



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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# DÁIL ÉIREANN

*Dé Céadaoin, 15 Feabhra 2017*

*Wednesday, 15 February 2017*

Chuaigh an Ceann Comhairle i gceannas ar 9.30 a.m.

*Paidir.*  
*Prayer.*

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## **US Executive Order on Immigration: Statements**

**Acting Chairman (Deputy Eugene Murphy):** I call on the Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, to make a statement under Standing Order 45.

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I am pleased to have the opportunity to address the House on the matter of the executive order signed by US President Donald J. Trump on 27 January 2017. In particular, I wish to make clear the Government's position on the following three issues: the executive order, the operation of pre-clearance facilities at both Dublin and Shannon airports, and Ireland's relationship in broader terms with the United States of America.

The Government's position on this matter is clear and was set out in my press statement of 29 January 2017, immediately prior to my visit to Washington DC, from 31 January to 2 February. As I noted in that statement, while US immigration policy is a matter for the US authorities, it is clear that the executive order signed by President Trump on 27 January could have far-reaching implications, both on humanitarian grounds and for relations between the US and the global Muslim community. I further noted that the Government fully shares the concerns expressed by other EU partners regarding this development.

Alongside these concerns, a question arose about the possible effects on dual nationals. On 31 January 2017, the US authorities issued a clarification, which was also publicised by the US Embassy in Dublin. This noted that the executive order in question does not restrict the travel of dual nationals to the US so long as they hold the passport of an unrestricted country and possess a valid US visa, if required. This means that Irish citizens travelling to the US on Irish passports should encounter no difficulties in this regard as long as they have followed the relevant procedures governing the US visa waiver programme and, if necessary, have obtained a US visa prior to travel. I wish to underline that Irish citizens who are dual nationals of one of the seven states listed in the executive order of 27 January have the same rights to avail of the US visa waiver programme as all other Irish citizens. A total of 5,003 certificates of naturalisation were issued in the period 1 January 2010 to 31 December 2016 to citizens of the seven

states concerned. Around 8,000 current Irish passport holders were born in one of these seven countries.

As the House will be aware, I visited the US from 31 January to 2 February 2017 as part of a pre-planned visit to Washington DC. I had a number of meetings with several congressional leaders from both sides of the aisle - that is, both Republican and Democrat - including the Speaker of the House of Representatives, Mr. Paul Ryan; the House Majority Leader, Mr. Kevin McCarthy; and the House Minority Leader, Ms Nancy Pelosi.

I also travelled to the White House, where I met representatives of the US Administration, including the former US National Security Advisor, General Michael Flynn. During my meeting with General Flynn, I expressed the Government's deep concern regarding the nature and impact of the executive order of 27 January. In response, General Flynn outlined the rationale, in US immigration terms, for these temporary measures. I also pointed out to General Flynn the damaging consequences of these measures in humanitarian terms, as well as the impact on the international reputation of the USA. I reiterated these views and concerns at my various meetings on Capitol Hill.

As the House will no doubt be aware, in recent days the US courts have intervened and imposed a temporary suspension on the implementation of the executive order of 27 January. It would not be appropriate for me to comment further on this matter, which is still the subject of legal proceedings in the United States.

I will now turn my attention to pre-clearance facilities at Dublin and Shannon airports. In the context of discussions about the executive order in Ireland, the issue of pre-clearance facilities at both Dublin and Shannon airports arose. The matter was discussed at Cabinet and the Taoiseach requested that a review of pre-clearance be carried out. This review, which is being chaired by the Department of Transport, Tourism and Sport, involves officials from the Departments of the Taoiseach, Justice and Equality and Foreign Affairs and Trade. I understand that the review is very close to completion. However, I would like to clarify the facts regarding a number of questions that arose about pre-clearance facilities. The US-Ireland pre-clearance agreement was signed by the then Minister for Transport and the Secretary of the US Department of Homeland Security on 17 November 2008 and given effect in Irish law on 8 July 2009 by the Aviation (Preclearance) Act 2009 (No. 16 of 2009). The US, Ireland pre-clearance agreement states that nothing therein diminishes the rights enjoyed by individuals under the Constitution and laws of Ireland or, where applicable, the United States of America. It expressly states that the pre-clearance facility is within Irish jurisdiction and that the laws of Ireland apply at all times. US pre-clearance officers are not considered law enforcement officers. The only law enforcement officers at Irish airports are members of An Garda Síochána and customs officers. From an operational perspective, facilities are provided to US border and customs staff to operate the facility and normal Garda assistance is available to passengers and US staff in these areas.

Passengers who wish to avail of pre-clearance do so on condition that they recognise and consent to the right of the US to grant or refuse pre-clearance in accordance with its laws. Passengers present voluntarily for pre-clearance and avail of the facility on a consensual basis. Until their flights depart, passengers remain in Irish legal jurisdiction and have the right to withdraw from the pre-clearance process at any time. If an individual is refused leave to board, he or she reverts to the Garda immigration officer and is considered in the same manner as if he or she had presented at the frontier of the State seeking permission to enter. Each case is exam-

ined on its own individual merits, in accordance with Irish law. The existence of pre-clearance facilities, therefore, has no effect on the capacity of persons to claim asylum in Ireland or on the way such individuals are treated. I would like to remind the House that pre-clearance of flights from Dublin or Shannon bound for destinations in the United States is not a compulsory regime. Air carriers choose to apply to have their services pre-cleared in either Dublin or Shannon.

It is important to have clear factual information about pre-clearance in the public domain given its considerable benefits for Ireland. Shannon Airport was the first airport in the world outside the Americas to offer a US pre-clearance facility. Over 204,000 passengers used the pre-clearance facility at Shannon in 2016. Pre-clearance is a major selling point for the airport's business and tourism customers, supporting transatlantic connectivity for its catchment area along the entire western seaboard from Donegal to Kerry and also serving the midland counties. During 2016, almost 1.2 million passengers used the pre-clearance facility at Dublin Airport. Dublin Airport has seen continuous growth in transatlantic flights since the commencement of pre-clearance in 2011. Pre-clearance has been a key driver of transfer growth at Dublin Airport. Dublin Airport is the fifth busiest airport for connectivity to North America in Europe, behind Heathrow, Charles de Gaulle, Frankfurt and Schiphol. The availability of pre-clearance facilities at both Dublin and Shannon airports is a key component of Ireland's continued competitiveness in attracting US foreign direct investment and Ireland's position as a gateway to the wider EU Single Market. It is worth noting in this context that the US is currently expanding the pre-clearance programme, with ten airports short-listed as potential sites.

I will now deal briefly with the broader issue of relations between Ireland and the United States. The Government's priority is to ensure that the long-standing and warm relationship between Ireland and the US is protected in the interests of Irish citizens on both sides of the Atlantic. Our relationship is complex and multi-layered and is based on shared values, as well as our deep political, historical and economic ties. In economic terms alone over 150,000 people are directly employed in over 700 US firms in Ireland and these account for over 74 % of all IDA Ireland-supported employment. In addition, Irish companies directly employ over 120,000 people in 227 companies at over 2,600 locations in all 50 states across the USA. US firms in Ireland form a critical part of Ireland's cutting edge, internationally traded goods and services economy in industries such as information and communications technology, biotechnology, pharmaceuticals, medical technologies and financial services.

As a Government, we have a responsibility to protect and advance the interests of our country and our people. As the House will be aware, the Taoiseach was the first EU Head of State or Government to speak to then President-elect Trump immediately following his election on 8 November last. The Taoiseach also spoke to then Vice President-elect Pence, who has strong links with Ireland. Separately, I spoke to Mr. Paul Ryan following his re-confirmation as Speaker of the House of Representatives in November. Following the US presidential elections, there was some public debate about St. Patrick's Day events, specifically those in Washington DC. Collectively, the St. Patrick's Day events in Washington provide invaluable opportunities for the Government to discuss, at the very highest levels with the US Administration, its concerns, priorities and interests. It is also an opportunity to inform the new administration and the US Congress of issues of Irish interest, including immigration reform and the peace process and to reaffirm our long-standing relationship which is based on shared values of democracy and the rule of law, as well as our long-standing historical and economic ties. St Patrick's Day offers the Government the opportunity, in a spirit of honest friendship, to raise its concerns with the US Administration as well as to honour the long-standing relationship between our two

countries and peoples. The tradition dates back several decades and has facilitated contact with both Republican and Democrat administrations. It is a key date each year in our multifaceted bilateral relations. Indeed, President Trump, Vice President Pence and Speaker Paul Ryan have all indicated that they wish to continue with the tradition of marking St. Patrick's Day in Washington DC.

As I have already noted, I visited Washington from 31 January to 2 February last and met Speaker Paul Ryan, house majority leader Kevin McCarthy and house minority leader Nancy Pelosi, as well as a large number of members of Congress and representatives of the administration. Our ongoing engagement with US political leaders from both sides of the aisle is essential in advocating on issues of interest or concern to the Irish people and I would like to publicly thank the Congressional Friends of Ireland for its ongoing commitment to our country.

As Minister for Foreign Affairs and Trade, I am acutely conscious of the challenges facing the undocumented Irish in the United States. Achieving relief for undocumented Irish migrants in the US and reaching agreement on a facility for future migration between Ireland and the US are long-standing Government objectives. The undocumented Irish in the United States are believed to number around 50,000 individuals, spread across the US, in each state. My Department has and will continue to seek practical, beneficial solutions to the plight of the undocumented Irish. The Government will also continue to support organisations that deliver front-line advisory services and community care to Irish emigrants through the emigrant support programme. In this regard, I wish to acknowledge the leadership and ongoing commitment of my colleague, the Minister of State, Deputy McHugh, who has specific responsibility for the diaspora. Many emigrants to the United States achieve great success but many others can find themselves in vulnerable circumstances. More than 70% of the funds allocated through this programme are directed towards welfare services, including in support of the undocumented Irish in the US. In the last funding round for the emigrant support programme, my Department was able to allocate more than €2.3 million to organisations in the United States. I have visited immigration centres and know that this funding makes a valuable contribution to vulnerable Irish citizens far from home and their family networks. I commend the ongoing work of the Minister of State in that regard.

During my recent visit to Washington, I had an opportunity to be fully briefed by our ambassador to the United States, H.E. Anne Anderson, and her colleagues at our embassy on a range of issues of importance in our bilateral relations with the United States, including immigration reform. Indeed, my officials regularly update me on this priority issue for the Irish Government, which the Minister of State, Deputy McHugh, and I, along with all of our Government colleagues, are dedicated to progressing with a view to reaching a satisfactory conclusion. Our embassy in Washington and consulates across the United States remain in active and ongoing contact with Irish immigration centres throughout the US. The Irish ambassador to the US, Anne Anderson, hosted a meeting of stakeholders in the area of immigration at the Irish Embassy on 12 January 2017 for an exchange of views on how progress might best be made in the context of the new political administration, and to underline the Government's continuing commitment to those working with Irish immigrants in the United States.

For me and the Government, the bottom line is that it is only by continuing to engage with policy-makers in the US - in the Administration and in Congress, as well as at State and local level - that we can articulate our concerns and seek to advance the interests of Irish citizens, whether it be with regard to the recent executive order or concerning the need for immigration reform. As a Government we are determined to use every opportunity to set out our priorities

on a broad range of issues, in the interests of our people, and on the values which both Ireland and the US share across a number of pursuits.

**Acting Chairman (Deputy Eugene Murphy):** I thank the Minister. He has impeccable timekeeping.

**Deputy Darragh O'Brien:** I thank the Minister for outlining the Government position. It is useful to have these statements here today. I will move on to the content of the Minister's contribution shortly, but I first want to point out that it is unfortunate we are not actually debating a motion today. Sinn Féin and Fianna Fáil had submitted a motion that was agreed. I know the Government and most of the other parties in the Dáil - the Green Party, the Labour Party and Fine Gael - had attempted to do that in order for the Dáil to speak as one voice. I wish to put on the record that misinformation was given in the Dáil last week by Deputy Ruth Coppinger of the AAA-PBP, that it was all of us who had in some way stopped this motion being put forward. In truth it was the six AAA-PBP Members who would not agree to a cross-party motion because they felt they would reserve the right to amend the motion at any stage. That is the reality and that is why this morning we are making statements as opposed to actually dealing with a motion where the House could have spoken with one voice.

I thank the Minister for his contribution this morning and the detail therein, very little of which I would disagree with. The Government's approach to the controversy around the executive order has been very well handled and well considered. Fianna Fáil is completely opposed to the executive order that was issued by President Donald Trump, which includes the 90-day travel ban by people from seven Muslim majority countries, the 120-day freeze on admission of any refugees into the United States and an indefinite halt to admitting any refugees from Syria. As I have said, Fianna Fáil and our colleagues in Sinn Féin have put forward a detailed motion condemning the executive order and asking the Government to convey these concerns and to write formally to the US President seeking its repeal. We feel the ban is morally wrong, discriminatory and prejudiced.

While we are opposed to the executive order, we are fully committed to maintaining our pre-clearance capabilities and our diplomatic relations between Ireland and the US, and to continue in improving them. Pre-clearance, as we know, is carried out by US authorities in Dublin and Shannon airports. I am very familiar with the Dublin Airport pre-clearance facility in my constituency and the importance of it since 2009. It is of great benefit to Ireland in improving investment and travel between both countries. Nothing should be done by this House, this Government or any Member to put that facility at risk. The pre-clearance facilities, I have no doubt, underpin many hundreds, or thousands of jobs in this State and in America. Rejecting this facility, as some in this House have called for, would only serve to make travel between Ireland and the US more difficult and would be a premature reaction; it is simply a reaction from some.

Our job is to try to convince the United States and the new US Administration that we have a long-standing, friendly relationship with the US and to try to convince it, in diplomatic terms, of the error of its ways with this executive order. It is only right and proper that the Minister raised the issue at his numerous meetings. With General Michael Flynn departing the stage the Minister will have a new US Secretary of State to deal with shortly but it is important that we do speak loudly, in a respectful way, as friends to the United States. When we do not agree with something we should say it. I am glad the Minister has done so in Washington DC at various high level meetings. I ask the Taoiseach - directly through the Minister - that in his discussions with President Trump on St. Patrick's Day the matter is raised directly with him and not

just with his officials. It is important. Our deep relationship with America is long-standing and unique. Many people claim unique relations with countries and I believe that the Ireland-America relationship is unique and America will know that Ireland's views, and any criticisms that we have, are meant in the best possible way.

While the travel ban has been suspended and overturned in courts in the United States, we should also mention to the US Administration that as it is party to the Geneva Convention we believe that the ban, refusing entry and sending people back, contravenes Article 33 of the Geneva Convention that states: "No Contracting State shall expel or return ... a refugee in any manner whatsoever to the frontiers of territories where his or her life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." That is very clear and it is why I do not believe that the executive order stacks up in US law or international law.

There was much debate, as the Minister has alluded to, as to whether the Taoiseach should still travel to the White House on St. Patrick's Day and I want it on the record of the House that Fianna Fáil firmly believes the Taoiseach should travel to the White House on St. Patrick's Day. This visit is more than a photo opportunity, as some people feel. It is an opportunity to meet and engage with the new US President and his Administration and it is of major strategic importance to Ireland. Maintaining professional relationships with the governments of other countries is central to Ireland's industrial, cultural, economic and diplomatic policies. The upcoming visit to Washington DC should be used as an opportunity to press President Trump on the plight of the undocumented Irish people in the US. The visit can be used to explain in clear terms the mutual advantage to both our countries of the presence of US companies operating in Ireland, employing thousands of people here and - as the Minister has outlined - of Irish companies operating in the United States that employ thousands of US citizens in America.

This is the type of partnership relationship that I would like to see us evolve further. It is not us, as a junior partner in a relationship, asking the United States. I believe that Ireland, with Irish companies in the US, is the 11th biggest investor in the United States and we are also a significant market for the US. Ireland is a significant springboard for the US into the European Union. That partnership approach into the future is the way we should be dealing with and working with the new US Administration. When people are partners and adult it means that we can criticise each other and say when it is that we are not happy or when we believe an administration is going down the wrong road, as it is now with this executive order. Can one imagine the reaction in America, and what an insult it would be, if this Government and the Taoiseach actually followed the line that some Members of this House wanted, by refusing the invitation and by not travelling to Washington on St. Patrick's Day? Maybe people want it to be an insult to President Trump, and I personally would not agree with many of his policies-----

**Deputy Eamon Ryan:** Which policies would the Deputy support?

**Deputy Darragh O'Brien:** I would say to Deputy Ryan that it would be very easy, and childish, if Ireland were to say that its Head of State is not going to visit Washington on St. Patrick's Day-----

**Deputy Brendan Howlin:** He is Head of Government, not Head of State.

**Deputy Darragh O'Brien:** This arrangement has been in place for decades and I ask Deputy Ryan what message it would send to the American people-----

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**Deputy Eamon Ryan:** That we stand up for certain principles.

**Deputy Darragh O'Brien:** What message would it send to the American people?

**Deputy Eamon Ryan:** That Ireland is a decent country.

**Deputy Darragh O'Brien:** It is all very well to say that we would send a clear message to President Trump, but what message would it actually send to the American people, to the near 40 million people in America who claim Irish descent and Irish heritage?

**Deputy Eamon Ryan:** They would be proud.

*10 o'clock*

**Deputy Darragh O'Brien:** What message would it send and what effect would it have on the 50,000 undocumented Irish in America and their plight if this Government and future governments took that position?

**Deputy Brendan Howlin:** They are hostages.

**Deputy Darragh O'Brien:** Deputy Howlin knows this from his time in Cabinet. There is no way on earth he would have suggested to the Taoiseach 12 months ago that the Taoiseach should not to travel to Washington DC on St. Patrick's Day. To say anything otherwise is ridiculous and is pushing the bounds of reality. Deputy Howlin would not have done it and neither would Deputy Eamon Ryan had he been sitting at the Cabinet table.

There is a reality that we have to deal with. This has a long-standing effect. I do not like the executive order. I condemn the executive order and I have outlined why my party has condemned it. However, we have to live in the real world as well. There are ways of putting across our disgust and displeasure with that order. Such an approach amounts to engaging rather than stepping back and saying we are not going to visit the White House or interact with the new US Administration.

How easy would Deputies feel? My question is for those Members who advocate that our Government should not be represented. The Taoiseach represents the people. It is not only a question for the Taoiseach, because he represents the Dáil and the people. Let us suppose the Taoiseach refused that invitation. How easy would it be for us to get other meetings? How easy would it be for the Minister for Foreign Affairs and Trade to be able to go there and advocate for the undocumented Irish? How easy would it be for any of us to pay a visit to the US Congress, the House or Senate, to explain why our country would go down that route and effectively insult another nation by refusing an invitation on St. Patrick's Day, our national day? It would affect not only that particular event but all the other events that occur around it. Deputies know that is the case. It was an easy soundbite on the day when many people, including me, were singularly angry about the executive order. Many people in America are angry too and this will be dealt with in America. It was an easy soundbite for parties to say the Taoiseach should not travel or that he should not go to the United States. It was not based on any fact or in any reality. That ship has sailed. The Dáil must move on.

It is important we speak in one voice on the fundamental part of this issue, that is to say, as democratically elected Members of Dáil Éireann we condemn the executive order on the basis that I have outlined. It is discriminatory and racist and contravenes the Geneva Convention as well. I hope this ban is overturned. I hope the US Administration has a serious rethink about

the road it is going down and the new policies it is undertaking.

I wish to turn briefly to the issue of the undocumented Irish. Like many here, perhaps including Deputies Howlin, Eamon Ryan and Crowe, I have had occasion to raise the issue of the undocumented Irish when in America. It seems we are continually raising it and we are not getting any further down the road. Rather than dealing with immigration reform, groups have come in and are lobbying for overall immigration reform in the United States. It seems further away than ever. How far down the road are we in respect of discussing a bilateral arrangement? It has been discussed at a high level over several years. I am in favour of a deal along the lines of the deal between the Australian and US Administrations. Reciprocal visas are issued to people from both countries with up to 10,000 on each side. Irish undocumented could apply for these. We are going to have to be inventive and think in a new way.

It is pretty clear that under this US Administration there will be no major immigration reform. The plight of our undocumented is even more precarious. Indeed, we have seen the actions of the US Immigration and Customs Enforcement and other agencies in America already. They have clamped down already on those they believe to be illegal immigrants. We really need to redouble our efforts. I am unsure whether the Minister will have an opportunity to respond later. If not, perhaps the Minister of State at the Department of Foreign Affairs and Trade, Deputy McHugh, can. I call on the Minister to bring the House up to date. This has to be a priority for us.

A fair point was raised with me when I was in America. We are dealing with 50,000 plus Irish in America who are undocumented. However, we have undocumented people in Ireland as well. We have to remember that. All parties and the Government should look at dealing with that matter and regularising the undocumented people who have been here for eight, nine or ten years. Their children have been born in Ireland but they still have no status. I believe that would strengthen our case when we are advocating for Irish citizens abroad. We could demonstrate that the Irish State has taken a positive step in respect of regularising undocumented people who live here and who deserve to stay. We should consider these elements.

It is clear that the executive order is most unhelpful. My party condemns it completely. I call on the Taoiseach to raise the views of the elected Members directly with President Trump and his Administration on 17 March and at every opportunity thereafter. It is unfortunate, as I said, that we do not have a motion that can be passed from the House. That is not the fault of anyone sitting here. It is telling that no one from AAA-PBP is here to contribute to the debate. They shouted loudest in the days after the executive order. They were beating their chests and pulling their hair out and berating everyone else. Deputy Coppinger was at it that day. Despite this, they are not even here to contribute. That is rather telling about their policies and political approach to the issue. I thank the Minister for outlining the Government position. I hope he takes the points of the Fianna Fáil Party on board.

**Deputy Seán Crowe:** It may be obvious but the selection and subsequent election of Donald Trump has created much concern within the USA and throughout the world. The presidential election saw him come out with some extraordinary copy that was in many cases racist, sexist and sectarian. These nasty and mean comments concerned and outraged many decent and fair-minded individuals throughout the world.

