeal.

The current set-up does not fit the modern Irish State. It does not fit the demographic make-up of the State. Certainly, it does not fit a modern Irish State that has utterly rejected the dominance exercised on the people for decades through fear and power. Such was the imbalance of power held by the church over the lives of every man, woman, child, community, school, hospital and institution. There is no need for me to go over the litany of desperation that such dominance wrought on our society.

I echo the comments of my constituent. The Minister should put into the Bill a ban on schools being able to discriminate on religious grounds. The Minister went through the list of grounds of impermissible discrimination. He referred to every other ground under the sun except for the ground of religion. Removing the baptismal ban would echo the comments made by the Minister so eloquently in his introduction. It would give meaning to his aspiration to use the economic success to create a fair and compassionate society. If the Minister really wishes to do that, then he should use this opportunity.

The neo-conservatives in America famously said that one should never waste a good crisis. They did not waste a minute of the economic crisis. Similarly, not one of the troika, this Government or the previous Government has wasted a minute of the crisis. We should not waste a minute of the crisis resulting from religious domination in this country. We should use it to the full and get rid of all the legal bars on treating children, women and everyone else in this society with full equality.

I put it to the Minister that he should have courage. He may lose it or he may be constitutionally challenged. If he is, it is not necessarily a bad thing. It would bring this to a head and instil in the Bill the vision to which my constituent referred. I am referring to the removal of the baptismal barrier and getting rid of section 7(3)(c) of the relevant Act. There is no compassion in using the baptismal ban. It is utterly disgraceful. If we go forward from this debate without removing it, the Government will have absolutely failed. Having said that, we do not intend to leave it there. AAA-PBP has a Bill in the pipeline that challenges this head on and aims to get rid of this section. We may lose when it comes to a vote, but it does not matter as we must challenge these matters head on, not pussyfoot around them and not create other sections of Bills and laws that allow for the continuation of discrimination rather than its total abolition.

Deputy Thomas Pringle: While this Bill has been welcomed by some of the parties speaking in the House and while there are attempts in it to do something about admission policies in schools, there are many problems with it that need to be addressed further on Committee Stage to correct them. There are three aspects of concern regarding discrimination in our school system, namely, schools can refuse entry of a child based on religion if it is oversubscribed, even if the child is designated a school by the National Council for Special Education, NCSE, and the Child and Family Agency; schools can discriminate by not providing an alternative to religious instruction; and schools can discriminate by prioritising children who are related to previous students.

Overall, the Bill fails to echo best practice in including the best interests of the child as a
measure for educational standards. At a minimum, the best interests of the child and his or her wishes should be reflected from the outset in admission policies and throughout the school day. The Bill obliges schools to publish admission policies but it does not oblige them to change them if they are wrong, and this Bill will not limit the practice of discrimination. The National Council for Special Education or the Child and Family Agency can designate a school for a student where he or she has not secured a school place. However, this Bill allows for that school to appeal the decision based on the “refusal arm” of the current exemption on religious grounds. The best interests of the child should be the primary standard by which the National Council for Special Education and the Child and Family Agency shall have regard to when making a designation or a decision not to designate a school. There is also a need to include the right for parents to appeal where a school has been designated by the Child and Family Agency or the NCSE and the parents believe that the designation is not in the best interests of the child or failed to take into account the wishes of the child. The appeal committees provided for in section 66 should be required to apply the best interest of the child as the primary consideration when assessing an appeal and be required to take into account the best wishes of the child. Furthermore, a child in a particular region with a specific disability could be required to attend a school not of his or her belief in order to access the support he or she needs, or that school could refuse admission of a child with a disability claiming it would preserve the school’s ethos.

While separate legislation is before the committee regarding the so-called baptism barrier, it is important to address it here as well because there cannot be comprehensive reform of school admission policies without reform of the baptism barrier. The Irish Human Rights and Equality Commission has repeated this assertion in calling for the baptism barrier to be removed. It recommends that the Equal Status Act be amended to give effect to the principle that no child should be given preferential access to a publicly funded school on the basis of his or her religion. Three constitutional experts have given a legal opinion on how the Dáil can legislate for the power to eliminate the baptism barrier. The Dáil can do this immediately, taking account of the Constitution but not using it as a barrier to take action in this regard. The three constitutional experts have outlined that the Oireachtas has the power to impose reasonable conditions on the provision of funding to educational institutions. This includes requiring that all publicly funded schools must accept all children of all religions, and none, on an equal basis. That can and should be addressed, and this Bill should not be taken in isolation in the context of the baptism barrier. The Bill does not contain provisions to enable the Minister to regulate the use of an admission policy which restricts the admission of students who are related to previous students either. There are also many concerns as to whether the 1998 Act actually has better provisions than those proposed in this legislation to control the admission policies of schools.