Most people in Ireland did not know of Donald Trump. Some may have seen him on “The Apprentice” or “Dragons’ Den” or whatever it is called. Some may have stayed in Trump ho-

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tels. Many of us heard about him buying up a NAMA hotel and his subsequent difficulties in trying to get planning permission to build a wall.

**Deputy Brendan Howlin:** That was his early wall-building.

**Deputy Seán Crowe:** It is correct to call it his early wall-building. For many watching the earlier events and the election it was a case of bluster and bad hair. Some passed him off as a harmless charlatan. As the election campaign developed and people saw what was behind the individual and what he was saying, many became frightened. Like many other groups, Sinn Féin is completely opposed to these comments and the racist, sexist and sectarian policies that he articulated at various times during campaign. Collectively, we need to oppose them in Ireland, the USA and anywhere else where they feature throughout the world.

The uncomfortable reality for many of us is that Donald Trump won a democratic election and he is now the US President. While we respect this democratic victory, collectively, we must all oppose his extreme, unacceptable and dangerous policies. We know that there have been widespread protests in the USA against the policies of the Trump Administration. These popular protests were some of the largest seen in the history of the USA. The international outcry at the actions of the Trump Administration was palpable as well.

Donald Trump's executive order brings an uncomfortable shiver and it has halted the US refugee programme. It also introduced a collective travel ban for citizens from seven Muslim countries. It was plainly wrong on every level. It involved a blanket 90-day travel ban for nationals coming from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen. It labelled millions of innocent people as somehow suspect, not right, criminal or potentially a terror suspect. It was to be discriminatory and selective on a truly vast and unimaginable scale.

I welcome that the ban has been suspended by the courts but, as we know, that ruling continues to be challenged. Even people with the magic green card were to be refused entry at America's airports, something that was previously unimaginable. Anti-immigrant and anti-immigration policies that were perverse, fear driven and not based on reality or any known facts were somehow to be the order of the day under the new US Administration. We know that generations of Irish people who fled starvation, poverty, oppression and conflict to make a new life contributed in every way to building the country that calls itself the United States of America where millions of them and their descendants still live. It is their descendants, proud Irish-Americans, as well as many other immigrant groups, who are among the most outraged at President Donald Trump's so-called executive orders which are, in fact, exclusion laws.

A major concern for many Irish people is not only these anti-immigrant, racist and sectarian policies but also that they might somehow be implemented or enforced in Ireland through the pre-clearance system operating in Dublin and Shannon Airports. My party shared these legitimate apprehensions and we stated our belief the Irish Government needed to make it explicitly clear that it would not in any way legitimise or implement the executive order at pre-clearance centres at Dublin and Shannon Airports. I was particularly concerned that Ireland's obligations under the European Convention on Human Rights and other international agreements could be, by default, undermined and that the order would violate people's rights. I am led to believe a meeting between US and Irish officials on pre-clearance facilities at Dublin and Shannon Airports has been brought forward from 1 March to 23 February at the insistence of the Minister for Transport, Tourism and Sport. I also understand the Minister has ordered his Department to review the pre-clearance set-up. While I welcome this initiative, I am looking forward to

scrutinising the findings of that important review when it is completed.

What has also heightened our concerns is that Irish visitors to the United States will now need to declare whether they have travelled to the named seven, predominantly Muslim, countries in the previous six years when applying on the electronic system for travel authorisation, ESTA. Again, this is wrong. It is welcome that the US courts have stopped this ban in its tracks. Just last week a federal appeals court, under extreme pressure from its advocates, unanimously upheld the temporary suspension of the order. It seems likely, however, that the Trump Administration will appeal the ruling to the US Supreme Court or try to rewrite or modify its flawed executive order. Many of us would prefer, if anyone listened to us in the Trump Administration, if it conceded defeat and recognised that its discriminatory policies were not legal or supported by the majority of the American people.

Again, there is growing concern that the Trump Administration is trying to somehow sidestep the democratic legal checks and balances in place primarily to keep a check on the power of the President's office. Cracks are already being exposed, with key spokespeople in his Administration receiving warnings about promoting the commercial products of the Trumps. Additionally, the US President's new national security adviser, Michael Flynn, has had to resign after it was revealed he had misled the US Vice President, Mike Pence, and other top White House officials on his conversations with the Russian ambassador to the United States. The huge protests we have seen on the streets of the United States and in its airports suggest the cracks are widening and that this will be no easy task for the Trump Administration. The message is that American citizens will not lie down. I express my solidarity with all those protesting against anti-immigrant, racist or sexist policies.

Last week President Trump also began to enact another pillar of his platform, namely, the deportation of undocumented or illegal immigrants. Across seven states immigration officials launched a series of daytime raids, seizing people in their workplaces, in shopping centre car parks and from their homes. The agents insisted that it was routine and that most of those arrested had criminal records. However, migrant support organisations spoke about widespread and terrified communities that were convinced that their loved ones would be taken away. There are also widespread media reports of US Immigration and Customs Enforcement agents going door to door in neighbourhoods with supposedly large amounts of immigrants, asking people to present their papers. People are panicking and really scared. Poor people from Latin America, particularly Mexico, are said to be the most worried. It is the poor who are the target.

The Irish Central news organisation has also reported that in Irish immigration centres in New York there has been a marked rise in the numbers seeking advice and to adjust their status or apply for citizenship since President Trump's inauguration. There is currently over a month-long wait to see an immigration counsellor in the Queens immigration office.

The Taoiseach has made clear that he will travel to the White House for the annual St. Patrick's Day event. Surely in his visit he cannot ignore these developments and it cannot be business as usual. The primary focus of his trip has to be on engaging with the Irish diaspora, standing with the undocumented Irish and maintaining our strong ties with Irish America, particularly as regards the ongoing challenges and the process of peaceful change on this island. He needs to assert in the strongest possible terms the collective position of the people of total opposition to any racist, anti-women or anti-immigration policies of the Trump Administration.

Sinn Féin's main engagement in the USA is with Irish America, the bridge between this

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island and people in the USA. Many Irish-Americans are as appalled as anyone else by the policies articulated by President Trump. We will engage with them and listen to their mounting concerns. However, it is important that, as part of this debate, we do not focus only on the United States. We also need to take an in-depth look at immigration policies in Ireland. In September 2015 the Government agreed to resettle and relocate 4,000 refugees in Ireland in two years. While we welcomed this commitment, we argued that it could have been more generous. From all accounts, we will fail to reach this target by September 2017, despite the Government's claims. The world's worst refugee crisis is evolving and our response is one of denial and prevarication.

Like many others, I have been contacted by people who are desperate to get their family members to Ireland. Some have experienced the absolute brutality of Daesh. Despite being law-abiding Irish citizens, they are refused permission to bring their desperate and vulnerable family members here to safety. There is, rightly, much talk about the undocumented Irish in the USA. What about the undocumented in Ireland? Migrant Rights Centre Ireland, MRCI, estimates that there are between 20,000 and 26,000 undocumented migrants, including children and families, living and working in Ireland. What are we doing to assist them? Research carried out by MRCI revealed that one in five undocumented migrants had lived in Ireland for more than ten years, that 89% were employed and that one in three had been in the same job for more than five years. I am, equally, appalled by how they are treated and their insecurity. We ask US politicians to create a pathway for the undocumented Irish but nothing for those living in the shadows in Ireland. Is that right? Is it fair? We should urgently implement a straightforward transparent scheme to give people the opportunity to come forward and apply to regularise their immigration status in Ireland. We need to do this to be consistent. We could then request, with some moral authority, that the same be done for the undocumented Irish in the United States.

I also use the opportunity to refer to the Dakota Access pipeline project, against which the Standing Rock Sioux tribe have led large, vibrant colourful protests. The proposed 1,200-mile pipeline will link North Dakota with Illinois across their sacred lands and it is a proposal that will threaten their water supply and cultural heritage. They have legitimate concerns about the real environmental risks the pipeline will create. It will disturb their sacred areas and ancient burial sites. There is a high risk that it will lead to the pollution of their drinking water source. The project was approved without even the most basic of consultation with the tribe which have been bravely demonstrating against the building of the pipeline, joined by other Native Americans from across North America. Anyone who has seen the videos of peaceful protesters being attacked by private security companies with dogs and pepper spray would have to be made of stone not to be moved. That is the atmosphere in which the immigration policies are being implemented.

The Obama Administration had halted some work on the pipeline but representatives of the Standing Rock Sioux tribe knew that the battle was far from won. President Trump has now overturned that decision to halt the construction. He has signed an executive order to advance the construction of the pipeline under terms and conditions to be negotiated. The order expedites the environmental review that President Trump described as "incredibly cumbersome, long, horribly permitting process". I have sent my solidarity to those protesting about this pipeline project and legally challenging its construction.

I said at the outset that people in Ireland did not know of Donald Trump. The "trump" people of my generation grew up knowing was the use of that word in the song, "Nellie the Elephant". Apparently, as the song goes:

Nellie the Elephant packed her trunk,  
And said goodbye to the circus,  
Off she went with a trumpety-trump,  
Trump, trump, trump.

Nellie the Elephant packed her trunk,  
And trundled back to the jungle,  
Off she went with a trumpety-trump,  
Trump, trump, trump.

Donald Trump might go back to the Wall Street jungle and go trump, trump, trump.

**Acting Chairman (Deputy Eugene Murphy):** The Deputy has a hidden talent as a storyteller as well.

**Deputy Brendan Howlin:** I will not try to engage in poetry in my contribution. I want to begin by saying there was a deep sense of shock across the House when the executive orders were signed by President Trump. It would have been better had there been a common voice rather than individual statements on that. Obviously, we do not have a consensus view on every issue but on the issue of this executive order and its impact on a group of seven countries and their citizens, we have a common voice. It would have been preferable had it been possible to craft a motion that we could all formally adopt and submit to the US authorities but we have statements and we will have to deal with it on that basis.

The election of Donald Trump caused dismay - that is not too strong a word - or certainly deep concern among many people in Europe and certainly for anybody involved in public affairs in Europe. Some welcomed it but from listening to the Irish people the vast majority of them shared those real concerns. Having watched since his inauguration, with growing and deepening concern, his hateful rhetoric being transposed into executive action, all of us have to reflect on all these matters in a new way. It is not business as usual. Most of us got involved in politics because, on a basic level, we wanted to do our bit to make our own communities and country a better place. We come at it from different perspectives. We all came into public life to improve the lives of our people. In doing so, we try to set high standards for ourselves and to hold ourselves to them, to imagine a better society and to persuade people that those imaginings can take concrete form. There is not a politician who has not failed in that endeavour in some way. We are human, we make mistakes, we err, but time and again we try to do better and sometimes we succeed, and that renews people's faith in democracy. What is unique and different in my view about President Donald Trump is that he never once sought to be the best possible version of himself. During the course of the year and a half that he was campaigning he sought at every opportunity to stoke up fear and insecurity in the American people and to ruthlessly target the most vulnerable, and this from the United States that gave the world the idea of a Bill of Rights and proudly presents itself as "the land of the free and the home of the brave".

As a democrat, I must and do accept the democratic decision of the American people. They voted for a man whom they believe will change things and they voted in a way that says they are unhappy with the *status quo* in America. Across the western world, all of us involved in politics

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have to reflect on that message. As we learn more and more of the contacts between Donald Trump and President Putin of Russia, who was one of the first to congratulate President-elect Trump and made no secret of the fact that he wished President Trump to succeed in the election, and as we see people like Nigel Farage and Marine Le Pen queuing up for photo opportunities with the new President, I believe we have real cause for concern. We commemorated a century of our proud history last year but today we have to wonder how much of our history we in the western world have managed to forget. Far right forces, building on support from disaffected and vulnerable working class communities, are once more growing and targeting bile at vulnerable minorities. How quickly we forget. Those of us who reject such an approach to politics must turn to the task of restoring faith in the democratic process among people who feel they have been alienated and forgotten.

I have spoken previously about the traditional St. Patrick's Day visit of the Taoiseach to Washington. Ireland has long-held deep relations with the United States of America, some of which the Minister, Deputy Flanagan, referenced in his contribution. As Deputy Darragh O'Brien said, we have very deep business interests, with Irish companies employing Americans in almost as great a number as American companies employing Irish people here. We depend on each other for investment. We have deep tourist links. Across most of the island of Ireland American tourists are an important part of our economic well-being. We have deep cultural links with not only a common language but the same taste in music, history and so on, and up to now we shared values. This is the nub of it. I believe that the values we share are shared with the American people but they are not Donald Trump's values. For decades we have been able to enjoy significant access to senior US politicians in or around St. Patrick's Day. This has allowed us to raise issues that matter to this country on all the topics I mentioned, issues that matter to the Irish people. That access, as Deputies Flanagan and Darragh O'Brien have said, is extremely valuable. I know from talking to others that other countries are very jealous of it, but it is not the only thing of value.

Ireland is an open and tolerant nation. We believe that those who are experiencing violence and oppression in their home nations should be welcomed to nations that can provide them with safety, security and a future. President Trump does not share those values. Indeed, he is openly hostile to them. He and his team have made clear that they are unwilling to hear any discordant voices. In fact, they are unwilling to even listen. I believe and I have said it publicly, and I did not say it to have a soundbite and I resent it being characterised in that way because this is a major issue, that it is not business as usual. Our Taoiseach should not present himself in the Oval Office or in the West Wing of the White House to be humiliated, and that is what it would be in the same way as, I believe, Theresa May was, with President Trump holding her hand as a formal endorsement of his policies. I strongly support the visit in recent weeks of the Minister for Foreign Affairs and Trade, Deputy Flanagan, to the United States. I said this publicly. The Minister engaged with senior Administration officials and senior elected politicians while doing Ireland's business. That engagement, arguing for what is important to us, is really important and significant but it is different from the shamrockery and glad-handing that surround St. Patrick's Day. I was privileged to spend ten years as a member of Cabinet, during which time I travelled on St. Patrick's Day missions all over the world. It is true that I did not always travel to the most savoury of places but the United States is quite different. We can give a different message to the United States.

It was suggested this morning in this Chamber by Deputy Darragh O'Brien that I would take a different view in government. Those who suggest the Labour Party would take a different

stand seem to have forgotten that when it was in government, the then Minister, Deputy Joan Burton, refused to attend the St. Patrick's Day parade in New York while LGBT organisations were banned from it. Former Tánaiste, Eamon Gilmore, refused to attend the St. Patrick's Day dinner in Savannah, Georgia, because women were banned from that event. Those events obviously do not have the same standing as the formal shamrock event in the White House but the values that informed the decisions on those events have informed our analysis of this matter also. Deputy Darragh O'Brien should note that Fianna Fáil was very critical of both Deputy Joan Burton and Mr. Eamon Gilmore for those decisions.

Sometimes the right choice is to travel to a country and openly criticise the actions taken by a government that fly in the face of our values. That is a legitimate presentation that was made this morning. It was done when Deputy Jan O'Sullivan travelled to Malawi for St. Patrick's Day, for example. She used that opportunity to be outspoken in her criticism of the homophobic policies that were being pursued in the country at that time. That had an impact because some change followed in 2012.

I have sympathy for and an understanding of the Taoiseach's difficulty in grappling with this question. These are tough calls. Ultimately, however, the decision must be based on which action best represents the values of the Irish people, whom the Taoiseach is supposed to represent on these trips. It is not simply a political trip but a representative trip on behalf of the Irish people. Therefore, I have an understanding of and sympathy for the Taoiseach in making the choice but I do not believe he is making the right choice.

As I stated, I do not think anybody believes that when the Taoiseach travels to the White House and openly makes comments that clearly set out Ireland's position on the policies being implemented by Mr. Donald Trump, anybody will listen. Why does anybody in this House imagine that the Taoiseach will fare better than the Australian Prime Minister a short few weeks ago, on whom the telephone was simply hung up, or the Mexican President?

The recent US executive order is dangerous, wrong and racist. It will increase radicalism and not diminish it in anyway. We must reject those policies and the values that underpin them. I believe that is what Irish people want. It has been said that the issue of the undocumented Irish is so important because they might be affected by any refusal to go through with the normal St. Patrick's Day event. One can celebrate St. Patrick's Day in the United States without doing that formal work. It is an extraordinary presentation of the facts, however, if one regards the undocumented Irish as some sorts of hostages whose plight requires us to kowtow to an Administration for fear their circumstances would somehow be worsened if we did not pay proper obeisance to President Trump. That is a poor analysis of the circumstances and one that does not do justice to the very strongly held views of the Irish people.

These are very difficult times. The Trump Administration is new and unprecedented. Every day when we get up, today no less than any other, a new part of our reality is to check the latest announcement, pronouncement or executive action of the Trump Administration. These are days, issues and phenomena that require us to break the notion of business as normal, or the view that because we have always done something, we must always do it. I believe strongly that the values that are important to us and under assault not only in the United States but also elsewhere, including across Europe, deserve to be defended by us.

**Deputy Richard Boyd Barrett:** On Saturday, 11 March, United Against Racism, along with a host of other organisations, including trade unions, Palestinian solidarity groups, an-

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ti-war groups, women's rights groups, abortion rights groups, LGBT groups, environmental groups and pretty much anybody who has a progressive bone in their body, will be marching here in Dublin appealing to the Taoiseach not to go to Washington. This is not some sort of protest for its own sake. In fact, the scale of mobilisation in the United States and worldwide in response to Mr. Trump's agenda, policies and the threat people rightly perceive he represents to vulnerable minorities and all categories of people, including Muslims, Mexicans, LGBT people, women-----

**Deputy Brendan Howlin:** The disabled.

**Deputy Richard Boyd Barrett:** -----and the disabled. One can go through the list. President Trump has put whole nations in his firing line. People understand the mortal threat he represents and they are mobilising across the world on an unprecedented scale. The protests we are seeing in the United States are of a scale that has not been seen since the late 1960s. People understand that this guy represents an absolutely mortal threat, namely, the threat of pulling the entire political spectrum in the direction of the fascist and Nazi politics of the 1930s. I do not say that lightly. Let us be clear: I do not believe Mr. Trump is a Nazi but he is dangerously echoing the politics of the Nazis, and he has people who are openly sympathetic to fascist politics in his Cabinet. He has given a fillip of support to actual Nazis and fascists across the world, who were jumping with joy when he was elected because his policies have legitimised theirs. They are all cock-a-hoop over what he is doing, what he represents and the boost he has given to them, breathing life back into the politics that led to the Holocaust. We should not underestimate the threat this man represents. This is not just another nasty president or just another particularly right-wing and obnoxious leader; he is an existential threat to the whole world and has to be recognised as such. That is why it is imperative that we mobilise against him.

He has pulled off an extraordinary trick by harnessing the legitimate anger of many working, poor, disillusioned and disaffected people in the US at the betrayals and failures of the Obama Administration and the Democrats and pretending to be an anti-establishment figure as if he is going to give the establishment a kicking in a way that will serve the interests of the American working people, when he is actually manipulating that and turning it in the most dangerous right-wing direction. It is important for us to say this because those of us who are opposed to Trump should in no way use our opposition to whitewash Obama's crimes and betrayals of promises such as, for example, keeping Guantanamo Bay going, 260,000 bombing raids in Syria, Yemen and elsewhere in the world and millions of refugees turned away from the US borders. If we do not recognise the hypocrisy, failures and betrayals of Obama, we will not be able to engage with the angry people in the US who look to Trump as an alternative.

Trump is not an alternative. He is the extreme right-wing face of the establishment. I say this to anyone who has illusions to the contrary. His cabinet is the wealthiest in the history of the world. It is not a cabinet representing the little people. It is a cabinet of the 1%. Wilbur Ross is worth \$2.5 billion, Betsy DeVos is worth \$1.25 billion, Rex Tillerson, formerly of ExxonMobil, is worth \$325 million, Steve Mnuchin, Secretary of the Treasury, is worth \$300 million and Andy Puzder, formerly of Goldman Sachs and a CEO in the fast food industry who is hostile to the minimum wage, is the Secretary of Labor. I do not have time to go through the lot of them. His entire cabinet's personal wealth, not including Trump's own, is \$4.5 billion. There is more wealth in his cabinet than in 63 of the poorest countries in the world. That is incredible. Trump is a representative of the 1% who is using the anger felt by people in America - the poor, the unemployed and the disaffected - and turning it in a vicious, racist direction against Muslims, ethnic minorities, gay people, women and anything that is progressive. He must be

resisted.

I will mention one other group in that regard. Today, Trump is meeting Benjamin Netanyahu. Since Trump's election, Netanyahu, who has smashed through any sort of serious attempt at trying to make peace with the Palestinians, feels that he is completely off the leash and, citing Trump specifically as the reason, can expand illegal settlements into Palestinian territory. If Trump moves the US Embassy to Jerusalem, it will be like throwing a grenade into the political process in the Middle East.

Against the threat that Trump represents, for us not to go on St. Patrick's Day would be the sort of protest that would be felt. If the Government goes, it will be legitimising and endorsing him as some sort of normal US President with whom we can have normal political discussions. We cannot. We must resist his political agenda.

**Deputy Ruth Coppinger:** It was remarked that AAA-PBP Deputies were not present. One third of our group is present for this debate.

**Deputy Darragh O'Brien:** The Deputies were late, but it is okay. They are here now.

**Deputy Ruth Coppinger:** Obviously, Fianna Fáil has only bothered to send one of its Deputies.

**Deputy Darragh O'Brien:** No, I am the spokesperson on foreign affairs.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Coppinger without interruption, please.

**Deputy Darragh O'Brien:** I am glad that the Deputies are here now, though.

**Deputy Ruth Coppinger:** It is difficult when one is in a small party to bilocate from committees, etc.

**Deputy Darragh O'Brien:** I looked in the Deputies' direction-----

**Deputy Ruth Coppinger:** Hopefully, the Deputy will discover the joys of being in a small party some day.

**Deputy Darragh O'Brien:** We were before.

**Deputy Ruth Coppinger:** In calling for this debate two weeks ago when the Muslim ban - let us face it, that is what it was - was initiated, we and other Deputies wanted to send a message to Donald Trump about his racist policies not being acceptable. The question of airports remains relevant. Some of the impetus has been taken from the debate by the brilliant protests, which gave the three judges who blocked Trump's order the courage to take a stand against him. We will wait to see what happens, but the threat has by no means gone away. If the Taoiseach, Fine Gael or the Government is trying to pretend that it is okay to go to the White House on St. Patrick's Day, that will not be accepted.

There is a saying, "By your friends shall you be known". Let us look at Trump's friends and appointments. Carl Paladino, one of the key people who ran his campaign, wished death upon the Obamas and called Michelle Obama a "gorilla". These are the people with whom the Taoiseach will be shaking hands. General Flynn, who has been reluctantly sacked by Trump, said that Sharia law was taking over the US. He is anti-Semitic and racist and says that the fear

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of Muslims is rational and that Islam is like a cancer. He has been sacked because of his own stupidity regarding other issues, but these are the people the Taoiseach is going to be meeting. Steve Bannon-----

**Deputy Charles Flanagan:** He will not be meeting Flynn.

**Deputy Ruth Coppinger:** They will not be in the room. That is great. Steve Bannon from the so-called alt-right, who is trying to rebrand racism and make it more palatable, is homophobic and believes in a hierarchy of races, genders and religions. He is the most anti-woman person one could ever meet. He believes that every telegraph pole in the south should be festooned with a Confederate flag. These are the people Donald Trump appointed. He also endorsed candidates who wanted to expel Muslims completely from America, so the idea that he will not pursue the Muslim ban is erroneous.

I wish to remind Deputies that there are Irish Muslims as well. Some people are probably not aware of it, but we have a large Irish Muslim community. I met a group of Muslims on Friday night. There is a large concentration of Muslims in the Dublin Mid-West and Dublin West constituencies. Many of them are dual citizens. I was asked about this issue. Although we are hearing that it is okay to travel with an Irish passport, the reality is that, if a person has brown skin, is a Muslim and arrives at an airport, he or she will fall prey to being treated badly. Reassurance on this matter has been given for now, but the US will want to extend its measure. We should take on board the fact that there are approximately 60,000 Muslims in Ireland.

The Government often argues that it will make a statement, but the best way to make a statement is by depriving Trump of a PR job on 17 March and of the chance to gain kudos among the Irish community in the US. That is the strongest statement. The Taoiseach was humiliated in the Dáil yesterday when he changed his story several times. I would not trust his ability to handle Donald Trump and escape unscathed.

What are Americans who oppose Trump doing? When Betsy DeVos visits a school now, students walk out and parents picket. That is how they protest. They would welcome a prime minister of any country showing solidarity by doing the same and refusing to visit the White House. It would be hypocritical of the Government to send the Taoiseach, particularly in light of our history of migration.

The Dáil should be taking decisions on this matter. We should not be having vacuous statements that end in nothing.

**Deputy Darragh O'Brien:** Agreed.

**Deputy Ruth Coppinger:** There was an attempt to move an all-party motion, but it would seem that the Government did not want to sign up to it. It is strange that the Taoiseach will look Trump in the eye when he will not even send a message about the executive orders. It just does not bear thinking about. We know-----

**Deputy Eamon Ryan:** My understanding is that the Government was to sign it but it could not because the AAA-PBP demanded that it should have the right to amend it.

**Deputy Darragh O'Brien:** Exactly.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Coppinger should be allowed to speak without interruption.

**Deputy Eamon Ryan:** Everyone else was agreed and we were waiting to sign it but the AAA-PBP issued a statement. It was the AAA-PBP that refused to sign it.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Coppinger should be allowed to speak without interruption.

**Deputy Eamon Ryan:** Everybody else agreed to sign it.

**Acting Chairman (Deputy Eugene Murphy):** I ask Deputy Eamon Ryan to stop interrupting.

**Deputy Ruth Coppinger:** I will just correct what has been said.

**Acting Chairman (Deputy Eugene Murphy):** It is not the first time Deputy Eamon Ryan has interrupted. His time slot is coming up and he should allow others to speak and then he can contribute when it is his turn. Deputy Coppinger should be allowed to speak without interruption.

**Deputy Ruth Coppinger:** The AAA-PBP group sent its support for the motion so I do not know where Deputy Ryan has got his information.

**Deputy Eamon Ryan:** From the meeting.

**Deputy Darragh O'Brien:** Deputy Coppinger is wrong.

**Deputy Ruth Coppinger:** We sent our assent to the motion so the record should be corrected.

**Deputy Darragh O'Brien:** The AAA-PBP reserved the right to amend the motion.

**Deputy Eamon Ryan:** My understanding is that the Government was due to support it but it could not insert the changes.

**Acting Chairman (Deputy Eugene Murphy):** Members should address the Chair.

**Deputy Ruth Coppinger:** No, that is wrong. Deputy Eamon Ryan's understanding is completely wrong.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Coppinger should be allowed to speak without interruption.

**Deputy Ruth Coppinger:** I hope I will get a little more leeway to finish my point because I was interrupted twice. We sent our support for the motion that was circulated.

**Deputy Darragh O'Brien:** The AAA-PBP reserved the right to amend it.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Darragh O'Brien should allow Deputy Coppinger to speak without interruption.

**Deputy Ruth Coppinger:** Our understanding is that the Government did not want to sign up to it.

**Deputy Charles Flanagan:** That is not right. It is wrong.

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**Deputy Ruth Coppinger:** A couple of parties-----

**Deputy Charles Flanagan:** For the record, that is not right. The Deputy knows it is not right. She should not say it again because she is wrong.

**Deputy Ruth Coppinger:** At this point the Government still supports the idea of the Taoiseach going to the White House. We know the Minister for Transport, Tourism and Sport, Deputy Shane Ross, does not, but the rest of the Cabinet does. We know Fianna Fáil supports the idea of the Taoiseach going to the White House.

**Deputy Darragh O'Brien:** We do, yes.

**Deputy Ruth Coppinger:** I would like to know also where Sinn Féin stands because on the morning that Trump was elected, Deputy Adams said in the Dáil that he hoped he would play a positive and progressive role in world affairs. That was the statement he made. I know that Sinn Féin issued an invitation to the North but I hope Sinn Féin has moved on by now and will also agree that the Taoiseach should not go to the White House.

There is an unspoken view that the US Administration will make a special deal for the undocumented Irish. That would be completely wrong. It would not show solidarity. What the Taoiseach should do is go to the US, meet the undocumented Irish and the undocumented Latinos, visit African-American organisations and Standing Rock. In the 1840s the Choctaw nation sent money to this country during the Famine. We should stand with it as it is being brutalised and attacked by Trump and his regime. That is the type of solidarity we should show.

**Acting Chairman (Deputy Eugene Murphy):** The next slot is being shared by Deputies Mick Wallace and Catherine Connolly. They have 15 minutes. Is that agreed? Agreed.

**Deputy Mick Wallace:** Trump is certainly a fascinating development and the level of media attention for his actions is probably unprecedented. His actions are so erratic, vulgar and tactless that the public is finally paying attention to things that have been going on for years, but under the watch of more polished and less transparent politicians. As a result of legal challenges in the US against Trump's so-called travel ban we are discussing something that happened for two weeks and then stopped and now just the threat remains, but for Americans living abroad who happen to hold the wrong citizenship or those living in America with the wrong citizenship this threat is very real and has already led to the separation of families. Trump is a problem for neoliberal politics and neoliberal politicians. He is a neoliberal and much of the same religion as Fine Gael, the Labour Party and Fianna Fáil except he does what he says he will do, which is obviously scary. He has bypassed the pretence that the American political system is anything other than a brothel for the corporate class and their lobbyists. He has directly appointed to top Cabinet positions former CEOs of corporations that used to have to pay to have their views represented and interests defended in Congress and the Senate. Many of the people who are in his Cabinet at the moment are the very same people who were pulling the strings in Obama's government and Bush's government before that. It might be interesting that we can see them in the plain light of day now.

If we want a more honest approach and if we are genuinely interested in honesty this would be a very different place. The manner in which the Fine Gael and Labour Party Government and the current Government have defended what has gone on in NAMA and defended the Garda Commissioners-----

**Acting Chairman (Deputy Eugene Murphy):** Deputy Wallace should stick to the debate on America.

**Deputy Mick Wallace:** All right.

**Acting Chairman (Deputy Eugene Murphy):** I must insist. We are having statements on America. There will be other opportunities for the Deputy to deal with that issue.

**Deputy Mick Wallace:** Okay. The lack of honesty in politics is not rare and it is not confined to Trump. We have helped the American military to bomb Afghanistan for 15 years through facilitating it at Shannon Airport. We are horrified that Trump is introducing a ban on Muslims going to America - it is terrible - but what does it say about us that when Obama was bombing the living daylights out of the same people we had so little to say about it? We were even prepared to let him use our airport to do so. Where was the outrage then? It is madness.

Do people realise that Obama deported more undocumented migrants in his term of office than all the American Presidents from the 20th century put together? He has created a record for deportation. Last year alone he dropped 26,000 bombs and that was one of his more peaceful years. He talked peace but he was a warmonger. The question of whether the Taoiseach should go to America and talk to Trump is a moot one. I challenged the Taoiseach in the House two years ago before St. Patrick's Day. I suggested that if he was going to America to meet Obama that he should please raise his drone campaign, which was causing huge problems for the world. It was increasing the prevailing level of terrorism. I do not believe the Taoiseach raised the issue.

It is not a case of whether the Taoiseach goes to the White House or not, as if we are going to analyse who he is going to talk to then in fairness he would not talk to many. On that basis, I do not think he should talk to Hollande. As to whether I would send a trade mission to Saudi Arabia, I would not. When we go on a trade mission to Saudi Arabia we do not mention the word "Yemen", although genocide is being carried out there. I find it interesting that the mainstream media have turned on Trump. He has not killed a fraction of the people Obama has killed yet. I do not say he will not do so, and I will not defend him. He is an ugly racist. I have no problem challenging what he does. However, let us not pretend that things were different before now. Why was Trump able to do what he did? One of the reasons he is able to tap into the groundswell of anti-Muslim fear and bigotry is because that has been cultivated for years. How did he come up with the seven countries? In December 2015 Obama signed a Bill making it more difficult for those people to get into America. He did not ban them completely but he initiated a Bill which made life more difficult for them. In February 2016 the Obama Administration added Libya, Somalia and Yemen to the list of countries one could not have visited but allowed dual citizens of those countries who had not travelled there access to the visa waiver programme. Dual citizens of Syria, Sudan, Iraq and Iran are still ineligible. Obama restricted visa waivers for those seven Muslim majority countries and now Trump is seeking to stop them completely. Could we not admit that what the Americans have been doing for years, and in particular since 2001, after 9/11, has done untold damage to the world?

*11 o'clock*

It is reckoned they have killed over 2 million civilians in the Middle East region and beyond with their military efforts. We still allow Shannon Airport to be used. If the Taoiseach was prepared to go to the US and stop the Americans using Shannon Airport as a military base and

raise the subject with President Trump, I could live with him going. It will not be an awful lot worse than going to see the last few fellows anyway.

**Deputy Catherine Connolly:** It is a privilege to be able to speak in the Dáil and to have seven and a half minutes to do so but with that privilege goes a duty and responsibility to highlight matters. It is a sad day when this Dáil cannot agree on a unified motion that the Taoiseach could take with him to the US because we all agree that this President is misogynist and racist, has policies that are discriminatory and appears to be in contravention of the Geneva Convention. Yet this Dáil cannot agree a motion that the Taoiseach can take with him to speak on our behalf and on behalf of the people of Ireland. The motion on the extreme left with some support from others that the Taoiseach should not go increases the hypocrisy that has been apparent in this Chamber for the past while, including the discussion yesterday involving who said what to whom and so many other topics, including the health waiting lists where we have a post-fact situation and alternative facts. We have the cheek to talk about post-truth in the US, which exists and is frightening. As a woman, feminist and female Deputy, I am appalled by what President Trump is doing and afraid but I am more afraid of the narrative that ignores what led to his election in the US. This makes me more afraid.

During the election, the Democrats failed to go to Wisconsin and a number of other states. They arrogantly refused to listen to what the people were telling them and to hear the message that people voted for someone who they clearly knew was volatile and who lives for his ego and to feed his ego. They put this man in power such was their lack of belief in the alternative. Similarly in Ireland, if we go back to last night's discussion, we discuss everything but the issue. The Ceann Comhairle has asked us to stick to the topic and I am sticking to it and I believe Deputy Wallace stuck to it because there are implications for the way we deal with language and issues. Last night, we went around in circles and utterly failed to deal with the issue of alternative facts and alternative statements relating to a crisis that goes to the very heart of our democracy.

Similarly, with the simple motion asking the Taoiseach not to visit the US, we ignore the fact we have let every Taoiseach up to now go to the US without any problem. As Deputy Wallace has pointed out, many Presidents prior to this one have done dreadful things. A total of 60,000 troops passed through Shannon Airport, which is a civilian airport, not a military one, in 2016 alone. Over 2.5 million troops and rising have used Shannon Airport since 2002. On a daily basis, we have troops and military aircraft going through Shannon Airport. We have a post-truth situation in respect of the facts of this matter. Courageous people in a small group attend Shannon Airport on a regular basis and keep a close watch at great cost to their personal lives to try to provide the evidence that each Government has asked them to provide. We are back to what is done to whistleblowers. We talk about President Trump's hypocrisy and post-truth statements.

If we are to learn anything in the Dáil today, it is to learn what the messages from what is happening in the US are for our democracy, which is very fragile. What should we learn from that? One of things to learn is that speaking out in Ireland is a very dangerous thing to do and that regardless of who the person in question is, be it someone in politics, an ordinary person going to Shannon Airport or somebody in the health services, the Army or An Garda Síochána who has the courage to speak out, we will get them one way or another. If we do not see parallels between that type of society and the type that President Trump is openly cultivating, we are in serious trouble.

I have no difficulty with the Taoiseach going to the US. It is a long tradition. However, he

should go with a very strong message from this Dáil that we abhor President Trump's policies and will not stand by them. He should meet all the groups over there who have gone out on a limb, again at great cost to themselves, and the progressive members of the Democratic Party. He should stand with them and use the opportunity to say that there is a different way and that Ireland represents a different way. Of course, we will have difficulty with that because, as the Minister of State knows, over many years in this Chamber, our neutrality has been interpreted in the most elastic way possible. Neutrality means that we can allow a submarine from the Netherlands to dock at Horgan's Quay in Cork and an armed sailor to step out on the quay because he is from a friendly country. This came from a response to a parliamentary question. We can allow the troops I have mentioned go through Shannon Airport and still call ourselves a neutral country. We want to deplore President Trump but, equally, we want to maintain the facilities at Shannon Airport without question.

I began by saying that it is a privilege to speak. We have a responsibility to highlight issues, discuss them rationally and come forward with our vision. There is a different way of doing things that is more sustainable for all of us in the long term. It is not sustainable to have military aircraft flying through Shannon Airport. It is not sustainable on health and safety grounds and on economic grounds because it is costing us a fortune. It is not sustainable if we are going to persist in saying that we are a neutral country. I shudder at what President Trump represents but I shudder even more at what is behind him. It has been stated that President Trump lost faith in General Michael Flynn not because he was lying but because it became public. That is exactly the same theme that dominates public life in this Chamber. It is only when facts become public that we discuss them but we do not have a horror of what happened before those facts became public at great cost to the personal lives of the whistleblowers and those courageous people who come forward.

**Deputy Michael Healy-Rae:** I am grateful for the opportunity to speak on this very important subject and would like to put an interesting story on the record of the Dáil. On 25 December 1988 - the morning of Christmas Day - my mother gave me the gift of a book. I opened the book and asked her who it was by. She told me to read it and that we would talk about it that evening. The book was *The Art of the Deal* by Donald J. Trump. We had a discussion on the book that night and she said "you're young". This man was 40 at the time. She told me to watch him because he would be an interesting man and could finish up running the world. She did not say "ruling the world". She said "running the world". She never mentioned politics but she had a bit of foresight in that she was able to see that he was a man of potential who was going places.

We must accept and respect the democratic right of any person to put themselves forward for election. That has happened and he is the US President. One can like or dislike him but we, as Irish politicians, have a job to do. There are many Irish people, such as my own family, aunts and uncles, who were glad to go to America in the 1950s and 1960s and get gainful work. We appreciate the fact that they were able to work and live in America, as were all of our friends and cousins. Mr. Trump is their President now. Whether we like it or not, that is the situation.

I become very upset when I see sectors and religions being picked out and victimised. For instance, I am very personal good friends with many Muslims who came to my county. They are most welcome. Their religion and faith is their own business in my opinion. Everybody's religion, whatever it is, should be respected and nobody should be condemned or castigated for what their belief is. Obviously, every group of people will have bad people amongst them. That is the way of the world. What I see in Mr. Trump's policies is that he seems to be attack-

ing certain groups that he should not be picking out in that way. It can be seen as populist. We have to be mature enough to work on it with him at the same time.

I heard people standing up in this House, as is their right to do, to say that the Taoiseach should not go to America for St. Patrick's Day. That is nonsense. Our Taoiseach and taoisigh in the past have always had the tradition of going over and being welcomed in the White House and making the connections. I myself had the opportunity on two occasions as mayor of our county in Kerry to go over and represent Kerry County Council. I met a lot of people. For instance, I remember meeting the late Mr. Ted Kennedy and him taking me into his office. I remember him carrying a number plate from Kerry with "Ted Kennedy - KY - 1" written on it. He put it up inside in his office. These sorts of things have to be done. That is the art of politics. One need not like or love somebody. One can actually dislike somebody. At the same time, politically, one has to get on with it. It would be completely disloyal to the Irish-Americans that live across all states. We would be doing them a severe injustice if we were to snub the tradition of our Taoiseach going to America on St. Patrick's week.

While I hear other people criticising politicians for travelling around the world during St. Patrick's week and saying that it is a waste of money, I have to be honest and say the complete opposite. I have experience of it myself on a small scale from being mayor of our county and being sent out to meet all of the different people in meetings set up by the local authority. I believe that is an investment. It is like spreading fertiliser. Grass does not grow unless fertiliser is spread to make it grow. It is the same thing with politicians travelling the world making connections, meeting people and meeting business people. That is a job of work. I hear people being critical about a Ceann Comhairle, a Leas-Cheann Comhairle or Ministers going on foreign travel, but I see it as the spreading of the fertiliser to make the grass grow. They are sent out to be respectable and to meet other politicians and business people. It is a very important job of work.

Last week, I was in Brussels. I am a very bad person for travelling because I do not like it. However, I went because it was important to go as Chairman of the Joint Committee on European Union Affairs. I was very glad that I was accompanied by great Senators and Deputies who worked very diligently over a two-day period. We had something like 14 meetings in two days. We met an awful lot of people. We discussed solutions to the Brexit issue. We did not give our time to discussing the problems; we looked at solutions. I am glad that we are having this debate about President Trump's policies, because it involves the same thing. His policies are throwing up difficulties and problems for us and for people all over the world. However, it is our job to get on with it and to try to use our considerable influence in America.

Presidents of America have always had an eye on the ball of the Irish vote and the Irish-Americans. Presidents want their support and want to be popular with Irish governments because of the simple fact that Ireland has a respectable name all over the world. Our workers who left Ireland, whether in the 1950s, 1980s or 1990s, were great people. They went to Australia, England and America. They broke their backs working. They were dependable, reliable and determined to get on in life, which is what they did. That is why we have to keep up our links. We have to keep going to America and keep sending Ministers there. We have to try to keep up a good and healthy relationship and not condemn for the sake of condemning.

**Deputy Mattie McGrath:** I too am pleased to be able to speak on this debate. On the business committee, I was one of the people who opposed the frenzy we had to have an immediate debate and have huge hand-wringing, eye-washing and God knows what. As Deputy Healy-

Rae said, Mr. Trump was elected by the American people. We are always told that it has one of the greatest democracies in the world. Now they are blaming the state system. That was never blamed before. That is the system they have always had. It is a relatively new democracy and they have always accepted the outcome. Just because they do not like the result, they want to blame the system. I wish Mr. Trump well. I certainly have concerns about some of the things he has done as well. However, he was elected. No matter what he is or is not, we have no business here telling him what to do. Is he going to listen to us? I doubt it.

As regards all of the hypocrisy about this executive order, the seven countries on the list were actually compiled by the Obama Administration. Where was the outrage then? They were ready and waiting. The Obama Administration stopped processing Iraqi refugees for six months in 2011 and banned Cuban refugees. There was not a word about it. Let us cut out the hypocrisy. President Trump is doing it for 90 days, as against six months, with a visa-by-visa exception written into the executive order. I believe that is more humane, understanding and fair.

This is not an arbitrary list although Deputy Micheál Martin said it was. It is anything but. It is a ridiculous statement that completely ignores the reality of where extremist Islamic terrorists are being radicalised. Iran is the biggest state sponsor of terrorism in the world. Saudi Arabia is especially close with the United States. Where was the outrage then? Let us get it into perspective. We have enough issues to deal with here in our country. Indeed, we are not going to be crowned in glory by the shameful treatment we have given to the unfortunate individuals seeking asylum in Ireland. I have met many of them in Carrick-on-Suir and around Tipperary that are held in those terrible holding centres for up to a decade in parts of the country. The Minister of State, Deputy Joe McHugh, knows about that too in Donegal.

Former president Mr. Bill Clinton talked about halting the immigration and refugee process to enable reform and protection of American citizens. Where was the outrage then? That was Bill Clinton, who did a lot for the peace process here in Ireland. He did a lot for Ireland in my opinion, but where was the outrage then? It is just because certain sections in the media and certain people in politics do not like President Trump or the result of the election. We had independent observers over there, or so we were told. I happened to be on a radio show one night with one of those observers, a Deputy from the Government side of the House. His name eludes me now. He was lamenting the outcome of the election. I thought he was an independent observer. I did not realise he was over there canvassing to stop Trump. However, this is the farce that goes on. Deputy Healy-Rae mentioned travel. It is very important. However, if one travels as an independent observer, one is meant to be an independent observer to observe the election and what goes on.