Regarding religious instruction, the Bill obliges schools to publish “arrangements” for students not taking religion class but without guidance or regulation on how they should do so. The minimum standards of the nature of exemptions for students who do not take religion class are not included in this Bill either. It does not attempt to move religious instruction towards the end of the day or outside core school hours, which should be the objective in a publicly funded school system. Schools should maybe facilitate religious instruction outside of core hours rather than as a core part of daily class. This would mean that children would not be discriminated against if they did not want to opt into religious classes.

State funded schools should accommodate and respect diversity across all nine discrimination grounds in the equality legislation, including, as I said, the baptism barrier and the right to opt out of religion class.
Deputy Mattie McGrath: I, too, am delighted to be able to speak to this legislation and I welcome the Minister’s speech. As he said, the basic aim of the Government is to use our economic success to build a fair and compassionate society, and few areas are more important to this vision than education. The Minister also stated that the Government’s ambition for the action plan for education is to provide Ireland with the best education and training system within a decade. The action plan is very ambitious, and I wish it well. We need highly educated and versatile young people, especially to deal with our jobs, economic future and all other issues.

The Minister stated that the Education (Admission to Schools) Bill 2016 is a significant public service reform designed to make it easier for parents to more easily access local schools. The parents’ and students’ charter will for the first time set out the principles to guide how schools engage with students and their parents.

For the first time, any person, including a member of the public, an employer or a teacher will be able to make a complaint to the Teaching Council about a registered teacher. Complaints will be possible under a number of headings, including professional misconduct and poor professional performance. That is very welcome. Speaking as a parent first, but also as a former member of a board of management of a national school, a secondary school, a VEC college and, before that, a technical school that was amalgamated, I believe there are issues for parents and guardians but especially for students. The vast majority of teachers are excellent, do a good job and do their very best to impart their knowledge to the students, but there are bad teachers. That is an issue that came up during the recent days of strike action. Teachers turned up for work and were locked out, but there was not an all-out strike.

We all have experience of contingency planning if we are honest enough to admit it. I have kids who went through a variety of schools in the education system but for the money spent on grinds, they would not have been achieved the results they achieved. One then sees that same bad teacher proclaiming how good his or her class did but it is a pure fallacy and a travesty because the families, who are hard-pressed enough, had to pay a fortune in grinds to get their kids through the examinations. This is recognised in the school, in the system and in the area, but nobody can deal with it. Like any system, one cannot have all good people. There will always be bad apples. I apologise for my parlance, but there are poor performers in any occupation. However, teaching is vital. There needs to be an avenue here and in the context of any future pay talks. There must be some way of addressing or redressing this imbalance because, as I said, the vast majority of teachers strive to do a great job. However, more and more are probably in the wrong profession. I sat on a board of management with someone who was a principal for years who was impossible. That school was badly run. Frivolous complaints or cranks should be entertained but only those where there is a known reason for the complaint. I do not know how the Department will deal with complaints and we do not want frivolous complaints either.

The Minister stated the Bill will increase transparency and fairness in school admissions, making clear that every school must be welcoming of every young person, regardless of colour, abilities or disabilities. He indicated it will help end the soft barriers that some of our schools erect in the way of children with special needs. That is a vital aspiration as people with special needs must be embraced. When the Minister and I were young - it is not today or yesterday - we were afraid of people with special needs and did not understand them. I would say so anyway but perhaps the Minister might think differently. I did not understand them and neither did my parents and others. There is much more understanding and acceptance of people all created by one God, born with whatever limited abilities or disabilities. It is very important that schools
are not allowed to deny people the right to education because of their disabilities.

The Minister stated that publication of the Bill reflects a commitment outlined in the programme for Government to publish new schools admission legislation, taking account of current draft proposals and addressing issues including publication of the school enrolment policies, an end to waiting lists, introduction of annual enrolment structures and transparency and fairness in admissions for pupils and parents. I took part in the programme for Government talks and we were there for a long time. This issue was discussed and I did not hear the baptism rule, clause or barrier mentioned once. Is mór an trua that some of the Deputies that did not attend the talks, would not engage and did not want to be in the Government wish to be able to criticise every piece of legislation. They want to throw the baby out with the bath water and they want anything to do with Catholic or minority religions abolished without acknowledging the tremendous work done for decades by the sisters, brothers, priests, lay people and teachers. Without them we would not have had an education system.