There is plenty of fake news and bias in the media here as well. Yesterday evening the Taoiseach was telling us stories for three hours and, in spite of the plug in his ear getting messages telling him to change his tune, he was rambling around the House like it was a rambling house, ag cuardach. He was talking to someone, then ag caint le someone else, then maybe a song and a bit of dance and then he would come back to some other thing he thought of. He had meetings before he had them at all. He ran away with himself. Sin scéal eile.

The Obama regime came in as the be all and end all. My own daughter was at his inauguration. There was a 200% increase in the number of drone strikes and hundreds of thousands of children were slaughtered under the Obama Administration and what was the reaction from here? Silence. President Obama deported up to 3 million illegal immigrants, more than any

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other President. This was the great saviour, but what did he do? He added \$7 trillion to the US national debt, yet he is the messiah of the American economy. The hypocrisy is staggering.

We now want to deal with President Trump. With regard to the Taoiseach travelling to the US for St. Patrick's Day, every Taoiseach has done that. It is a wonderful privilege to get the opportunity to go to the White House. I was there on one occasion as cathaoirleach of a county council and I saw the importance of that day with all the side meetings taking place and so on. I urge the Taoiseach to meet as many of the undocumented Irish as possible. The Taoiseach must go to the White House. He might be able to stay there a long time because we might not want him back but, nonetheless, as Taoiseach of the country he has to go, and I wish him well in that. I know he will do his best, once he puts away his phone. I hope he will not text the way he did in front of the Pope, but sin scéal eile.

The persecution of Christians throughout the world is unbelievable. I have tried to debate that issue in this Chamber. His Holiness, the Pope, asked me and other people from Ireland and throughout the world who are members of the International Federation of Christians to return to our Parliaments and debate the genocide of Christians. Who bombed the hell out of Iraq, Syria and other countries in the Middle East? Christians could operate with impunity under terrible dictators but now they are being slaughtered because they are Christians. Like Deputy Michael Healy-Rae, I welcome people of all faiths and none to Ireland, but where was the outrage when that genocide was taking place? It is important that we put that in perspective. They bombed the hell out of those countries and Christians, as well as members of minority Muslim sects, were slaughtered. Deputy Darragh O'Brien will bring forward a motion on the Yazidi tribe but we cannot be selective. All people who are being persecuted must be protected. I do not like some of President Trump's language but we should not condemn him about his business. It is a pity we do not have a few businessmen on the opposite side of the House because we would have a better country. We would not have a Health Service Executive, a Tusla and all the rackets that are going on, with people promoting themselves and not being accountable to anybody. We need business decisions and people with a business brain. Deputy Michael Healy-Rae told a lovely story about his late mother and the leabhar sin fadó, fadó. She was a very intelligent and far-seeing woman. She read the book and she could see what would happen in the future. It is a pity that she went to her eternal reward before it happened but I am sure she knows, and I am glad her son was able to recount that story.

As far as keeping the preclearance centre at Shannon is concerned, we have to keep it. It is vitally important for the economy and also for our own people. The people involved are dealt with humanely. President Trump is talking about dealing with immigrants on a case basis, not imposing a blanket ban or deporting 3 million immigrants, as was done by his predecessor. We must have some perspective on this issue and be sane about it. We should not run away with ourselves thinking that we can interfere with a democracy like the United States. We cannot keep our own little house in order. There is an old saying that if one cannot clean one's own windows and keep the good flag up one should not be looking at anyone else's windows or flag. We are living in the valley of the squinting windows if we think we can affect what is happening in a country far away. The US has always been good to us. I have many relations in the US. There are many undocumented Irish living in the US and until he starts interfering with them, I will not be expressing any outrage.

**An Leas-Cheann Comhairle:** Is Deputy Murphy sharing time?

**Deputy Catherine Murphy:** We are sharing time. I want to put on the record that I hate

everything about Trump and his Administration but he was not imposed. He was elected, and whether we like it or not, that will be the scenario unless something intervenes in the coming four years.

It is obvious that the Taoiseach will travel to Washington for St. Patrick's Day but it is regrettable that he will do so without a motion that could be commonly agreed by this Dáil. Deputy Róisín Shortall and I, along with others, having regard to the requirements some of the civil society groups wanted included, put forward a motion on which we believed there might be common ground. It states:

This Parliament strongly and categorically condemns President Trump's Executive Order which adopts a targeted ban on refugees and migrants from certain countries. This Executive Order amounts to discrimination on the grounds of both nationality and religion - itself a gross violation of freely accepted international human rights obligations. We affirm that this Parliament stands in solidarity with US civil society organisations and all those in the US working to uphold the legal rights of all those affected by this discriminatory Executive Order.

Unfortunately, while it almost got there the motion did not receive common agreement. It would have been far better to have that kind of statement passed by this Dáil than to trust the judgment of the Taoiseach to represent this country's viewpoint. President Trump is an extremely strong personality; none of us needs to be told that. I believe the Taoiseach is not a match for him. I would not have confidence in a sufficiently strong message being delivered. It was a missed opportunity not to have passed that motion.

An irony, which is important to point out, is that the coalition that was put together, the so-called war on terror, primarily involved the United States and the United Kingdom, yet those two countries are on the fault line now with regard to immigration. Those are the countries that largely destabilised the very region from which they are now refusing to accept migrants, and some from the most extreme circumstances. Is there a viable risk? Has that risk been analysed? David Bier from the Center for Global Liberty and Prosperity is involved in analysing immigration policy. With regard to the risks he stated:

The order would ban all people entering the US from Iraq, Iran, Syria, Somalia, Sudan, Libya and Yemen, and yet no terrorist from these places has carried out a lethal attack in the United States. Indeed, no Libyans or Syrians have ever been convicted for planning such an attack. Moreover, the likelihood of being killed by any refugee from any country is just 1 in 3.64 billion a year. This discrimination is arbitrary and cannot be rationally justified based on an assessment of the risk.

He went on to point out the US policy during the years of the Second World War and Roosevelt's Administration refusing to admit Jewish people fleeing the Holocaust. The risk suits a political agenda and evaluating whether that risk is real needs hard facts, not fake news. The idea of our Taoiseach having a nice photo opportunity with a bowl of shamrock, with perhaps a patronising pat on the back, will not be acceptable to most people in Ireland. The Taoiseach must make it very clear in advance of travelling to the US exactly what he intends to say and how he will represent us on this visit. That is critically important. A refusal to travel this year would be a refusal to travel next year and the following two years, and we would then begin to wonder whether there was a loss of influence. We may be a small island on the periphery of Europe but we are a country not without significant influence in the United States, largely

because of the large Irish diaspora in the United States.

There is an opportunity to say something significant. The war on terror started under the Bush Administration. It continued under the Obama Administration. It is legitimate to question our role in providing Shannon as an assistance in what has happened over those two Administrations. We are not without questions to ask ourselves. Before the Taoiseach's visit happens, if he is still the Taoiseach, we need to know what will be said. We need to revisit the prospect of getting all-party agreement on a motion rather than the Taoiseach going without an *imprimatur* from the Parliament-----

**Deputy Darragh O'Brien:** Hear, hear.

**Deputy Catherine Murphy:** -----which is very possible to achieve.

**Deputy Eamon Ryan:** The United States and Ireland are woven together in so many different ways. We have an incredibly complex and far-reaching history. The first tune people learn on the fiddle when they are taught music here is the hornpipe "The Rights of Man". I was amazed to find out recently that weeks after *Rights of Man* had been published in New York it was published on Grafton Street and it took hold in this country like fire. In response to it, Mary Wollstonecraft, who lived across the road at No. 15 Merrion Square for a period, added to the fire with *A Vindication of the Rights of Woman*. This freedom thinking, from the *Rights of Man* and *A Vindication of the Rights of Woman*, was deeply embedded in Irish culture.

Washington's army was made up hugely of Scots Irish immigrants who were refugees from religious persecution. These were the founding fathers, and the founding institutions were set up by that culture. When Washington's army was fighting the British there was a reduction in soldiers here because the British had to fight in America. In response the Irish Yeomanry volunteers were established, as were the United Irishmen by Wolfe Tone. Each of them used the shamrock in their flags to denote this new sense of Irish nationhood, freedom and identity, and they sang about "The Wearing of the Green". This is still sung, and it is deeply woven into US consciousness and thinking today because of all those people.

In our house we recently found out that an ancestor of my wife's as a young 14 year old from the dissenting tradition in Donegal read *Uncle Tom's Cabin* by Harriet Beecher Stowe and with other young men from Donegal migrated to join Lincoln's army. It is an incredible story, a 14 year old going on the boat and journey to join Lincoln's army. With Lincoln's army they fought under the flag with the shamrock. At the same time, as Sebastian Barry writes in his book *Days Without End*, the confederates came at them with the confederate flag on one side and the shamrock on the other. The image on the flag is not unimportant. It also flew in Mexico, when St. Patrick's Battalion took the Mexican side in the Mexican-American War. This imagery, particularly of the shamrock and the wearing of the green, goes right back to the core of Irish and US history. This is why everyone was so proud when John F. Kennedy came here and presented the flag which is at the entrance of Leinster House. It is an important part of the House. It is the flag of the Irish Brigade showing its involvement in the American Civil War.

We must remember today what Kennedy said, that self-determination can no longer mean isolation and no nation large or small can be indifferent to the fate of others. It is in this context the Green Party states we should stand up and wear the green today and state we respect and stand up for the Mexican Government. How dare the Trump Administration treat another government in the way it has treated the Mexican Government in recent months? If it treats

that country of 120 million people, its most important nearest neighbour, in this way how will it treat others?

We stand up for the wearing of the green and state we do not accept torture. We stand by Thomas Paine. We stand by Washington and others, and the values established under the US Constitution because it is plain wrong not to do so. Yes, Deputy Mick Wallace is right, we also stand up against the drone strikes the Obama Administration introduced, but at least there was a sense in the Obama Administration that it believed in those constitutional values which are woven into our constitutional values which we hold so dear. We stand up and wear green by stating we refuse to accept a US Administration which is about to try to dismantle the climate agreement in which we all have a life or death interest for the future of our people. For this reason we must stand up. Perhaps most importantly, we stand up for the rights of those people from countries such as Syria, Iraq, Libya and elsewhere in the Middle East who have been the victims of the terrorism that has been unleashed by the bombings in Iraq and Libya in recent years and state we cannot stand for this.

What do we do? We should take inspiration from the speaker of the House of Commons, John Bercow, who stated it is not an automatic right but an earned honour for someone such as President Trump to speak in Westminster Hall, and he will not accept him doing so because opposition to racism and sexism, support for equality before the law and an independent Judiciary are hugely important considerations for the House of Commons. They are the constitutional values we should also stand up for but we are not doing so.

I am afraid the speech of the Minister for Foreign Affairs and Trade was very weak. Commenting on the order, he stated it could have far reaching implications and further noted the Government fully shares the concerns expressed by other EU partners regarding the development. That is not good enough. It is not strong enough. It does not give a message that we need to stand up and represent.

Deputy Darragh O'Brien said in response to the Minister that his approach was very well handled and well considered. I am sorry but I beg to differ. Even if we had been in government, and as the Deputy said it is not easy in government, we would not just be sitting back and doing nothing, which is what is represented in the Minister's speech. What can we do? The Taoiseach is going over there. Let us start by not presenting the bowl of shamrock. Let us think of other ways of making a point because this is all about images and symbolism. Let us get an Erin go Brach flag from the period. It does not have to be a Mexican one because I do not believe we have any of them left. Let us get a symbol of the shamrock which represents what we stand for. Why not hand him a copy of the *Rights of Man* with a small shamrock on top? We must do something differently.

**Deputy Darragh O'Brien:** He cannot do that if he does not go.

**Deputy Eamon Ryan:** Okay, he will go. I would not go, but if he is going we cannot do with business as usual. We cannot issue a statement which says nothing. We must stand up for rights because they represent what we stand for. What is our shared history with the United States that is important to us, that is close to us and that we value? In the short run it may be tricky, but in the long run we would better respected and we would honour the tradition and connection we have. I wish he was not going, but if he is going to go let us present a bowl of shamrock to John F. Kennedy's grave in recognition of those values or to Lincoln's Memorial, but do not just walk up to the White House and present a bowl of shamrock all smiles as if noth-

ing is happening, which is what the Minister's speech states.

**An Leas-Cheann Comhairle:** Tá an tAire Stáit, an Teachta McHugh, ag roinnt a chuid ama leis an Aire Stáit, an Teachta O'Donovan, agus leis na Teachtaí O'Dowd and McLoughlin. Beidh trí nóiméad ag achan duine acu.

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe McHugh):** Ba mhaith liom i dtús báire buíochas a ghabháil leis na daoine thar lear i Meiriceá atá ag obair ar son daoine Éireannacha, go háirithe iad siúd atá gan aitheantas. I wish to address the House on the matter of the executive order signed by President Donald J. Trump on 27 January 2017. As Minister of State with responsibility for the diaspora I have had an opportunity to meet a great many organisations and individuals working with Irish immigrants in the United States. Last September, I visited San Francisco and had a meeting with representatives of the Irish Immigration Center, which supports Irish immigrants in the Bay area. I met great people, such as a fellow townie of the Leas-Cheann Comhairle, Fr. Brendan McBride. Such people are heroes in our eyes who have worked continuously and tirelessly for people who need support in these areas.

I subsequently travelled to New York, where I chaired a round-table meeting with representatives of the coalition of Irish immigration centres, which brings together Irish immigration centres from across the US. This was an important opportunity to reassure them of the Government's support for those working with Irish immigrants in the US, as well as its commitment to the twin objectives of relief for the undocumented and greater pathways for migration to the US. I also acknowledge the work of Senator Billy Lawless, who has been working very closely with me. He attended the meetings in New York and in January was at the meeting in Washington with the ambassador, Ms Anne Anderson, and her colleagues in the different consulates.

In addition, I travelled to Boston and western Massachusetts last November where I again met with representatives of Irish immigration and pastoral centres, including the Irish Cultural Center of New England, the Irish Pastoral Center and the Irish International Immigration Center, as well as Irish citizens living in the US. These briefed me on the plight and uncertainty of some Irish citizens living in the United States. I wish to make clear the Government's current and future actions in helping Irish citizens abroad through the emigrant support programme, which allocated upwards of €2.3 million, or 70% of the funding. These ongoing efforts to secure the best for our citizens abroad are just one area where we benefit greatly from Ireland's close historic and cultural relationship with the United States, a relationship we must do our best to maintain and grow. We talk about the unique relationship a lot and we have to be conscious of the great people involved such as Colleen Ward, who organises an annual festival in Milwaukee on which 3,000 volunteers work and which is attended by some 500,000, and Máire Colcannon in Canton, Massachusetts who works to protect the Irish language and as a custodian of all things Irish.

Ireland's relationship with the United States predates the independence of either nation. Our bonds are based on a shared history and culture and underpinned by common values including democracy, the rule of law and respect for all, regardless of ethnicity, religion or origin. Engagement with the new Administration is not confined to the events surrounding St. Patrick's Day but is continually reinforced by state visits throughout the year. Our diplomats in Washington and across the United States strive ceaselessly to sensitise local and federal leaders to Ireland's concerns and objectives. Likewise, our embassy and consulates provide consular services to Irish citizens in distress on a daily basis.

As has been noted, it is only by continuing to engage with policy makers in the US that we can articulate our concerns, whether it be with regard to the recent executive order or concerning the need for immigration reform, to bring relief for undocumented individuals in the US. The Government will continue to use all opportunities which arise to set out its case, in the interests of our citizens. I have taken a personal interest in the undocumented and have met many people who pay their taxes but have had to use Skype for funerals and have missed significant family events back home such as weddings. I met a couple from my own county who are both undocumented. They had to drive their children to an airport last summer but were unable to join them and there are many hardship stories such as this. I acknowledge all the people working in the consulates and Irish immigration centres for the great work they do on behalf of Irish citizens abroad.

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** I agree with a lot that has been said on two issues. The first is the incoherence of certain members of the Opposition in respect of the special links between Ireland and the United States, which we all accept. The second is the statements by some members of the Opposition to the effect that the Taoiseach should not go to the US. In other words, they are suggesting that we sever the important links between Ireland and the United States.

Another worrying element is the suggestion by some members of the Opposition that pre-clearance facilities at Shannon and Dublin be discontinued. Pre-clearance at Shannon and Dublin is of massive importance, not only to the development of the Irish economy but in the fostering of relations between Ireland and the United States of America. We are the only country in the European Union and the only country outside the Americas with access to pre-clearance, with the exception of one country in the Middle East. To suggest that we relent in this would be detrimental to the relationship between Ireland and the United States and hugely detrimental to the development of the economy. In my own area over 200,000 people come through Shannon's pre-clearance annually and it is of critical importance. We should send a very clear statement of commitment to Ireland's relationship with the United States of the America. The Taoiseach has said he will enunciate the Government's position on President Trump's announcement on immigration policy but it is of critical national importance that this House gives a clear statement on our ongoing commitment to pre-clearance for Shannon and Dublin.

I support the statements of my Government colleagues and wish the Taoiseach well in his forthcoming visit to the White House. I also echo calls of colleagues for the undocumented to be raised at the highest level.

**Deputy Fergus O'Dowd:** I agree that the Taoiseach must visit the White House as it is important to do so. I profoundly disagree with the policies of President Trump and I think most people in this country probably do. That does not mean we should not visit a country which has received millions of Irish emigrants over generations and centuries. When Irish people went there first, they were of the wrong religion, they spoke the wrong language, were very poor and had serious issues with America as it was then. However, they stood the test of time and integrated into society, as Muslims do now and will in the future. The ban is wrong and if there is to be a recognition of that strong view in Ireland the Taoiseach should also visit the Statue of Liberty and lay a wreath for the words that are there written, welcoming "your poor, your huddled masses". That is what America is about and that is what this country is about, in terms of meeting the needs of our emigrants who have gone there.

I welcome the appointment of the ambassador to Ireland, Brian Burns, and it is important

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we continue to build strong bonds, which a new ambassador, American investment and a recognition of the importance America places on its Irish heritage will do. Ireland cannot stick its head in the sand for St. Patrick's Day. It must not and will not.

**Deputy Tony McLoughlin:** I begin my short contribution to this important debate by stating for the record of the House my disappointment and worry over the recent US executive order on immigration into the USA, which was implemented by President Trump. I firmly believe this executive action, which in my opinion could be considered as sectarian, went against the very fabric of what makes the United States such a great nation of the world. After all, the USA's history is that of an immigrant country where people from all walks of life could arrive and have a chance at making it and live the American dream. This presidential executive order did not fit in with this mixed race culture, nor did it fit in with the overall values of the United States in general. It was unAmerican and I was glad to see that it was successfully challenged by the US judicial system and has since been removed, for now.

I do not think any politician could argue about the right for an independent country to take actions to protect its borders, but I do think there is a problem when a person who, during his election campaign, was openly intolerant of other religions and races seeks to ban certain religions or races from entering his country when elected. Alarm bells have to start ringing when this occurs as we have seen similar sentiment expressed by the likes of Nigel Farage, during the Brexit referendum, and currently in France with Marine Le Pen. The fact that the repercussions of this executive order actually took place on Irish soil brought this issue firmly into focus for many here. It was no longer just something that could have been viewed on our televisions. It was actually happening at our Irish airports. For me, it became a reality because, despite this victory in the courts, my biggest concern right now is for the 50,000 undocumented Irish citizens currently living in cities throughout the USA. Will they be next? In the past number of weeks since the inauguration of President Trump, my constituency office has been receiving phone calls from families who are now worried about whether their loved ones will be targeted next. There is real fear out there in the Irish US community. If the President could target one classification of people without having any real reason to or without having any factual arguments, what is to stop him from conducting an attack on others?

Following on from the crisis, the question has been, and still is being, asked as to whether our Taoiseach should go to the White House. People are saying that we should turn our backs on the White House and refuse the annual St. Patrick's Day visit there. However, we would do the undocumented Irish a disservice if we took that approach. We need to be in that room arguing on their behalf and fighting their cause with the President. The relationship between the United States and Ireland over 200 years is bigger than any individual and it must be maintained. I believe that our relationship with the United States of America will remain strong, but this executive order and its goals need to be condemned.

**Deputy Robert Troy:** I am sharing time equally with Deputy Fiona O'Loughlin and Deputy Timmy Dooley.

**An Leas-Cheann Comhairle:** Is that agreed? Agreed.

**Deputy Robert Troy:** I welcome the opportunity to speak on this subject. Fianna Fáil has already tabled a motion condemning the executive order which will have huge implications for Iran, Syria, Iraq, Somalia, Sudan, Libya and Yemen. The order also indefinitely halts refugees coming from Syria. I do not believe for one moment that President Trump is concerned about

our motion in Dáil Éireann today. While acknowledging that immigration policy is the domestic responsibility of any given country, Ireland has a moral obligation to stand up and say what is wrong. Any type of discrimination based exclusively on race, religion or nationality is morally wrong. That is why I have no hesitation in saying so.

However, we have a direct impact and control over our own policy. I find it bemusing that the Government can castigate other governments for their failings without looking at our own. Our failings concerning the international refugee crisis are stark. We are not measuring up to our international obligations in terms of resettlement and relocation. To date, only four unaccompanied minors have been relocated in our country. That is wrong.

Recently I attended a Council of Europe forum and had an opportunity of listening to the first-hand experience of a refugee who had been resettled and rehoused in Germany. The brutality they went through in their mother country, brought home to me just how much Ireland is failing. The Government needs to take that on board.

I also wish to raise the issue of pre-clearance at our airports. Two weeks ago, in somewhat of a knee-jerk reaction to the executive order, the Taoiseach acknowledged that he would carry out a review on pre-clearance at our airports. We need to acknowledge and recognise that the pre-clearance facility is operated by US officials, not Irish ones. Any rejection of pre-clearance at Shannon or Dublin would be a huge inconvenience not to America or President Trump, but to Irish citizens - the 1 million who use pre-clearance at Dublin Airport and the 200,000 who use it at Shannon Airport. It would eliminate our competitive advantage, which many other European airports are intensively lobbying the US administration to achieve. The Government should come out forcefully and say that there is no issue with pre-clearance at our airports.

The Taoiseach is right to go to the White House on 17 March. It may be his last foreign trip. When he goes there, however, he should forcibly highlight the plight of the undocumented Irish in America. The anxiety and fear of families with relatives living in America have certainly intensified since President Trump assumed office.

**Deputy Fiona O'Loughlin:** Across Ireland and the world we have all watched political events unfolding in the US with increasing disquiet. This is particularly so with President Trump's executive order on immigration and the ensuing battle with the judiciary. This is despite the fact that citizens of the seven nations named in the order have killed no Americans in terror attacks on American soil.

The Syrian people, in particular, have been subjected to the worst kinds of violence and injustice over the last few years. As always, civilians have suffered the most with an estimated death toll of 470,000 according to the Syrian Centre for Political Research. An estimated 11.5% of the population have been killed or injured while trying to escape. The appalling humanitarian situation there makes the decision to ban all Syrian refugees from the US incomprehensible. This targeted travel ban is in breach of the US constitution and the 1951 UN Refugee Convention. This builds on the Universal Declaration of Human Rights which recognises the rights of persons to seek asylum from persecution in other countries. Therefore this executive order is a violation of international law and an affront to human dignity.

What about the estimated 50,000 undocumented Irish people living and working in the United States? These are people who may have overstayed visas, but who have jobs, families and a way of life there. They were depending on an executive order from the former President,

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Barack Obama, deferring the deportation of illegal immigrants with jobs and family ties there. As this has stalled in the US supreme court, they are now afraid to leave the US in case they are refused re-entry.

Before Donald Trump's victory the Taoiseach described his populist policies as racist and dangerous. However, the Taoiseach has been a lot more circumspect since President Trump was elected. Fianna Fáil accepts that the Taoiseach needs to visit the White House on St. Patrick's Day. Thankfully, President Trump is not going to be there forever, but our national and international day of celebrating what it means to be Irish across the world will always be there.

I am strongly of the view that the Taoiseach must represent the feelings of the Irish people about these immigration policies. Our much talked of close relationship with America can only flourish with honesty and clarity on both sides. However, our own immigration policy is not one to be proud of. Under the EU's resettlement and relocation programme we committed to taking 4,000 refugees and asylum seekers. As of October 2016, some 487 programme refugees have been resettled in Ireland. That is appalling. We need to examine our own policies when we are lambasting those of another nation. We are witnessing the largest global humanitarian crisis the world has seen since the end of the Second World War, and our response will be our legacy.

To quote Confucius, "Wisdom, compassion and courage are the three universally recognised moral qualities of man". None of these qualities is demonstrated in a ban on this most vulnerable group of people. I want to offer my solidarity to all of those affected by the executive order. I hope the US judiciary will succeed in preventing its implementation.

My final quote is from Nelson Mandela who said, "Our human compassion binds us the one to the other - not in pity or patronisingly, but as human beings who have learnt how to turn our common suffering into hope for the future". We have more in common than what separates us.

**Deputy Timmy Dooley:** I welcome the opportunity to contribute to this important debate. The discussion is clearly about the US executive order on immigration that President Trump has signed into law. The order is, in itself, outrageous and racist in motivation.

*12 o'clock*

The spirit of what the President has sought to do is to cast certain people into a position based on their race and religious belief. It was clear to anyone who watched the former Mayor of New York, Rudy Giuliani, say it was crafted in a way that met the requirements of what the President campaigned on but which was also legal. It is clear what the intent was. I am pleased that the checks and balances provided for in the US Constitution have scuppered the particular intent behind this order. Notwithstanding that, there is an opportunity on the Taoiseach's forthcoming visit to Washington to set out very clearly what the Irish people see as the failure of the policy the President put in place and to recognise the true republican credentials that need to be addressed here, giving people rights based on who they are, not their religion, sexual orientation or place of origin. Those are the principles the Taoiseach needs to espouse when he visits Washington in March. It is important that we set out those principles and try to ensure that the US Executive recognises the undocumented status of so many Irish citizens and ensures they are not victimised based on the fact that they are undocumented, that they come from Ireland or that their religion is Catholic in the main.

I want to respond to those in the House and elsewhere who suggest we should remove the

pre-clearance facilities at Shannon and Dublin Airports. I represent the constituency of Clare in which Shannon is based. It is vital to recognise the impact of ending pre-clearance. It would make the travel arrangements of the many people who travel for tourism and business more complicated. It would increase the cost of fares based on the increased hassle for airlines and it would not matter a jot to President Trump or those seeking to put this immigration ban in place. The only people who would be inconvenienced would be those travelling between Ireland and the United States of America. I contend that it would be better to be refused entry in Shannon or Dublin than in New York, Boston or Atlanta. For that reason, we must keep cool heads and use the diplomatic channels that exist to set out our principles and understanding of how two countries should interact in a diplomatic way.

**Deputy Donnchadh Ó Laoghaire:** In the three minutes I have, it would be difficult to fit in all of the outrageous and grotesque behaviours of Donald Trump, not only during his campaign but already in office as President. His comments during the campaign and since have been racist, sectarian, sexist and homophobic. It appears to many that there are no boundaries on what he might say. Comments which only ten years ago would have been considered beyond the Pale for the most right-wing and craven elements in the Republican Party are now tolerated and considered merely controversial. I have plenty of criticisms of previous presidents from Bush to Clinton and, indeed, Obama, many of which are related to domestic policy and may relate to imperialist interventions in foreign countries and unconscionable military actions. However, there are those who would have it that President Donald Trump is being subjected to an unfair level of scrutiny and that progressives and the left are loath to criticise Democrats. Deputy Mattie McGrath made a point along those lines. It is not the case, however. Indeed, much of the last term saw expectations of significant change dashed and, indeed, military interventions, drone strikes and a significant number of deportations which are a stain on President Obama's record. Much of that policy was shameful.

I recognise that President Trump, much as I do not like it, is the legitimately elected US President. That he won the election must be respected. However, we must oppose collectively his extreme, unacceptable and dangerous policies and challenge them on an ongoing basis. The important point about Trump is what he, his words and the executive order represent. He is legitimising hatred. It is now an acceptable policy for the US Government to treat persons from Muslim backgrounds as under suspicion of terrorism. Through his words and actions, he has created a situation where it is acceptable to categorise an entire group of people as a threat to the US merely by reason of their religion or country of origin. It is racism as an acceptable policy. His words have given the far right and neo-Nazis around the world, whatever he is himself, succour and encouragement. He has pushed the boundaries of acceptable debate to a level that is beyond comprehension and which accepts and tolerates racism, sectarianism, sexism and homophobia. The actions of President Trump as regards the executive order are abhorrent to me and anyone with any sense of decency and fairness. The order, which has become known as a Muslim ban, is arbitrary, vicious and racist.

In my last few seconds, I note to the Taoiseach that I am aware he has said he will travel to America despite opposition in the House. It is essential that when he is in the USA, it is not a celebration. He must challenge President Trump in relation to the undocumented Irish and his policies. Not only on St. Patrick's Day but on an ongoing basis, the Taoiseach must make it clear that the policies, words and actions of President Trump are not acceptable to the Irish people.

## Leaders' Questions

**Deputy Micheál Martin:** Our overriding consideration is to vindicate the integrity of Maurice McCabe and to have a comprehensive statutory tribunal of inquiry into allegations that there was a concerted smear campaign against him. That said, truth in government matters. There has been a drip-drip of information and misinformation and a lack of candid presentation of what exactly happened in the lead up to the Cabinet meeting to discuss the formation of the commission of investigation and, indeed, the revelations of the existence of a Tusla file containing false allegations against Maurice McCabe.

I was taken by the Taoiseach's interview this week where he said the Minister for Children and Youth Affairs, Deputy Katherine Zappone, told him she intended to meet Sergeant McCabe in a private capacity and that was all he knew. He apologised for that yesterday and said it did not happen. The Taoiseach said her adviser spoke to his adviser on 24 January in accordance with Deputy Zappone's speech to the Dáil last night, which was candid and probably a model others should follow. She said:

My adviser met an adviser from the Taoiseach's office on Tuesday, 24 January, the day before I was due to meet Sergeant and Mrs. McCabe, and told him about the upcoming meeting. She told him that it was in respect of a complaint that the McCabes had about Tusla. Before meeting the McCabes, I told the Tánaiste and Minister for Justice and Equality that I was meeting Sergeant and Mrs. McCabe. As I stated when I spoke to the media yesterday, I also spoke with the Taoiseach prior to the Cabinet meeting last week. Just to be clear, this was after my meeting with the McCabes. I told him that I had met the McCabes and that we had discussed false allegations of sexual abuse made against Sergeant McCabe to Tusla. The Taoiseach said that this would be covered by the commission of investigation, which is what we were calling it at the time. I did not go into the detail of any of the allegations that I was aware of, but I did indicate to him that this was the nature of the conversation.

When the Taoiseach rang me the night before yesterday, he indicated that he did not know about the existence of a Tusla file. He said that to me. He said he did not know about the details contained in the file. I am beginning to accept that the Taoiseach did not know the exact graphic details of the file, but it seems clear that he knew about the existence of a Tusla file. How else did he know or could he have known that the commission of investigation would cover the allegations if he knew nothing about the allegations themselves? He told me that Deputy Zappone said there were allegations against Maurice McCabe although he did not mention Tusla. The Taoiseach told me he asked if they were true or false and the Minister told him they were false. I would like to know how the Taoiseach knew the commission would cover it if he did not know the detail of any allegations.

Can the Taoiseach or someone else confirm to the House whether Department of Justice and Equality officials knew about the existence of the Tusla file and the allegations contained in it? Was there an attempt to keep the protected disclosures report and its conclusions separate from the existence of the Tusla file and the allegations in that? Was the Cabinet blindsided as a result of the desire on behalf of somebody to keep the two separate at the cusp of the establishment of the commission of investigation?

**The Taoiseach:** I thank Deputy Micheál Martin. I do not know the answer to the last question he asked, as to whether the Department of Justice and Equality knew of the existence of a Tusla file.

**Deputy Micheál Martin:** Can the Taoiseach find out because the Minister for Justice and Equality has-----

**The Taoiseach:** The Minister for Justice and Equality is looking at the question of terms of reference for the inquiry, and whether it is possible to extend it to cater for other whistleblowers or whatever.

In respect of the Deputy's question, he has outlined the sequence of events. On 24 January, one of the officials in the office of the Minister, Deputy Zappone, told my office that she intended to meet Sergeant McCabe and that was relayed to me. On 7 February, in a brief informal conversation as the Cabinet meeting of that day was about to commence, the Minister, Deputy Zappone, mentioned to me that she had met Sergeant McCabe about false allegations of sexual abuse that had been made about him to Tusla. She did not go into the details of that conversation with Sergeant and Mrs McCabe or the gross mishandling of the issue with Tusla.

It is absolutely clear to me that allegations of a false nature would be fully covered by Mr. Justice O'Neill's draft terms of reference as allegations of criminal misconduct against Sergeant McCabe and are at the core of the proposed commission's remit. That was confirmed by Mr. Justice Charleton, who said all of the allegations revealed in the "Prime Time" programme are, in fact, covered by the original draft terms of reference. Paragraph (b) refers to the fact the protected disclosure sent in by Superintendent Taylor refers directly to an allegation of criminal misconduct made against Sergeant McCabe and this was the root cause of his agenda.

Clearly, we were looking at the terms of reference, we had examined the terms of reference and they were produced and presented by Mr. Justice O'Neill. Central to that was an allegation of criminal misconduct made against Sergeant McCabe. Obviously, the discussion between the Minister and Sergeant McCabe dealt with that area. The Minister did not make me aware of the existence of a Tusla file and did not comment in any detail on the conversation she had with Sergeant McCabe.

**Deputy Micheál Martin:** How did the Taoiseach know then that the commission would cover it? Mr. Justice Charleton's conclusion is retrospective. The Taoiseach did not know the detail of the allegations in the Tusla file at the time. Therefore, it begs the question as to how anybody in the Cabinet knew it would cover the Tusla file and the allegations contained within it. The Minister, Deputy Zappone, said she would have appreciated if there was advance circulation of memorandums.

I deduced from this that the protected disclosure memorandum was never circulated to other Cabinet Ministers in advance. The Taoiseach can correct me if I am wrong. Therefore, it begs the question as to how anybody knew. It seems an extraordinary display of Cabinet telepathy at work that each individual Minister deduced individually that this was somehow going to cover something that nobody knew anything about other than, allegedly, the Minister, Deputy Zappone, in terms of the detail and content of the allegations contained in the Tusla file. As we now know, they were false allegations against Maurice McCabe.

A question was asked yesterday and a very straightforward answer can come from the Department of Justice and Equality and the Minister for Justice and Equality. Did the Secretary General of the Department of Justice and Equality or senior officials in the Department know about the existence of the Tusla file and the allegations within it before they circulated or sent a memorandum, via the Minister, on the protected disclosure to the Cabinet? This is very im-

portant. We should get a clear “Yes” or “No” answer on whether they did because the truth will come out at some stage. We need a candid explanation in order to explain the background.

**The Taoiseach:** I do not know the answer to that question. In the very brief conversation I had with the Minister, Deputy Zappone, she pointed out that she had met Sergeant McCabe. I corrected the record yesterday on that and acknowledge that I was mistaken in my account of the sequence of contacts with the Minister, Deputy Zappone. She spoke to me just before the Cabinet meeting began. She did say that she met Sergeant McCabe and discussed questions of false allegations of a sexual nature made to Tusla against him.

The Cabinet was just about to consider the terms of reference which I had read. Clearly, the central issue is whether a smear campaign was directed by senior gardaí against Sergeant McCabe. The question is referred to directly in the case of criminal misconduct allegations made against Sergeant McCabe in the terms of reference drafted by Mr. Justice O’Neill which Mr. Justice Charleton later said fully covered the implications of that and all of the issues that were portrayed in the “Prime Time” programme.

**Deputy Gerry Adams:** Sinn Féin has tabled a motion of no confidence in the Government and we call on all Teachtaí to support it. Some in Fianna Fáil, in particular, said we should not have tabled the motion and claim that it will prevent the McCabe family from getting answers to their very legitimate questions. That is nonsense. It is the behaviour of the current and previous Governments that prevent this.

For his part, the Taoiseach has put forward a motion of confidence which states: “Dáil Éireann reaffirms its confidence in the Government”. That motion has only one signature, that of the Taoiseach. How could that be? Could the Taoiseach not get the support of anyone else in Fine Gael or the so-called Independents in government? Could he not get a dig out from his friends and partners in Fianna Fáil?

Deputy Billy Kelleher was gushing in his admiration of the Government today. He said he wanted to ensure that the Government survives. Why would any sensible and caring person want an incoherent, incompetent and shambolic Government to survive? Does Fianna Fáil not know what is happening in the health service or about the emergency in housing and homelessness? Does Fianna Fáil think the Government is fit for the challenges presented by Brexit? Does it forget that at the heart of the current controversy is an alleged criminal conspiracy by senior gardaí to destroy the character of a decent man doing his duty?

Yesterday, the Taoiseach told me it was irrelevant when he became aware of the false accusations against Sergeant McCabe. It is totally relevant. The Taoiseach keeps changing his story because he knows that. It seems to me that he has known for a very long time. The Taoiseach will clearly not want to answer my question and may wish to attack me personally. He can do so again and again, as part of his mock feigned anger, but that will not get anyone, in particular the McCabe family, any answers.

Having previously denied it, the Taoiseach now admits that the Minister, Deputy Zappone, told him that false accusations made against Maurice McCabe were referred to Tusla. He said he told her that would be covered by the terms of the commission of investigation. The terms of reference were drawn up by Mr. Justice O’Neill, who read the two protected disclosures. Unless the Taoiseach had seen the disclosures, he would have had no way of knowing that the false accusations brought to him by the Minister, Deputy Zappone, were the false accusations con-

tained in the protected disclosure. Was the Taoiseach aware of the content of these disclosures?

**The Taoiseach:** No, I was not. I did not see them, I was not entitled legally to inquire about them and I did not know the detail of what was enclosed in the two protected disclosures and nor did anyone else at the Cabinet table, except the Minister for Justice and Equality, who received them. I did know that in the terms of reference the question of allegations of criminal misconduct were central to the setting up of the inquiry and its work, as was the commission of investigation proposed at the time.

**Deputy Gerry Adams:** “Criminal misconduct” could mean anything at all. The Taoiseach stated that he did not know the content of those protected disclosures, but he has to say that because it would be unlawful for him to have knowledge of them. The terms of reference are clear and would not have covered the allegations brought to the Taoiseach by the Minister, Deputy Zappone, unless they were the same allegations made by Superintendent David Taylor in his protected disclosure. How could the Taoiseach have known that they were the same allegations when he gave such an assurance to the Minister, Deputy Zappone, unless he had knowledge of the protected disclosures? Let me remind the Taoiseach that this was before the judge confirmed they were the same allegations. The Taoiseach may wish to tell me that the question is irrelevant or, as I said, he may wish to attack me again. However, this question is totally and absolutely relevant. That is why the Taoiseach’s motion of confidence in the Government should be rejected by the Dáil and why he should give us a definitive, definite and conclusive answer to this totally relevant question. When did he first become aware of the false allegation against Maurice McCabe and, on the related issue, did he see the protected disclosure?

**The Taoiseach:** I confirm to Deputy Adams that I did not see the protected disclosures. I did not read them. By law, I am prevented from even asking questions about the protected disclosures-----

**Deputy Gerry Adams:** Was the Taoiseach briefed on them?

**The Taoiseach:** -----as is the Minister for Justice and Equality prevented from speaking about them. I was entitled to read and assess and analyse the terms of reference set out by Mr. Justice Iarfhlaith O’Neill, who had contact with all of the main personnel, I am sure, in respect of the two protected disclosures that he received. In my very brief conversation with the Minister, Deputy Zappone, she quite rightly pointed out to me that she had met Sergeant McCabe and that the subject of her conversation with him was false allegations of a sexual nature made to Tusla about him. These terms of reference speak specifically about an allegation of criminal misconduct made against Sergeant McCabe. I was clear in my mind that it covered and would cover false allegations of sexual misconduct. This was confirmed by the judge of the Supreme Court who was to take charge of the then proposed private commission of investigation and it also included all of the issues on the RTE programme.

**Deputy Gerry Adams:** I did not ask if the Taoiseach read them. I asked if he was aware of them. He did not answer that question.

**An Ceann Comhairle:** I call Deputy Mattie McGrath.

**Deputy Mattie McGrath:** I was going to raise the McCabe saga today, but there are so many other important issues and I will raise one of them. I raise the serious situation of the State once again failing children with disabilities. Today I will not speak about hospital waiting lists, Tusla, the children’s hospital or any of the many other failures for those with disabilities,

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but about a child's constitutional right to education. In Clonmel today, parents of at least 11 young children with autism do not have a school to send their child to in September. This number is the minimum number and refers to a group of children that will leave an excellent autism spectrum disorder, ASD, unit in St. Mary's School in Irishtown in Clonmel that was set up by former principal, Mr. Gerry Ryan. These children have nowhere to go and this number does not include the many other children who have been recently diagnosed with autism and are struggling in mainstream schools with insufficient supports. They also require the support of an ASD unit. Currently Clonmel, the largest inland town in the country, has no ASD unit at primary level, so these five year olds, who are legally obliged to attend school, have nowhere to go in September. This is not just an issue for Clonmel. It is an issue for children in Carrick-on-Suir, Tipperary town, Clogheen and Fethard. For that matter, it is an issue for children throughout the country. We are at a crisis point and the State and the Department of Education and Skills have no concrete plans to ensure that these children will have access to education come September.

Last week I met, together with a group of concerned parents, two special educational needs officers, SENOs, from the National Council for Special Education, NCSE. They admitted that we are at crisis point and that their hands are tied. They cannot force schools to open a unit, yet currently no primary school in Clonmel is willing or able, for a variety of reasons, to open an ASD unit and people cannot get a school placement. The reality is that it could be 30 km away if they can get one as many of the excellent units in surrounding areas are already full to capacity and have huge waiting lists.

In response to a parliamentary question tabled this week, the Minister for Education and Skills informed me that he had no plans to change the situation to require schools by legislation to open an ASD unit where a need is identified and that he hoped schools would open such units voluntarily. Schools are doing their best, but they will not do that, so we will have to change the legislation. I hate the word "coerce" but we have to try a carrot and a stick. The situation in Clonmel and many other areas is that schools are not planning to open any units for a variety of reasons. We hear so much from Government about changing the ethos of schools, as if it is the only issue surrounding children getting access to education, yet it continues to ignore the most serious issues, where children with special needs are being discriminated against because they cannot access education, as is their right.

These children and parents do not have big organised lobby groups and the power of the media behind them. They have to fight for everything and are sick and tired of fighting the State for the services to which they are entitled and so badly need. These children are no different from those of the Taoiseach or from my children. What will the Government do to ensure that these students will have a place to attend this September, as required by law?

**The Taoiseach:** I thank Deputy Mattie McGrath for his question. He covered quite a number of schools in Tipperary. It is clear that this is an important issue for parents and guardians of children with special needs. The Minister for Education and Skills, Deputy Richard Bruton, has made quite a number of changes in respect of the way in which we are examining this matter. For instance, last year more than €1.5 billion was spent on special needs education for children throughout the country, which is a significant proportion of the education budget for this year. I say to Deputy McGrath and to the parents that the local SENO will assist parents in finding placements for their children. Further, the number of ASD classes has increased from more than 500 to more than 1,000 to meet the growing demand since 2011. The Minister of Education and Skills is very much aware of the issues and the Department will continue in its efforts.