It is easy now to rev up here and forget the past when it suits us. There were horrific issues and they had to be dealt with. I was a member of a number of boards, I have gone through the system and my children are going through it now. In the main the education imparted was top class. We would be a much poorer country but for the Christian Brothers in Cluain Meala. The Minister came to Clonmel agus fuair sé bean chéile álann. We are delighted with that and that is the way we should be in Ireland. There were no barriers out around Jacksons Cross keeping the Dubs out of Clonmel at that time. The Minister was in Meath at that time so perhaps he was classed as a country fellow like Deputy Thomas Byrne from the plains of Meath. We had brothers and sisters in the likes of Loreto and Presentation schools and they did tremendous work. They should be recognised by this Dáil and the State for the work they did and commitment they had.

The same principle should apply to hospitals. If we had matrons now, we would not have half the bedlam we now see. The Leas-Cheann Comhairle will tell me to stick to the Bill but I am sticking to it. Perhaps it is a pre-emptive strike. There was accountability. We have gone around the country and succeeded in having plebiscites or competitions to rename our hospitals. Our own St Joseph’s in Clonmel is an example and it can cost tens of thousands of euro or hundreds of thousands of euro to run a competition, plebiscite or design scheme for a new name for a hospital as whatever we do, we seem to want to get the saint’s name off it. It is such a waste of money. We now have South Tipperary General Hospital and the Mid-Western Regional Hospital in Ennis. It seems we have to banish all these names, whatever we do. Nevertheless, we have far worse treatment services in those hospitals. They are scenes of chaos and near-anarchy. That comes with our haste to change the name and remove any symbols from any religion. We were told the crib was removed because Muslim and other faiths might be annoyed and hurt but in many cases I know where people from such faiths appealed for the crib to remain. They have no issue with it. We need to pinch ourselves on such issues.

Some of the hard left are so hard they cannot feel themselves; therefore, they cannot pinch themselves. I said this in another debate. They want to banish such issues. To hell or to Connacht or to hell or to Israel or wherever else. We must reflect on where we have come from, how we came here and how we got our education, however limited it might be for many of us. It is the education we received and we were very proud to get it. I was a boy who walked to school and enjoyed my experience. I got a second level education and a very limited third level education. We must reflect on such issues.
I know the Bill is an effort by the Minister and his departmental officials to deal with many issues. I heard Deputy Bríd Smith say her group has another Bill to countermand this one. Those Members do not have a majority in the House so let them introduce their Bill. They also have a Bill to repeal the eighth amendment of the Constitution. They have very limited vocabularies on certain issues for people who have so much education and so many answers to everything. They do not think of consequences for issues like repealing the eighth amendment, as what would we put in its stead?

I will stick with education. The education system has served us well. Beidh fáilte roimh an t-Aire when he comes to Carrick-on-Suir in two weeks to open a wonderful school. For 40 years we have tried to get that complex. The Minister will be enthralled and amazed by the excellence of the work, as well as the community, civic spirit and appreciation in a downtrodden town that has been passed over for industry over the years. It is wonderful, lifting and leading the way. I salute the leaders, vocational education committee members, the former chair of the VEC, the late Councillor Dinny Bourke, as well as the others who fought for it. There was cross-party support, including from Councillor Jimmy Hogan, from the Minister’s party, who died two weeks ago. It is a pity as although he saw the school, he will not be there for the opening. It will be a very joyous occasion. We can see what came out of that. I was with the VEC for much of the time fighting with different Ministers to try to get a school that is worth having. It has not all been bad. That facility has been in gestation for the past 30 years or longer. All the people served well and although there were issues, we now have a multidenominational and multicultural population at that school and all the schools in my constituency. People are integrated and welcomed. It is not that all people are locked out because of race, creed or religion. That is not the case, although there are some limited sad cases. That should not be. We can also think of Protestant schools, as it is a minority religion in many cases. They must be protected and included in the small schools scheme; with the closure of that scheme they were under a serious threat.

We must salute, honour and respect the pioneers. I want to a secondary school in Cahir where two men cycled from west Cork and opened a school. It was a private school but it was open to everybody. They imparted a wonderful education with no support from the Department. There are also the people in VECs, including former chief executive officers. We could mention Mr. John Slattery, Mr. Luke Murtagh and many others who did Trojan work. They were reforming in their own right. They were real leaders and visionaries. We can compare them with what we have today. We can also see the costs associated with today’s education, similar to hospitals, because of the removal from management of all the church personnel, whether they are sisters, brothers or priests working in religious instruction. It is difficult to replace that. We must make haste slowly and think of from where we came. One is nowhere if one does not recognise from where one came.