The Education (Admission to Schools) Bill 2016 allows the National Council for Special Education to oblige a school to accept a student with special needs. That is an important matter for the Deputy to discuss with parents. The Bill is currently before the Dáil and a further extension of the power will be considered when the Bill goes to Committee Stage.

Deputy Mattie McGrath has some positive news for parents of children with special needs and I am sure the Minister will regard the Deputy's comments as being a priority for the area.

**Deputy Mattie McGrath:** I thank the Taoiseach and the Minister for Education and Skills, Deputy Richard Burton, but what people with children with autism or an ill or sick child with special needs do not want to hear is that €1.5 billion is being allowed for special needs education. What they want is a place for their child who they love and cherish. We all love these very special children. The Taoiseach stated that the special educational needs officers will help. They are doing their best but they cannot coerce the schools or make them take these children. This is an important issue.

The Taoiseach mentioned the Education (Admission to Schools) Bill, which we have examined, and I hope the Minister will engage positively with the tabled amendments to try to strengthen the Bill so that schools will be obliged to take children who have received a diagnosis. Many parents paid huge sums of money to get a private diagnosis because they were waiting in the system for years and schools miss the most vital areas. We all know early intervention and diagnosis are vital. I appeal to the Taoiseach and his Cabinet, particularly the Minister for Education and Skills, to meet these people. We have tabled some amendments and I appeal to the Minister to accept them and not to vote them down. This is a big problem not only in Clonmel and Tipperary but throughout the country. Schools for some reason are not engaging. They have many good reasons and I am not saying they should but we must make it more necessary and oblige them to take children with this diagnosis. These children cannot go to pre-school and end up with no national schooling. It beggars belief.

**The Taoiseach:** That is precisely why the Minister has made changes and the schools admissions Bill is before the Dáil. The powers under this Bill will allow for the National Council for Special Education to require schools to accept a pupil who has special needs.

**Deputy Mattie McGrath:** We do not have an ASD unit.

**The Taoiseach:** The Bill is before the Dáil and the issue of extending this power will be considered further when it goes before the committee. I hope it will be able to make its way through the Oireachtas as quickly as possible. While this is an issue all over the country, the number of classes has increased from 500 to more than 1,000 since 2011. Progress is being made and I hope the parents of children in Tipperary and every other county will see the benefit of that in due course. We cannot do everything overnight but hopefully the Bill, when it is passed and becomes law, will add to the opportunity for parents who have children with special needs to be taken into schools where special educational needs organisers, SENOs, will work with them..

**Deputy Eamon Ryan:** I would love to be able to ask the Taoiseach why Ireland has just been referred to the European Court of Justice for a breach of the water framework directive. I would love to ask him about the national planning framework, which is, as the Minister for Housing, Planning, Community and Local Government, Deputy Simon Coveney, stated, the most important thing that can be done in the lifetime of this Government. However, I cannot

ask these questions because I must ask questions about the Maurice McCabe case, which goes to the heart of whether the Government can function and whether we have trust in it. If something can be done to one, it means it can be done to all. This goes to the heart of confidence in our democratic republic and constitutional system.

In that regard, rather than concentrating on who said what to whom, we need to concentrate on specific issues to ensure this does not happen again. I understand a meeting of justice spokespersons to discuss the framing of the tribunal of inquiry's terms of reference has been postponed. Will the Taoiseach provide a timeline for reaching agreement in the House on the terms of reference? He stated the Tánaiste and Minister for Justice and Equality is considering whether other whistleblowers should be included in the tribunal of inquiry. What is the Taoiseach's opinion on whether the terms of reference should be extended to include other whistleblowers who are alleged to have suffered the same type of smear campaign?

Does the Taoiseach believe the tribunal of inquiry should be fully transparent? We all agree with Maurice McCabe that we should not return to the O'Higgins version where an inquiry is carried out in private in an adversarial manner. Can we make the tribunal of inquiry fully transparent by broadcasting proceedings on the web, on television or by other means? If so, how will the protection of journalistic sources be protected given that, at the heart of this story, we will have to arrive at an understanding as to who contacted whom among the Garda, the journalistic profession and Members of the House? Deputy McGuinness inferred last night that everyone knew, including the dogs on the street. That is not the case. We need to find out the truth in terms of who knew and who was telling whom. The cornerstone of this case was a smear campaign and we need to work to find out who contacted whom to create that smear campaign.

I do not know from where Deputy Mick Wallace got his sources but he read out a document in which he set out that such-and-such a garda texted someone else and another individual e-mailed someone else. This is the level of forensic inquiry we will need. If the tribunal of inquiry is to be transparent, as it should be, how will we agree terms of reference to provide for transparency and allow all our correspondence, mobile telephone and e-mail records to be made accessible? This is as much an issue for the journalistic profession as for Members.

I am concerned that it may be difficult to complete this process this week. Part of the problem is that we constantly rush through stuff without thinking it through or working it out properly. Will we be able to reach agreement this week? Will the Taoiseach provide an approximate timeline setting out how long the tribunal of inquiry will take? We must avoid the fate of previous tribunals which lasted for years and cost hundreds of millions of euro.

**The Taoiseach:** I thank Deputy Eamon Ryan for his question. This is about trust and confidence in government and the institutions of the State. More so, it is about the central issue of determining the answer to the question as to whether there was a deliberate smear campaign organised by senior gardaí against Sergeant Maurice McCabe and, as a consequence, his family.

As for a timeline, I hope we will be in a position to have the spokespersons on justice sign off on what could be the terms of reference today. We could then have a Government meeting on them tomorrow and have them discussed in the House, although it may not be possible to do this.

The Deputy asked my opinion in respect of extending the tribunal for other whistleblowers. As the protected disclosures centrally involved the two senior police officers in the State, Mr.

Justice O'Neill recommended a commission of investigation arising from these two protected disclosures. While this will be a matter for the judge who conducts the tribunal of inquiry, it would be appropriate to provide a facility whereby the inquiry might be extended to other whistleblowers if the judge saw fit to do so. Ms Justice Mary Ellen Ring is restructuring the Garda Síochána Ombudsman Commission, GSOC, to deal, in a much more trustworthy and I hope professional manner, with complaints made by members of the Garda and others and protected disclosures or other information that may come that way.

I expect that the question of protection of sources is central here. At paragraph (g) of its draft terms of reference, the proposed commission of investigation was directed to "investigate whether Commissioner O'Sullivan, using briefing material prepared in Garda Headquarters, planned and orchestrated broadcasts on RTE on the 9th of May 2016, purporting to be a leaked account of the unpublished O'Higgins Commission Report, in which Sgt McCabe was branded a liar and irresponsible." This is an issue that will require some consideration by the judge in charge. Also, it is a matter for whomever is appointed as a sole member as to how the inquiry should be conducted in public. A tribunal of inquiry will have the support of the McCabe family if it is held in public and, therefore, will be fully transparent and accountable. The matter of whether it is broadcast on the worldwide web or whatever would be for the judge to decide.

I hope we can get agreement from everybody that it is absolutely necessary that the commission of inquiry be set up under the tribunals of inquiry Act. Every day that passes denies the opportunity to have the central question answered as to whether there was an orchestrated smear campaign against Sergeant Maurice McCabe. That is the function and purpose of the tribunal of inquiry and I hope all Members will be in a position to sign off on it. If necessary, the Government can meet tomorrow and we can have the debate in the House and its decision and that of the Seanad on the matter. It is in everybody's interests that this happen as quickly as possible.

**Deputy Eamon Ryan:** It would be interesting to hear the views of every party on whether other gardaí who have suffered in this way should be included in the terms of reference of the tribunal of inquiry. While this is a tough call, if the Dáil were to decide collectively such cases should be included, it would be unwise to leave the matter to the judge. It may be better for the House to give direction on the terms of reference. As we did not have the meeting this morning, I am uncertain as to whether this could be done in time for a meeting of the Cabinet tomorrow.

The wider question of trust in government is at the centre of this issue. I recall difficult times in government. When a ministerial adviser indicates to an adviser to the Taoiseach in advance of a Cabinet meeting that a matter is being looked at, it sets off red lights. If officials or advisers to the Minister for Children and Youth Affairs informed the Taoiseach's officials that the Minister was setting up a meeting with Maurice McCabe, I cannot understand how the matter did not become a subject for discussion at the subsequent Cabinet meeting. The way the system was set up in the days when Deputy Brendan Howlin was a Minister was that advisers iron out or signal difficulties in advance. Under this system, all the red lights would go off in any functioning Government to indicate that this issue would have to be discussed at Cabinet.

While I do not wish to get into who said what and where, is there a difference between the current Cabinet and previous Cabinets of which the Taoiseach was a member? Is the difficulty that we have a minority Government which includes a number of different Independents? Is this a different experience from the experience of having two parties in government? Is that the reason the Cabinet is not having proper debates, this issue was not tackled by the Cabinet and

the Dáil is in disarray as a result?

**The Taoiseach:** No, it is not. In respect of the direction in the terms of reference, the Minister is examining this matter to see if it is possible to have a facility whereby an expansion of the number of cases that might come before the tribunal of inquiry can be considered. The judge nominated to head up the commission of investigation is a serving member of the Supreme Court. He has set out a timeline for consideration of the commission of investigation. It will be a matter for the judge if he wishes to take on this responsibility and the timeline required to do so.

In regard to the workings of the Government, as the Deputy will be aware the Government has a range of challenges to consider every week. Members of the Independent Alliance work well with Government. It is true that one is always learning lessons in terms of how business should be conducted but the discussions took place at Cabinet because the protected disclosures do not allow for a discussion of the detail. The Minister, Deputy Zappone, made it clear yesterday that following her discussion with Sergeant McCabe she did not want to put in the public domain the graphic details of the discussion she had with him. As I pointed out earlier, the false allegations made to Tusla about Sergeant McCabe were clearly covered in the terms of reference about criminal misconduct.

### Questions on Promised Legislation

**Deputy Micheál Martin:** It was agreed in the House some months ago that there would be a commission of investigation into Project Eagle. It is many months ago at this stage since all parties met and agreed the framework of the terms of reference. It is being hinted, based on commentary by the Minister for Finance, that there may be some resiling from that or some resistance to the idea of a commission of investigation into Project Eagle. We are reading in the newspapers accounts of a draft report of the Committee of Public Accounts. It is important that the Taoiseach would confirm when the terms of reference for the commission of inquiry into Project Eagle will be brought before the House for debate and agreement.

**The Taoiseach:** We agreed to a commission of investigation into Project Eagle. We also agreed that it would be appropriate to wait until the Committee of Public Accounts report was produced. That has not been forthcoming to date but I understand it will be produced. Following production and examination of that report we can consider what in terms of its findings would be appropriate to include in the terms of reference. That matter will need to be considered following receipt of the Committee of Public Accounts report, as pointed out already by the Minister for Finance.

A decision was made to hold a commission of investigation but we think it only right and proper that we should await receipt of the full report of the Committee of Public Accounts in that regard.

**Deputy Gerry Adams:** The consequences of Brexit for the island of Ireland and for all the people of this island will be far-reaching. Last week, the Taoiseach said he intended to bring a memorandum to Cabinet on the implications of Brexit and also that he would make a statement on Brexit today. Will the Taoiseach confirm if he brought a memorandum to Cabinet and, if so, will it be published? The British Government published its White Paper two weeks ago. Does the Taoiseach's memorandum reference a commitment by the Government to produce a White

Paper on Brexit that would set out the Government's overall strategic approach to negotiations and economic, trade, political and other objectives and will it spell out how the Government plans to defend the Good Friday Agreement and the democratic vote of the citizens in the North to remain within the European Union?

**The Taoiseach:** I thank Deputy Adams for his questions. I brought a memorandum on Brexit to Government on Tuesday, which took into account all previous and ongoing work in relation to Brexit, including the determination of priorities in the context of the work that is under way such that negotiations can commence properly once Article 50 is triggered. I intend to make a statement on Brexit later this afternoon. The Deputy will be aware that the second all-island forum takes place this Friday. It will provide an opportunity for people to react to today's debate and to put forward additional proposals in regard to the drafting of our final plan in respect of the work we have to do when negotiations commence. I will publish the memorandum and the statement I will make later today. I look forward to hearing Deputy Adams's contribution at the all-island forum here in Dublin.

**Deputy Brendan Howlin:** As is now known, the terms of reference for a tribunal of inquiry are to be finalised in the coming days. I have been contacted by the Tánaiste and Minister for Justice and Equality seeking input into the terms of reference. I am sure the leaders of all other parties have also been contacted. In regard to the formulation of the terms of reference, the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 provides a distinct role for the Policing Authority in all these matters. In the light of recent developments, has the Taoiseach sought from the Policing Authority its view on current oversight of policing and, if not, will he seek the views of that authority on these matters in advance of the debate next week?

**The Taoiseach:** No such view has been sought but I will see that it is, following which I will advise the House.

**Deputy Catherine Connolly:** On DEIS, no new school has been admitted to DEIS since 2009, the reason being the promised review. That review was published this week, which I welcome. However, how could anyone have faith in that review when a school in Galway, in respect of which 85% of the pupils' parents are non-Irish and unemployment or low paid work in the area stands at 75%, has not been designated a DEIS school under the new programme? Perhaps the Taoiseach or the Minister, Deputy Bruton, would clarify the situation and respond to my question of how anybody can have faith in a process that allows that to happen.

**Deputy Mattie McGrath:** I want to raise with the Taoiseach the consequences of the roll-out of the DEIS programme this week without the necessary supports in place to meet schools' needs. I am calling on the Taoiseach to order a full and urgent review of the new DEIS programme to ensure that such schools do not suffer from the mistakes of the Department of Education and Skills and to ensure transparency. Five schools in Tipperary town and one school in Fethard in my area were excluded from the programme without any explanation, which has left the teachers, pupils and parents speechless and dumbfounded. These schools were excluded from the programme six years ago and had expected to be included this time around. An appeals system must be put in place for the schools affected.

**Minister for Education and Skills (Deputy Richard Bruton):** The system for selecting schools is based on the census returns, which means officials are using the best data available from the CSO on the socioeconomic make-up of the schools concerned. For the first time we

have been in a position to add 80 new schools to the 800 plus schools now in the disadvantaged category. In addition, we are upgrading a further 30 schools in terms of the provision of high levels of support. There will always be schools that are just outside of any criteria that are set.

**Deputy Mattie McGrath:** Inexplicable.

**Deputy Richard Bruton:** We are providing significant support and we intend to evolve and refine this model so that there will be opportunities for schools to be considered in the future. This is an evolving model. This is the first time we have been in a position to add to the number of schools and we have done so on a fair and objective basis-----

**Deputy Mattie McGrath:** Neither.

**Deputy Richard Bruton:** -----based on CSO data which is the best material available to us.

**Deputy Eamon Ryan:** The European Commission has referred Ireland to the European Court of Justice for breach of the water framework directive on the basis that in various places across the country raw sewage is being pumped into our rivers, streams and lakes. Will the Government defend that case and how is it proposed to fund the measures which would avert that problem? Was the Government aware of the likelihood that a case would be taken and what actions, legislative or otherwise, will it take to avoid it losing the case in the European Court of Justice and facing a significant fine?

**The Taoiseach:** I have often pointed out in the past just how far behind we are in this regard, with raw sewage being pumped into lakes, rivers and streams in many locations around the country. It is fair to say there has been an improvement in the last few years and progress is being made in this regard. The Deputy will be aware of the special committee of the Oireachtas set up to deal with water and wastewater. It will be able to provide the Deputy with the up-to-date figures on expenditure under the capital programme for the provision of water treatment facilities around the country. The Government will explain to the European Commission the progress that is being made, with a timeline for improvement. That was started under many Ministers responsible for the environment and continues apace. Good progress has been made.

I look forward to the report from the Oireachtas committee dealing with wastewater. The Government will defend its case to the European Commission on the progress being made given the economic constraints. The Minister for Finance has pointed out the opportunities that may well exist in respect of other pieces of infrastructure, arising, for instance, from the European Investment Bank if it can be determined that income streams would be available from the infrastructure involved to pay for the long-term, low-interest loans.

**Deputy Michael Healy-Rae:** It is reported this week that children will be sent home from schools because of a severe shortage of substitute teachers. There are high emigration levels among newly qualified national school teachers, who are lured by secure jobs and tax-free salaries in the Middle East in countries such as Dubai. This week, there are only 30 standing teachers available nationwide each day to cover absences across the country's 3,300 schools. According to the INTO, it takes up to 800 such substitutes to cover the country. We have some of the brightest teachers qualifying in our colleges but the Government offers them no encouragement to stay. What will the Government do to help address this very serious matter?

**The Taoiseach:** I ask the Minister for Education and Skills to respond.

**Deputy Richard Bruton:** I am glad to be in a position to tell the Deputy that we recruited this September 2,300 additional teachers and plan to recruit 2,400 additional teachers this coming September. Therefore, we are in a phase of expanding significantly the number of people employed in the teacher workforce. As the Deputy knows, with the INTO and TUI we have agreed a significant improvement in the pay and conditions for young teachers starting. A young teacher will see an increase of up to 15% in his or her starting pay, up to €35,600, and a teacher recruited last September will see an increase up to €37,500. Therefore, there are significant improvements. I acknowledge schools face difficulties in finding substitutes. That is a continuing problem but it arises against a background in which we are employing substantially more teachers each year. A study of teacher supply is currently being carried out to ensure we will be in a position to meet the growing demands.

**Deputy David Cullinane:** I wish to raise with the Taoiseach the clear need for him to give a definite commitment on the establishment of a commission of investigation into NAMA's Project Eagle loan sale. He said in his response to Teachta Martin that he is awaiting the report of the Committee of Public Accounts. He knows that committee was not allowed to, could not and did not examine allegations of criminality or corruption. These allegations can be dealt with only by establishing a commission of investigation into the loan sale. The Taoiseach should stop conflating the issues and give this side of the House a clear commitment and follow through on a commitment he gave previously to party leaders that he will establish a full commission of investigation to examine the allegations of corruption made in regard to the loan sale.

**The Taoiseach:** I met the party leaders in September in respect of this matter. I subsequently received a number of submissions from them on the matter. We met again on 4 October. It was agreed in principle to establish a commission of investigation under the Act of 2004 to investigate significant matters of public concern in respect of NAMA. This will be based on terms of reference providing for the sale Project Eagle to be investigated in the first module. At the meetings, the party leaders acknowledged that there would be significant limitations on the commission's work given the location of potential witnesses or documentation outside the jurisdiction, in addition to ongoing criminal investigations, of which the Deputy is well aware, and the likely cost of a commission of investigation. Subsequent to the meetings, the Committee of Public Accounts held quite extensive hearings during the autumn on the report of the Comptroller and Auditor General. It heard from NAMA itself and many other key witnesses. We agreed that it would be appropriate to wait until the Committee of Public Accounts produces its report and consider how best the findings might be incorporated into the terms of reference of the commission of investigation.

**Deputy Dessie Ellis:** As the Taoiseach knows, Tesco workers are out on strike. Workers' rights are under attack. With existing agreements and contracts, attempts are being made to change and undermine them. Workers have been forced to fight back and protect their rights. The strike is about union-breaking and, if not won, it will lead to a race to the bottom. Sinn Féin is bringing forward a Bill, the Industrial Relations (Right to Access) (Amendment) Bill. Will the Taoiseach support it? Does he support workers' rights? Does he support people's right to be in a union? The Taoiseach has long said he is a supporter of the Haddington Road agreement. If so, will he not call on others to stick by their agreements?

**Deputy Robert Troy:** Yesterday evening, I met a number of the workers protesting and picketing outside the Tesco branch of Longford. It is one of the eight shops out on strike. Although there are only 250 staff out of a workforce of over 10,000 affected by the savage cuts

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to terms and conditions, 100% of the employees in Longford went out in solidarity with their colleagues.

The Taoiseach's programme for Government gives a commitment to protect employees' rights. What is the Government's intention to ensure the rights of the workers in Tesco, albeit a small minority? How does the Taoiseach intend to ensure their rights are protected into the future?

**Deputy Louise O'Reilly:** The Taoiseach has a fantastic opportunity, just given to him by Deputy Dessie Ellis, to send a message of solidarity to the workers in Tesco. His silence on this will speak volumes to the workers. They have been treated disgracefully. They deserve the solidarity of this House.

**The Taoiseach:** I do support workers' rights and the right of workers to join trade unions. I hope this matter can be resolved. I heard some comment on the public airways about the nature of the strike and the issues that are at stake. I understand unions and management worked with the WRC and Labour Court. Both sides worked in this regard and there was no agreement. Clearly, this matter can be resolved successfully only in the same way as all other such matters, namely, by using the machinery of the State in negotiations.

**Deputy David Cullinane:** The Taoiseach should support our Bill.

**The Taoiseach:** I hope that applies in the case of the Tesco workers. I can fully understand that while the number outside Longford or any other premises might not include all the workforce, support always exists because those on strike are acquaintances, colleagues and friends. Let us hope this matter can be discussed rationally and that the differences, whatever they are, can be settled so the staff can get back to work.

**Deputy Danny Healy-Rae:** Over €900 million has been added to the health budget again this year. People are languishing on trolleys, however, and waiting in accident and emergency units, and the number on trolleys has not reduced. The Taoiseach visited Cork University Hospital last Monday evening. Before his arrival, many trolleys were wheeled out of the accident and emergency unit into various wards. The usual number was two to each ward. Why did that happen? Who is accountable? Who are those concerned trying to fool? Were they trying to cod the Taoiseach? Were they afraid of the Taoiseach? What will he do about it? Managers, as we found out during last Thursday's debate, are not accountable to the Minister for Health. I ask the Taoiseach to change the system and make them accountable. If elected representatives in the House cannot do something for the people who elect us, we should not be here at all. Managers need to be brought to account. I am asking the Taoiseach to do just that. What was done in Cork last Monday evening was shameful.

**The Taoiseach:** I also went to see the works done at Páirc Uí Chaoimh, to which the Government is contributing €30 million. Those concerned are getting ready for the Kerry people on 3 July this year. They will have a brand-new stadium and it will be an occasion of great excitement.

**Deputy Danny Healy-Rae:** The people on trolleys do not have much interest in Páirc Uí Chaoimh.

**The Taoiseach:** I was in Cork University Hospital last week.

*1 o'clock*

The purpose of my visit to Cork University Hospital was to open the new paediatric unit stage 1 - a fabulous building, wonderfully laid out, with brilliant colours and brightness for children who will be there; a cystic fibrosis unit; a unit to deal with diabetes; and so many other treatment rooms of a world-class standard. I was not near the accident and emergency unit. I have no knowledge of what the Deputy is saying about trolleys being wheeled out. There was quite a big crowd there that was very enthusiastic. I might say that they are looking forward to getting a contribution from Government for phase 2 of the development, with which they will be ready to go shortly, and I said to them that it would be included as part of the review of the capital programme in due course. As to the area that I was in, there are first class, wonderful facilities - long overdue, indeed - for the staff and the nurses and the children who will be in that unit.

I will investigate the Deputy's claim about trolleys being moved. They certainly were not moved for me.

**Deputy Danny Healy-Rae:** It is no laughing matter.

**Deputy Bernard J. Durkan:** Speaking on health issues, the new children's hospital establishment Bill is promised legislation. What progress has there been and what is the hospital project's state of development?

**The Taoiseach:** We are expecting the heads of that Bill a little later on, but I think that everything is on target for commencement of the actual building. I understand that some pre-clearance works are being done. Clearly, the Minister will bring a business memorandum to Government in respect of the funding and the costing and the arrangements to pay for the national children's hospital. This, however, is something that we must do. It began, indeed, during Deputy Howlin's exemplary time as a Minister. It will be the single biggest piece of health and medical infrastructure in the history of the State and will serve the children of the island for the next 50 years.

**Deputy Dessie Ellis:** Look at the costs.

**Deputy Pearse Doherty:** With the Ceann Comhairle's indulgence, I will ask the Taoiseach to recall the minutes of the meeting to which he referred at which he said that, although there was agreement in principle to set up a commission, it was also agreed that it would not be appropriate to do so until the Committee of Public Accounts had reported. I have asked for a record of that meeting to be sent to us. The record clearly states at point No. 3 that steps to establish a commission will be taken immediately and before the Committee of Public Accounts completes its report. Will the Taoiseach reflect on this, examine his own records and correct the record of the House if needs be? There may have been an arrangement between the Government and Fianna Fáil, but that would have been in breach of what was agreed at the previous meeting.

I have raised the Tribunals of Inquiry Bill 2005 with the Taoiseach, the Tánaiste and Minister for Justice, Deputy Fitzgerald, and her predecessor, Alan Shatter. As the Taoiseach knows, this legislation dates back to 2005. We have had it on our Order Paper since then. It has been before these Houses for 12 years. Given the fact that we are going to establish a tribunal of inquiry, I am sure that the Taoiseach is well aware of the reason that this legislation exists. We have identified flaws in it that can easily be rectified.

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**An Ceann Comhairle:** I thank the Deputy, but he has gone over time.

**Deputy Pearse Doherty:** With the Ceann Comhairle's indulgence, this is about ensuring that, for example, no public relations company-----

**An Ceann Comhairle:** We cannot get into a debate on the legislation.

**Deputy Pearse Doherty:** -----employed by a witness before a tribunal can be paid from the public purse. It is about ensuring that the Minister can set regulations-----

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

**Deputy Pearse Doherty:** -----as to how much in legal fees can be paid. It is about allowing the judge to ensure-----

**An Ceann Comhairle:** Deputy, please. The time is up.

**Deputy Pearse Doherty:** -----that an individual cannot be represented by seven, eight or nine senior counsels. It is a recognition that the existing-----

**An Ceann Comhairle:** Has the Deputy difficulty hearing me? The time is up.

**Deputy Pearse Doherty:** I will finish on this. The existing legislation is flawed.

**An Ceann Comhairle:** Please, resume your seat. The time is up. It is manifestly unfair to take time from your colleagues - other Members - who wish to pose questions. Resume your seat.

**Deputy Pearse Doherty:** What is the intention of the Government as regards the Tribunals of Inquiry Bill 2005?

**An Ceann Comhairle:** Will you resume your seat?

**The Taoiseach:** The minute the Deputy quoted from is correct and work was done following the meeting that we had where we agreed in principle that a commission of investigation should be set up into Project Eagle. Obviously, that work remains, but before that is completed and finalised, and as the Committee of Public Accounts had carried out extensive discussions and hearings, we thought it appropriate to wait until it produced a report to see if some of the findings from the Committee of Public Accounts should be fed into the commission of investigation's terms of reference.

In regard to the 2005 tribunal Bill, it has not made it back onto the Order Paper, the reason being that it is being looked at again. I am quite sure that the issues that Deputy Pearse Doherty raises - that his party has identified as being weaknesses in the structure - will also be taken into consideration there.

**Deputy Fiona O'Loughlin:** My question is on parts of the Assisted Decision-Making (Capacity) Act 2015. It is of grave concern that the parts relating to the repeal of the Lunacy Regulation (Ireland) Act 1871 and the review of the wards of court provisions have yet to be commenced. This is particularly important, given Ireland's ambition to ratify the UN Convention on the Rights of Persons with Disabilities and support those who wish to make a living will so as to ensure that, if they are unable to make their wishes known at a later time, they can do so now. We need to examine this matter urgently.

**The Taoiseach:** The Bill that the Deputy referred to was enacted in 2015 and the disability Bill is awaiting Second Stage, as I understand it. We pointed out on a number of occasions that it would be necessary to put through a number of pieces of legislation before we could formally sign off on the ratification of the convention. I will advise the Deputy as to where the progress has been made. The Bill she referred to was enacted. Disability is another one of those elements that must be cleared by the Oireachtas before we can proceed to ratifying the convention.

**Deputy Imelda Munster:** Under the programme for Government, the Government introduced rent pressure zones as a means of attempting to curb, albeit in a limited way, the spiralling cost of rent. I do not know whether the Taoiseach has read the report published by *Daft.ie* two days ago that identified County Louth as having seen the largest increase in rents in the State at more than 17%.

On top of the fact that almost 5,000 people are languishing on the housing list, many for longer than nine years, there is a chronic shortage of private rental accommodation. There are just 33 properties available for private rental at the moment. The bulk of those are unaffordable for most and the landlords of the remainder will not accept the housing assistance payment. In light of these facts, will the Taoiseach give a commitment to include Drogheda in the rent pressure zones?

**The Taoiseach:** The report deals with new lettings and existing tenants are not affected. Obviously, the Minister for Housing, Planning, Community and Local Government will keep this matter under continuous monitoring. As the Deputy is aware, he expanded the rent pressure zones substantially in the recent past. No doubt he will take into account the impact of new lettings in places like Drogheda on existing tenants and keep that under review. I thank the Deputy for raising the matter.

**Deputy Eugene Murphy:** The programme for Government placed quite an emphasis on treating all our children equally and looking after them, but there are 132 children in County Roscommon waiting to see a child psychologist. This is an increase of 127% since 2015. In response to a parliamentary question, the Minister for Health has opened a panel. Will the Taoiseach and the Minister for Children and Youth Affairs, Deputy Zappone, address this issue urgently?

On top of that, Syrian immigrants will come to Ballaghaderreen in the first week of March. Among those 82 people will be 34 children and I am sure that, after what they have gone through, some will need this service.

We are facing a major crisis. I am making a personal plea to the Taoiseach and the Minister to look after this issue and ensure it is addressed. To be honest, one of the child psychologists went out sick last year and has not been replaced. That must be addressed as a matter of urgency.

**The Taoiseach:** I am not sure if the Deputy is raising the matter in respect of children who have an issue that needs to be attended to in terms of their school-going days, because the Minister for Education and Skills has changed the way that this is now done. It is much more effective and in the better interests of children.

In respect of the psychologist who retired-----

**Deputy Eugene Murphy:** All because of sickness.

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**The Taoiseach:** In respect of the Syrian children coming to Ballaghaderreen, I thank the Deputy and the community for their response to that. Clearly, the question of the replacement of the psychologist is one for the HSE. I will have the matter followed up with the Minister for Health, the Minister for Children and Youth Affairs and the Minister for Education and Skills in respect of the 132 plus Syrian children who will arrive there.

**Deputy Carol Nolan:** I wish to raise with the Taoiseach the clear commitment in the programme for Government that wind farm regulation guidelines would be published in consultation with the public within three to six months. I understand there has been a European Court of Justice ruling which places an onus on the Government to inform the public in relation to energy policy. However, I now understand that the guidelines have been deferred again because of that ruling. In the meantime, corporations in my constituency in Offaly and in north Tipperary are being given a free run and that is not right. Citizens are not being listened to, which is another example of the Government treating citizens in rural areas as second-class citizens. Their voice is not being heard and no respect is being shown to them. When will the public consultation commence and when will the guidelines be published? In the meantime, I call on the Taoiseach to take urgent action because it is incredibly unfair that a person can run the risk of having a wind turbine 500 m from his or her house. That is unacceptable.

**The Taoiseach:** I do not accept the Deputy's premise that people living in rural areas are treated as second-class citizens.

**Deputy Martin Ferris:** How would the Taoiseach know?

**The Taoiseach:** We have just published the major programme for realising the potential of rural Ireland which draws together all of the various programmes from the Common Agricultural Policy, local authorities and regional authorities to help everybody to be able to benefit from that. Part of the programme includes the direction from the Minister for Jobs, Enterprise and Innovation to have 135,000 jobs spread to the regions between now and 2020. An examination of what kind of country we will have in 20 years time is now being conducted by the Minister for Housing, Planning, Community and Local Government. There is public consultation about where major roads should be, growth in towns, where people will live and the kind of energy we will have, among other issues.

In respect of Deputy Nolan's point about wind turbines, this is still a matter that is being considered between the Minister for Communications, Climate Action and Environment and the Minister for Housing, Planning, Community and Local Government. I accept the Deputy's point that it is important that people's views are taken into account, but it is also important that there would be an effective, practical working arrangement. I hope that can be expedited.

The Deputy is aware the Minister for Communications, Climate Action and Environment, Deputy Naughten, had an accident which resulted in him being laid up for some time. He is back in action again but it took a few weeks out of his schedule.

**An Ceann Comhairle:** That concludes questions on promised legislation. My apologies to the four Deputies whose questions were not raised today. We will try to get them in tomorrow.

## **Topical Issue Matters**

**An Ceann 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 Bobby Aylward - the future of the regional veterinary laboratory in Kilkenny; (2) Deputy Sean Fleming - the stabbing of a person (details supplied) in Kilkenny city in 2012; (3) Deputy John Curran - the lack of dental services for children in Clondalkin; (4) Deputy Brendan Griffin - the need for a new primary school in Waterville, County Kerry; (5) Deputy Louise O'Reilly - the capacity for new entrants starting primary schools in north County Dublin; (6) Deputy Brian Stanley - the future of the Bord na Móna plants at Kilberry, County Kildare and Cuil na Móna, County Laois; (7) Deputies Seán Crowe, Dessie Ellis, Mick Barry, Clare Daly, Aengus Ó Snodaigh and Bríd Smith - the proposed strike by Tesco workers; (8) Deputy Imelda Munster - the collating of data on council owned landbanks zoned for housing; (9) Deputy Pat Buckley - ambulance services in east Cork, including the Midleton area; (10) Deputies Alan Kelly, Mattie McGrath, Jackie Cahill and Seamus Healy - the new DEIS programme specifically in schools in Tipperary; (11) Deputy Michael Healy-Rae - resources for the National Park in Kerry; (12) Deputy Pearse Doherty - access to services at Letterkenny University Hospital for chemotherapy patients; (13) Deputy Richard Boyd Barrett - the Daft.ie report on rent increases; (14) Deputies Kevin O'Keefe and Mick Wallace - the closure of Harold's Cross greyhound track; (15) Deputy Gino Kenny - the exclusion of those aged over 16 from mental health long-term illness schemes; (16) Deputy Billy Kelleher - the need for the Minister for Health to make a statement on the provision of FreeStyle Libre under the long-term illness scheme; (17) Deputies John Lahart, Darragh O'Brien and Seán Haughey - the need for the Minister for Health to make a statement on the future of Dublin Fire Brigade ambulance services; (18) Deputy Fiona O'Loughlin - funding for necessary health treatment abroad; (19) Deputy Thomas Byrne - the need for a major examination of safety issues and the general effectiveness of the N2 as a national route; (20) and Deputy Martin Heydon - the need for urgent support for medical treatment for a sick patient (details supplied).

The matters raised by Deputies Brendan Griffin; Louise O'Reilly; John Lahart, Darragh O'Brien and Seán Haughey; and Richard Boyd Barrett have been selected for discussion.

## **Ceisteanna - Questions**

### **Taoiseach's Meetings and Engagements**

1. **Deputy Brendan Howlin** asked the Taoiseach if he raised any issues during the exchange with ECB President Mario Draghi at the most recent EU Council. [5691/17]

2. **Deputy Brendan Howlin** asked the Taoiseach if his Department has prepared any position paper regarding Ireland's concerns on Brexit for presentation to EU leaders at the Malta summit in February 2017. [5692/17]

3. **Deputy Gerry Adams** asked the Taoiseach if he will report on the informal meeting of European Union Heads of State or Government held on 3 February 2017. [5891/17]

4. **Deputy Darragh O'Brien** asked the Taoiseach if he had any bilateral meetings when in

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Malta on 3 February 2017; and the issues discussed. [6718/17]

5. **Deputy Gerry Adams** asked the Taoiseach if he had discussions with the British Prime Minister, Mrs. Theresa May, at the most recent informal meeting of European Heads of State or Government in Malta; and if so, the issues raised. [6912/17]

6. **Deputy Bríd Smith** asked the Taoiseach if he will report on his meeting with EU leaders in Malta. [7019/17]

7. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the meeting of the European Union Heads of State or Government in Malta on 3 February 2017. [7033/17]

8. **Deputy Mick Barry** asked the Taoiseach if he will report on the EU Heads of Government Summit meeting he attended in Malta recently. [7045/17]

9. **Deputy Micheál Martin** asked the Taoiseach if he will report on the EU meeting in Malta; and if he had any bilaterals at same. [7051/17]

10. **Deputy Micheál Martin** asked the Taoiseach if he has spoken to President Hollande recently; and his plans to visit Paris on a trade mission. [7056/17]

11. **Deputy Joan Burton** asked the Taoiseach if he will report on his recent meeting with EU Heads of Government in Malta. [7132/17]

12. **Deputy Seán Haughey** asked the Taoiseach the number of European leaders he has met since September 2016 regarding Brexit. [7134/17]

13. **Deputy Gerry Adams** asked the Taoiseach the number of meetings he has held with Heads of State or Government on the issue of Brexit in the past six months; and the details of planned meetings in the next six months. [7354/17]

**The Taoiseach:** I propose to take Questions Nos. 1 to 13, inclusive, together.

I attended the summit of EU Heads of State and Government in Malta on 3 February, where the focus was on the future direction of the Union, in response to the various challenges we face, as well as on the migration situation. Like most member states, Ireland did not present a position paper but we participated fully in discussions at the summit, in the preparatory meetings and in the drafting of the text of the Malta declaration.

The summit included an informal meeting of the European Council in the morning, where we discussed the external aspects of migration and agreed the Malta declaration, and a meeting of the 27 Heads of State and Government, without the UK, in the afternoon, where we considered the renewal and future direction of the EU.

The discussions between the 27 EU Heads of State and Government were wide-ranging and took account of the various challenges we face, globally and in the context of the European Union. We agreed on the importance of our core values, that these are central to future peace and prosperity in Europe and that we need to remain unified. We also agreed on the importance of delivery for citizens and, in that context, the need to press ahead in areas of particular relevance, including jobs, growth and investment, as well as migration and security. As Deputies are aware, Ireland attaches particular priority to moving ahead on both the Single Market and the Digital Single Market and we will continue to push for ambitious approaches in these areas.

We also spoke briefly about the follow up to European Council meetings and how better to explain and communicate what we do.

The exchanges at Valletta will feed into preparations for a meeting in Rome to mark the 60th anniversary of the Treaty of Rome on 25 March. The intention is to agree a paper there which will provide guidance for the EU in the period ahead.

We had an exchange on the European economy with ECB President Draghi at the December European Council, in which I participated but did not intervene. President Draghi spoke about the improved economic situation across the Union, but underlined the need to continue reform efforts. His view was that, while the statistics are better, many individuals have yet to feel the effects of recovery, and there is a need for them and for businesses to have confidence for the future.

I had a bilateral meeting with the Maltese Prime Minister, Joseph Muscat, in Valletta on Saturday, 4 February. Malta currently holds the rotating Presidency of the EU and this was my second recent bilateral meeting with the Prime Minister. Our discussions focused mainly on Brexit and the future direction of the European Union. I explained in some detail our particular concerns arising from Brexit and we exchanged views on the negotiations ahead.

Since September 2016, I have held bilateral meetings with the leaders of Spain, Poland and Cyprus, in addition to Malta and the UK. I also held bilateral meetings in Dublin with the President of the European Council, Donald Tusk, and with Michel Barnier of the Commission's Brexit task force. My last bilateral meeting with President Hollande was in Dublin on 21 July 2016. There are no specific plans for a trade mission to France in the immediate future. At the informal summit in Malta, as at all meetings of the European Council, I met and engaged with my EU counterparts during the course of the summit and in the margins of the meetings.

**An Ceann Comhairle:** We have nine questioners present. Members can be very brief or we could decide to take two blocks of 15 minutes.

**Deputy Brendan Howlin:** Yes, two blocks. There are 13 questions.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Brendan Howlin:** There is a variety of different questions. My first question relates to the ECB President Draghi. As the Taoiseach informed us, President Tusk invited Mario Draghi to deliver a brief intervention at the Council to get his views on economic recovery and the outlook for the European Union. We understand his view is that while there was a pick up in 2016 he warned that 2017 was fraught with the risks posed by both Brexit and the outcome of the US presidential election. Is the Taoiseach concerned at the recent remarks by the head of the US National Trade Council, Peter Navarro, specifically on Germany and his attack on Germany and the euro? He said the euro was gaining unfair trade advantage from being grossly undervalued. What is the Taoiseach's attitude to that statement and has he discussed it with any of his colleagues? Will he discuss it with his American colleagues, in particular with President Trump, because it is very undermining of our currency for that sort of remark to be made by such a senior member of the Administration in the United States?

In relation to the discussions in Malta, the Taoiseach has indicated that he did not circulate a position paper on Ireland's concerns on Brexit to the EU leaders summit in Malta in February. Why was that? What mechanism is the Government using to communicate our deep concerns

about the impact of Brexit on this State to other European leaders? Has a common position paper for Ireland been circulated to make sure that everybody understands the detail of our concerns? What strategy has the Taoiseach employed to deal with the issue?

In relation to the potential outcome of the debate, the decision on the terms negotiated will ultimately be determined by the Council, by qualified majority voting. Ireland could be out-voted and we could be in a situation where we would have vehement opposition and yet have no blocking mechanism. Has the Taoiseach raised that potential with his colleagues and has any thought been put in here to ensure that, since no country is going to be affected in the way Ireland will be, at least the deal negotiated will be acceptable to us?

**The Taoiseach:** Mr. Draghi did point out the trends for the future as he saw them. Mr. Navarro raised the question about the status and strength of the euro with particular reference to Germany where the point was made about its exceptional trade balance and surplus. I am sure this has been the discussion point at some of the Ecofin meetings of the finance Ministers. From that perspective, the focus at the meeting following Mr. Draghi's intervention was to continue to do what Europe can do to improve output, productivity, growth and jobs.

The discussion of the 27 heads of state in Valletta concerned the future of Europe. It was not so much based upon Brexit since Article 50 has not yet been moved but what the agenda for Europe is at the moment. It is the Single Market, the digital single market, the capital markets union and how we deal with the question of migration. I made the point previously that not a single Libyan was among the 181,000 migrants who crossed the central Mediterranean passage from Libya, so Libya is a country of transit for people coming from the Horn of Africa and north Africa in general. These were all economic migrants who had paid for their passage to Europe and were being smuggled.

We have spoken to all the Heads of Government. Every Minister is dealing with their counterpart at Council level. They are all aware of the Border, the peace process, the common travel area-----

**Deputy Brendan Howlin:** Has a particular dossier been given to them?

**The Taoiseach:** I will make a speech this afternoon setting out the vast majority of this. Hopefully, we will embellish after Friday when the all-island forum takes place in Dublin Castle.

**Deputy Gerry Adams:** I asked the Taoiseach this question earlier. I apologise for asking it again as I did not hear his answer. I asked him whether he has planned a White Paper. He knows that the British Government will trigger Article 50 in a few short weeks and that Prime Minister May's White Paper gives us some sense of the degree of impact her decision will have on all the people of this island. I welcome Friday's civic dialogue plenary session. The process has been very good, although I am disappointed by the cancellation of meetings in Northern Ireland. In particular, the sectoral meetings have been very helpful. Last week, the Taoiseach indicated in the context of the Assembly elections that he was concerned that holding sectoral meetings in Northern Ireland might leave the Government open to the accusation of interfering in the electoral process, but people in Northern Ireland read and listen to reports of what is happening in this State. Nonetheless the election will be over so is it the Taoiseach's intention to hold sectoral meetings following the election? I also want to ask the Taoiseach about a report in the media that the Government is looking at possible sites for customs posts along the Border.

Can the Taoiseach confirm or deny that?