There are many good aspects to the Bill but I urge caution in some areas. If the hard left wants to bring in its own Bill, let it do so. When it gets a majority in the House those Members can introduce all the Bills they like. When they are in Government they will have to see who will pay for all these issues. Where will we get the money? The Minister stated that the Bill provides an overarching framework for greater transparency, which is very important, and a consistent school enrolment policy. That is vital. We can consider recent demographic factors and how the Celtic tiger is probably the worst thing that ever happened because of the pressures it brought on enrolments in national schools, as well as preschool, playschool and after school services.
The Minister has provided an explanation by section of the provisions of the Bill, which are noble. A key objective of the Bill and its associated regulation is to improve access to schools for all pupils and that is the most noble aspect of all. Education is a basic right and entitlement. We can see from the examples of Third World countries and places suffering war and famine that education is vital. The Bill will strengthen our capacity to cater for children who cannot get school places. This is important, particularly for children who are vulnerable or at risk. The Bill will allow the National Council for Special Education and the Child and Family Agency to designate a place. Goodness knows that too many children are at risk for a plethora of reasons. They must be catered for and dealt with extremely sensitively. I wish the Minister well with the Bill. I think I have some experience because I walked to primary school and got the bus to secondary school after free school travel was introduced by Donogh O’Malley - God rest him. I have also been on a number of boards of management.

Deputy Thomas Byrne: The Deputy should have stuck with Fianna Fáil.  
Deputy Mattie McGrath: It was a noble initiative and I give credit for it. I praise the bridges I go over. It was a wonderful----- 

Deputy Fiona O’Loughlin: Party.  
An Leas-Cheann Comhairle: It is a little late to have to remind Deputy Mattie McGrath to keep his remarks relevant.  
Deputy Mattie McGrath: I am talking about a relevant issue. Donogh O’Malley brought in the free travel scheme. My colleagues to the right of me----- 

Deputy Fiona O’Loughlin: We are very proud of Donogh O’Malley’s legacy. 
Deputy Mattie McGrath: They are neither left nor right. I do not know if they are centre-right or centre-left. 

Deputy Fiona O’Loughlin: We know exactly where we stand.  
Deputy Mattie McGrath: They are a little lost at the moment. There is always hope for them to come back to where they came from. 
Deputy Fiona O’Loughlin: I am not sure the Deputy knows where he stands.  
Deputy Mattie McGrath: Can I continue without interruption, a Leas-Cheann Comhairle?  
An Leas-Cheann Comhairle: I think the Deputy is enjoying the interruptions.  
Deputy Mattie McGrath: I am not really enjoying them.  
Deputy Fiona O’Loughlin: The interruptions are prolonging the Deputy’s time and I think he is comfortable with that.  
Deputy Mattie McGrath: No, they are not.  
Deputy Fiona O’Loughlin: They are.  
Deputy Mattie McGrath: No, I am being honest. I praise the bridges. Donogh O’Malley was a reforming Minister.
An Leas-Cheann Comhairle: The Deputy has four minutes remaining.

Deputy Mattie McGrath: Is that all? The Leas-Cheann Comhairle might have had a soft landing when he came back from the European Parliament to Donegal, but four minutes is not much. It could be an anti-climax. I recognise what Donogh O’Malley did. I was lucky to get a school bus to secondary school because I did not have to buy as many pairs of shoes.

Deputy Fiona O’Loughlin: The Deputy will be praising the Minister of State, Deputy John Halligan, in ten years time.

Deputy Mattie McGrath: I will not be praising the Minister of State. He is in the air most of the time lately. The longer we keep him there, the better. I do not know about the people across in Buswell’s Hotel yesterday who were talking about looking after the environment, because the Minister of State has been flying from one continent to the next. As long as he stays in the air, he will not do any harm here.

Deputy Fiona O’Loughlin: Hear, hear.

An Leas-Cheann Comhairle: The Minister of State is not here to defend himself.

Deputy Mattie McGrath: No, he is not.

An Leas-Cheann Comhairle: He will be.

Deputy Mattie McGrath: I did not bring up his name. I never invoked his name. My right honourable colleague from County Kildare mentioned him. The Bill makes provision for single-sex schools and denominational schools to reflect certain things in their admission policies. Certainly, we must allow them to do so. I have sat on boards of management that have had to expel pupils. I am sure other Deputies in the Chamber have done likewise. It was not very nice or pleasant. We had gone through all the different processes, involving accommodation and calling in the parents, etc. It is a complex and difficult issue.

I have received a good few e-mails in recent days from people who think the baptism barrier is the only issue. I can say without fear or favour, or without trying to insult anyone, that they are sadly mistaken. Like the Minister, his officials and Deputy Fiona O’Loughlin and the other Deputies who are present, I am aware that the baptism barrier is one of the least of the many complex problems and issues in this area. We must support and salute the lay members of boards and parents’ councils and the lay fund-raisers who keep schools going. Donogh O’Malley brought in free education, but it is not free anymore. It is very difficult to run a school because of the costs and difficulties involved. I refer, for example, to the recent strike, the problems that can be caused by bad weather, climatic conditions and accidents and incidents in the school and the need to get small school grants to pay for repairs. I salute the community volunteers, múinteoirí and other people who work in our schools. The bad ones have been dealt with, in the main. Obviously, some more need to be reflected on and dealt with in a reasonable way. We cannot have poor teaching standards in schools, regardless of any baptism clause. There might be a clause of the United Nations in the school, but that will not remove bad teachers. We need to focus more on the delivery of a fair, free, all-embracing and engaging education for na daltaí go léir from the cradle to the grave. That is what I say. I will rest my case and not cause the Leas-Cheann Comhairle any more annoyance. We need to make haste slowly. The removal of certain clauses that people are hung up on will not get us anywhere.
Deputy Róisín Shortall: I would like to share time with Deputy Catherine Martin.

An Leas-Cheann Comhairle: Is that agreed? Agreed. I remind the Deputies that the debate will be adjourned at 10 p.m.

Deputy Róisín Shortall: I am glad to have an opportunity to speak to the Bill. I have to say that in general terms, it has to be welcomed in as far as it goes. Obviously, it is welcome that more specific provisions are being made regarding the admission of people with special needs to schools. I am also pleased that a greater level of transparency is being provided in relation to admissions policies. In the past, it was often a very secretive process. Parents had to be in the know in order to get their children into schools. It is better that everything will be dealt with in an upfront and open manner from now on. I refer to the requirement on schools to publish their admissions policies. It is deeply ironic and incredible that the Minister is not addressing the baptism barrier in this legislation because it is the greatest barrier to admission to school and it is the cause of the most concern with regard to school admissions. Given the stage we are at in terms of our Republic and our democracy, it is utterly unacceptable that parents feel they have no choice other than to baptise their children in order that they can get into the local State-funded school. By any yardstick, the Minister is presiding over deep discrimination on the part of State-funded schools towards children who do not share the majority faith of the majority of schools in the State. He cannot stand over the continuation of that situation.

The Minister suggested that the issue of the baptism barrier will be dealt with in the context of a Labour Party Bill that was considered in this House some time ago. That will not happen. It is not possible to deal with this issue in the context of the flawed legislation in question, which would embed a discriminatory regime if it were agreed in this House. I ask the Minister to stop putting this live real issue, which is affecting many families in this country, on the long finger and to stop making excuses to put it off. It is wrong and cannot be defended. How can four year olds be denied access to their local schools solely on the grounds of religion because they are not baptised? The Government should not allow this discriminatory situation to continue.

One of the excuses we have heard has involved questioning whether it is possible to amend the Equal Status Act 2000. I put it to the Minister that we should deal with this area of discrimination by abolishing section 7(3)(c) of that Act. As I argued in this House last year, I strongly believe it would be quite constitutional to take such action. The Constitution is balanced. We have to balance the public good against any particular protection there is for religions. I am not going to go into all the detail of the various sections of the Constitution. I did that when I spoke on this issue last year.

I would like to mention some of the various organisations working in this area. Equate Ireland has produced a compelling legal opinion from three senior counsel advising that it is possible to address this issue without amending the Constitution. Equally, the Education Equality group has come forward with suggested amendments that it believes to be entirely constitutional. While I do not intend to oppose this legislation on Second Stage, I appeal strongly to the Minister and Fianna Fáil to give a commitment to take a serious look at this issue when this legislation is considered on Committee Stage. The Social Democrats will be tabling amendments to the Bill. I am sure other parties will do likewise. In the interests of fairness and openness, and for the sake of respecting many families in this country who feel they are being seriously discriminated against in terms of the options that are open to them for their children’s schooling, I ask the Minister to rethink his position on this matter and to consider the arguments that will be made on Committee Stage. This argument is not just being made by Members of this House or by parents who are affected by this problem. I will return to this point when I
complete my contribution tomorrow.

Debate adjourned.

The Dáil adjourned at 10 p.m. until 12 noon on Thursday, 17 November 2016.