I want to raise briefly the case of Ibrahim Halawa. Yesterday, his trial was delayed once again. He has now been in prison for over three years. Can the Taoiseach give us an update?

A total of 400 migrant deaths have been recorded in the Mediterranean since January 2017. That is a huge amount of human beings. Over 5,000 people died in the Mediterranean last year. The Malta summit saw agreement on long-term co-operation measures with Libya and neighbouring countries but thousands of refugees are being held in Libya. Has the Taoiseach raised concerns about this humanitarian crisis with our European partners?

**The Taoiseach:** We made the point to them about the very frequent visits of our diplomatic service and a group led by the Ceann Comhairle and the Minister for Foreign Affairs and Trade to various locations to talk to ambassadors and the President of Egypt with whom I have had two or three conversations about Ibrahim Halawa. Deputy Adams is well aware of the background to this. Ibrahim Halawa is the only Irish national in prison and we want him to be released. A statement was issued following his meeting with an all-party group. I hope it can be brought to a conclusion fairly quickly. Hopefully, the President will use his pardon. I wish the court case would be held so that a decision could be made and Ibrahim Halawa could then be released home to his family and country.

The sectoral meetings have been a big advantage and a big help. Everything from transport to logistics to social welfare to pensions to hospitality was covered. I have no objection to having sectoral meetings in Northern Ireland after 2 March. The people of Northern Ireland will have made their choice then and I hope an Assembly and a working Executive can be put together. It is important that people, irrespective of their political differences, would focus on the future. Brexit will be a hell of a campaign in terms of negotiations.

Deputy Howlin raised the point about qualified majority voting, which is an issue. There are a number of small countries that are also affected, including the Netherlands and Denmark. They are concerned that qualified majority voting could be an issue if the case is not made well. This is why we are talking to all the leaders individually and that is why the Ministers are doing their business. It is so that everybody is aware of the impact on a country like Ireland. It has been pointed out by most of the economic reports that we will be the most adversely affected of any country.

I hope nobody is looking for sites along the Border. I have seen reports drafted by customs officials but I have an agreement with the British Government that there will be no return to the Border of the past and that means no customs posts along the Border. This is a British policy. It is not a technological issue. This is a political challenge. We do not want to see that happen because Deputy Adams knows the implications of that very well. We will not stand for any return to the Border of the past. We will make that case very strongly and clearly. Nobody I have met North or South wants to a return to that.

**Deputy Darragh O'Brien:** On 3 February 2017, the Taoiseach attended the EU meeting in Malta. What bilateral meetings did he hold, how many meetings did he hold over the course of that day and which heads of Government did he meet with? I am trying to get a sense of the progress the Taoiseach believes we are making within Europe on putting forward the unique position of Ireland post-Brexit, particularly in light of the fact that the British Government seems to have rejected out of hand the argument that Northern Ireland should be granted any

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special status. My party leader and I met yesterday with the UK Secretary of State for Northern Ireland, James Brokenshire, and very clearly told him that Fianna Fáil is most disappointed and gravely concerned with that turn of events. I am trying to get a picture as to how our EU colleagues are or are not supporting our position in advance of the negotiations. They have not yet started but this is the positioning. While we will be one of 27 member states, I want to make sure that we will not be left behind or part of the collateral damage that may occur post-Brexit. Fianna Fáil and I have stated that we remain firmly committed to the EU. We understand that there are unique issues between the UK and us such as a unique trading relationship and a special relationship in the context of the Good Friday Agreement.

I know the Minister for Foreign Affairs and Trade also mentioned the concerns regarding the unpicking of the Good Friday Agreement, particularly the human rights agenda. The Minister mentioned that last week and then seemed to change tack and take the British line on it, which is that there is no consensus in Northern Ireland for a bill of rights. I put it to the Taoiseach that we should be telling the British Government and our European partners that we will not accept any dilution of the Good Friday Agreement.

**The Taoiseach:** I agree with the Deputy. We will not accept anything less than full implementation of the Good Friday Agreement and its successor agreements. As the Deputy is aware, it is an internationally and legally binding Agreement lodged in the United Nations.

I read out in my reply the number of bilateral meetings that I have had formally with different leaders. Obviously, at a European Council meeting of 27 or 28 member states, one meets most people but does not sit down for an informal or formal bilateral meeting with all of them. That is the same as at any other place I meet and talk to EU leaders.

I am now engaged in meeting each one of the leaders individually in order that they fully understand our problems in Ireland. That is why I had a formal meeting on the Saturday morning with Prime Minister Muscat, who understands that this is a political challenge in respect of the Border and Northern Ireland. He now understands the common travel area. Everybody in Europe appreciates that there is a peace process here. I visited Spain to talk to Prime Minister Rajoy. Spain also has an issue in Gibraltar, with which the Barnier task force must deal. Gibraltar is an issue between Spain and Great Britain. That is a bilateral between them. Obviously, the Spanish would have great difficulty in asking for special status for Ireland because Catalonia is an issue for Spain.

The point is that we have a particular set of circumstances. We have a special designation in terms of the peace process. There are special funds in respect of INTERREG and PEACE funds. There is so much other support and we want to build on that for the future. In my view, we already have special recognition and a special status that does not apply anywhere else. How can we expand that in the negotiations ahead? For instance, I met fishermen from all over the country last night. It is a very complex situation. We do not want fishing to be siloed or left on its own. It has got to be part of the food chain along with the agri-economy that is so important to us. Yet, the difficulties with the Common Fisheries Policy are extraordinarily complex. We do not want to be left in a situation in which a fishing fleet is removed from the exclusive waters of Britain, for instance, but has to put up with other people coming into the exclusive waters of Ireland. We are glad to have the support of Fianna Fáil. I hope that Deputy Micheál Martin and Deputy Darragh O'Brien will speak to their political colleagues in Europe to help make them aware of our particular circumstances in Ireland.

**Deputy Bríd Smith:** My question is about the Taoiseach's discussions in Malta with the EU leaders. I ask him to specifically comment on the deal that the European Union proposes to do with Libya for that country to take refugees. We have gone from doing a deal with Turkey to doing a deal with Libya. It gives the Libyan Government €200 million to hold on to refugees and stop them trying to cross the Mediterranean. I would like to know what the Taoiseach said in this discussion. Some time ago, he spoke in very flowery language about the reality and the record of Irish people dealing with refugees. The Taoiseach said:

It is in our history and personality and in our DNA in Ireland, having dealt with coffin ships after the time of the Famine and the Great Hunger. The humanitarian personality of Ireland is extraordinary.

I do not see anything extraordinarily humanitarian about this deal. In fact, both Amnesty International and Médecins sans Frontières are very critical of this regressive deal with Libya, which will force refugees into absolutely horrific anti-humanitarian circumstances in which they are starved, beaten and raped whether they are men, women or children. The record of the Libyan regime is absolutely appalling.

The Libyan regime is in tatters. There is a civil war taking place there at the moment with three rival governments trying to control a very desperate country. Our own record on taking refugees is not as the Taoiseach described. We have been appallingly miserable to refugees in the middle of a humanitarian crisis. We very recently returned €4 million to the EU that was allocated to us to help resettle migrants. We have 8,000 migrants - men, women and children - living in direct provision, which is a horrendously cruel system that needs to be challenged. I want the Taoiseach to comment on this latest deal. I do not know how to describe how EU leaders could even think of putting refugees into the hands of the Libyan state, given that it is in the middle of a civil war and given the reports coming back from our own Naval Service, which has helped to rescue people from the Mediterranean, of rape, brutality and total inhumanitarian treatment of those refugees in Libya itself. Mr. Donald Trump finds ways of keeping out refugees by building walls. We are keeping them out by sticking them into the hands of an absolutely terrorist regime.

**The Taoiseach:** It seems to be the Deputy's theory that one can move into a country and do what one wishes. There is no national government in Libya. As the Deputy pointed out, there are three entities vying for authority there. One of those entities is making valiant efforts to provide the basis of good government. I mentioned earlier that of the 181,000 people who came across the central Mediterranean passage from Libya, none of them were Libyan people. These are not refugees. They are all economic migrants. They are being smuggled across in boats to be picked up-----

**Deputy Bríd Smith:** Hang on. The Taoiseach cannot redefine people coming from a humanitarian crisis as economic migrants.

**The Taoiseach:** Excuse me. The official statistics show that these are all economic migrants. They have moved up through the horn of Africa to Libya to cross the Mediterranean. That is why we sent down our naval forces for the last couple of years. That is why they were able to rescue 15,600 men, women and children.

**Deputy Bríd Smith:** I think that is a disgraceful way of describing them.

**The Taoiseach:** What the European Union is now doing is working with a number of Af-

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rican countries in what they call compacts, where finance, training and assistance is given to these countries in terms of the coast guard, personnel training, in dealing with questions of the economy and in creating a basis for economic development. It is actually proving very successful. The point is-----

**Deputy Bríd Smith:** I asked the Taoiseach a question. What did the Taoiseach say about the deal with Libya?

**An Ceann Comhairle:** Deputy Smith cannot keep interrupting.

**Deputy Bríd Smith:** He is not answering my question.

**An Ceann Comhairle:** The Deputy cannot keep interrupting.

**The Taoiseach:** The Deputy seems to assume that the European Union can move into Libya and tell it to do what Europe likes.

**Deputy Bríd Smith:** I am asking the Taoiseach what he said about the deal.

**The Taoiseach:** There is no national government in Libya. Despite the fact that Europe provides significant moneys for training, this was discussed at the Malta meeting, it commits the EU to doing its utmost to stabilise the position in Libya in order that the Libyan people can have an opportunity to live their lives. It is vital that we assist the authorities in Libya, such as they are, to build their capacity and control their own land and sea borders in order that they can combat transit and smuggling activities. We remain committed as a European Union to political settlement under the framework of the Libyan political agreement, which the Deputy does not seem to want to recognise-----

**Deputy Bríd Smith:** No.

**The Taoiseach:** -----and to supporting the presidency council and the government of the national accord, which is backed by the United Nations. I hope the Deputy supports that. Where possible, EU member states will step up co-operation with and assistance for the regional and local communities of Libya and with international organisations that arrive in the country.

**Deputy Micheál Martin:** There are two issues on which I have a number of questions. The first issue is the discussion with Mr. Mario Draghi. All recent data suggest that the European economy is showing some strength but faces very early threats. There has been an uptake in growth and the deflationary pressure of the last two years seems to have been overcome. That means that this year is going to be an incredibly important one, particularly when it comes to European Central Bank policy in response to these developments. It is likely to end much of its market intervention activity, thereby pushing up the costs of public borrowing and weakening the balance sheets of major companies. Taking these things together, I believe there is every reason that the Taoiseach should convey Ireland's concerns and position on these matters to Mr. Draghi. While the ECB council is fully independent in setting policy, there are no rules to say the Taoiseach cannot actually convey our views to it. Has the Taoiseach expressed an opinion to Mr. Draghi on European Central Bank policy or has he remained silent? Has Ireland expressed its concern that no sudden actions be taken that might damage this still-fragile recovery across Europe? Given the past policy of our banks, an increase in interest rates is likely to have a major impact on borrowers here. Is the Taoiseach taking any action in anticipation of rising interest rates?

With regard to the informal summit in Malta, the negotiations on Brexit will begin next week. I believe the Taoiseach has held bilateral meetings with about one third of the other leaders of the European Council. I would have thought that he would have held far more, given the gravity of the Brexit issue. I am not talking about conversational chats around the summit meetings. I am talking about formal bilaterals at which we can set out our concerns and priorities as a country. That is important. I put it to the Taoiseach that he needs to accelerate the levels of activity in conveying Ireland's key issues to the other EU Heads of State and Government, given the enormous impact of Brexit.

RTE reported last week that there is a widespread belief in Brussels that Ireland is complaining a lot in its analysis but is not coming up with concrete solutions or proposals. Is the Taoiseach in a position where he can bring forward concrete proposals from the Irish Government regarding the Brexit situation?

**An Ceann Comhairle:** I will call Deputy Burton. Otherwise, we will not have enough time. Will Deputy Burton briefly pose a question?

**Deputy Joan Burton:** I ask the Taoiseach about the pointed reference towards the end of his answer that there will be a special meeting of EU Heads of Government in Rome shortly which will celebrate the 60th anniversary of the European Union. I am concerned that the Italian Government has made it clear, both through the Prime Minister and its European Minister, that it proposes to reintroduce to the agenda of that meeting the notion of a two-speed Europe. The Taoiseach visited the Polish Prime Minister recently. He did not look very happy. It might have been the cold but it was probably that the Visegrad countries, of which Poland is a member, are extremely upset at the idea, to quote one of the Italian European Ministers, that when Britain has quit the EU it will be an opportunity to go back to the federalist integrationist model which, as the Taoiseach knows, some states see as core but with which states from the eastern side of the European Union in particular do not agree. In the context of Brexit, that means we will be caught like the proverbial meat in the sandwich.

I have spoken to the Taoiseach previously on two issues about which I have also written and spoken publicly in this House. First, we badly need a Minister for Brexit because the delegation of functions with regard to that is not adequate in the context of all the issues the Taoiseach has on his plate.

**An Ceann Comhairle:** We are out of time, Deputy.

**Deputy Joan Burton:** People are worried about that. Second, we need an all-Ireland, all-island special status. I have suggested to the Taoiseach that there is a model available from the Belfast Agreement and the peace process to do that. While there is a good deal of detailed work being done in different Departments, the Taoiseach does not have a strategic approach.

Where is the Taoiseach's outline of his major speech that he referenced in the reply? Is that speech to be delivered here on the floor of the Dáil or will it be delivered in some other venue? If it will not be delivered to the Dáil, we need to be made aware of that.

**An Ceann Comhairle:** I am sorry but the Taoiseach has no time to respond. We will move on to the second group of questions.

**The Taoiseach:** I will respond to Deputy Burton later. I will be delivering that today outside the House and the Deputy will get a copy of it.

**Deputy Joan Burton:** It is in the next group of questions as well.

### **Brexit Issues**

14. **Deputy Micheál Martin** asked the Taoiseach the number of officials in his Department that are working full time on Brexit specific issues; his plans to increase the number of staff that are working on Brexit full time in his Department; and if there will be experts on trade agreements and legal experts employed or outsourced. [5771/17]

15. **Deputy Joan Burton** asked the Taoiseach the restructuring plans in his Department to deal with Brexit; the way these changes will relate to other Departments, particularly the Department of Foreign Affairs and Trade; and the reporting relationships and recruitment plans for same. [5812/17]

16. **Deputy Gerry Adams** asked the Taoiseach if he will report on the work of the Brexit stakeholder group in his Department; and if he will provide details of its participant organisations. [6911/17]

17. **Deputy Gerry Adams** asked the Taoiseach the number of staff working exclusively on Brexit issues within his Department; and if he will report on departmental restructuring that may be required in view of the Article 50 negotiations. [6913/17]

18. **Deputy Seán Haughey** asked the Taoiseach if he will report on the Cabinet Committee on Brexit and the frequency with which it meets. [7135/17]

19. **Deputy Michael Moynihan** asked the Taoiseach the frequency with which the Cabinet Committee on Brexit meets. [7365/17]

**The Taoiseach:** I propose to take Questions Nos. 14 to 19, inclusive, together.

Brexit is being treated as a crucial cross-cutting, whole-of-Government issue. In my own Department, I have implemented significant restructuring by creating an amalgamated international, EU and Northern Ireland division under a second Secretary General. This restructuring brings responsibility within my Department for relevant international issues together in a single integrated division. This division supports the Cabinet committee on Brexit and EU Affairs and manages the overall co-ordination of Brexit issues across Government. There are 31 staff working in this division, including a small number of people seconded from outside the Department. The resources of the division are kept under review. While the staff in this division deal with a wide variety of issues, Brexit is an increasingly significant factor across the division.

Work on Brexit is also supported by the Minister for Foreign Affairs and Trade, Deputy Flanagan, and his Department, which now has a greater role in EU matters overall, with a newly created EU division and the existing division dealing with Anglo-Irish affairs both having important roles to play. Across Government, relevant Departments, agencies and overseas missions are being strengthened to deal with Brexit. More generally, each Department continues to have lead responsibility for Brexit issues relating to its departmental remit. There is a broad range of overall co-ordination and consultation structures across Government, including the Cabinet committee and supporting senior officials group, and a wide range of working groups are in place. Arrangements for handling Brexit are in place in each Department and resources have been allocated where needed.

The Brexit stakeholder group, which was set up pre-referendum as an information sharing forum, last met in October 2016. Since then we have broadened our stakeholder consultation and engagement through the all-island civic dialogue process, which began with a plenary session on 2 November. The second plenary session takes place this Friday, 17 February. Between these two plenary meetings, 14 sectoral meetings examining specific policy areas in greater detail will also have taken place. Members of those groups have been involved in these dialogues. This consultation process allows the Government to listen to, and to capture, the views of those most directly affected by the impact of Brexit from across the island in advance of formal negotiations.

The Cabinet committee on Brexit meets on a regular basis to deal with Brexit related issues. The last meeting of the Cabinet committee took place on 26 January.

**Deputy Micheál Martin:** It seems to me that one of the great difficulties is that each individual Minister is dragged left, right and centre in respect of their own portfolio and that there is a very strong case for a Minister who would be exclusively focused on the Brexit issue and putting together the various strands that are vital to a successful negotiation from Ireland's perspective in terms of Brexit and the engagement with various sectors. For example, serious issues arise in the fishing and maritime sector given that, with regard to quite a number of species of fish, up to 60% to 70% of the catch is in British waters. Post Brexit, that has obvious implications for many of our coastal communities if something is not done about it.

Recently, I met with the Irish Thoroughbred Breeders Association and it appears there has been no interaction with what is one of our world class industries which creates a huge amount of employment across rural Ireland in a sustainable way but which exports 80% of horses to the United Kingdom. Up to two weeks ago there had been no interaction with such an important industry in terms of the impact of Brexit on that industry.

There is a lot of activity taking place but some of the meetings are hastily convened. Some people got only a week's notice of the one next Friday. The content, substance and quality of the meeting is more important than just having the meeting and inviting everybody to it. I put it to the Taoiseach that he needs to build up more confidence among people with regard to Brexit and also, in terms of the gravity of it, among the public. I have said previously that I believe a huge opportunity was lost during the recent budget debate to convey that gravity.

**An Ceann Comhairle:** Thank you, Deputy. We are running out of time.

**Deputy Micheál Martin:** That is in contrast to the debate on the British budget which eloquently articulated the impact it will have on Britain.

**The Taoiseach:** I hope to set out this afternoon the main points on which we intend to follow up. They are the four main areas we have identified, namely, jobs and the economy, the Northern Ireland peace process, the common travel area and our place in Europe. This morning, we announced a further 500 jobs which have come to Ireland. Those people will be employed over the next couple of years, and there are more jobs to follow.

I take Deputy Martin's point about the fishing industry whose representatives I met last evening. The Deputy has seen the maps, the graphs and the figures in respect of the catch, both by volume and value, for Ireland of approximately 38%, which is significant. They are very worried that because the way the Common Fisheries Policy was drafted many years ago, which is very complicated, and the many layers contained therein, we cannot trade one section for an-

other just like that. We regard that element as being an absolute priority along with the agrifood sector. I am sure the Deputy will agree that we should not separate those sectors.

Clearly, in a hard Brexit where Britain has left the European Union, its exclusive waters would entitle it to substantial quotas. That would put pressure on the industry here because of access in European waters. These issues must be taken in the round with the other areas of the economy. The Minister for Foreign Affairs, Deputy Flanagan, has met everybody in this regard. We have had 11 sectoral dialogues on education, agrifood, transport, tourism, children, young people, jobs, enterprise and innovation. There are three further all-island sectoral dialogues being hosted on energy, heritage, culture, rural Ireland, pensions, social welfare rights, social insurance, human rights, the Good Friday Agreement, seafood, agriculture and forestry. Clearly the industries of rural Ireland will be taken into account. I have to say those sectoral discussions have been very worthwhile because most people who have attended have real experience of the area in which they are working and their points are valid and must be taken into account. It is all building up a compendium of voices of Ireland in respect of their sectors and businesses and how we will have to deal with this. Believe me, it will not be a simple challenge. We await the triggering of Article 50 and the letter of clarification to the European Commission from the British Government.

**Deputy Joan Burton:** While the Taoiseach and Deputy Micheál Martin were speaking, I had a chance to research what people have said about this enormous development in European policy. The German Chancellor, Angela Merkel, the Taoiseach's friend, has allied herself to the cause. Recently, she stated we have certainly learned from the history of recent years that there will be a European Union with different speeds and not all will participate every time in all steps of integration. The Italian Minister with responsibility for Europe stated they want to have a core shared by everyone and specific policies on which certain countries can move ahead without other countries imposing a veto. In the normal course of events this would be simply the old dispute between the old core European countries and newer countries. The Taoiseach stated that recently he visited Poland. They want less Europe and the older core countries want more Europe, but we are becoming the meat in the sandwich. What is our status with regard to Brexit? The core countries are making it clear that once Britain is gone they will move to have a two-speed European model. Has the Taoiseach even had a discussion in Cabinet on this major European policy development-----

**An Ceann Comhairle:** Thank you, Deputy.

**Deputy Joan Burton:** -----at a time when Brexit is probably the greatest issue that has arisen for Ireland since the collapse of the banking system in 2008.

**An Ceann Comhairle:** Thank you, Deputy.

**Deputy Joan Burton:** It is a real challenge. I appreciate many officials and Departments are doing a lot of work, but listening to the profusion this week it does not seem the Taoiseach is properly in charge of it.

**An Ceann Comhairle:** Deputy, if we do not give the Taoiseach a chance to answer we will not be able to hear what his thoughts are.

**The Taoiseach:** I have dealt with the fishing industry in respect of the question from Deputy Martin.

Germany has always had that view. There has always been a difference of opinion between northern European countries and southern European countries. Everybody knows that. In the justice area we have opt-in and opt-out, with countries in Schengen and not in Schengen. Europe is not homogenous, with everything applying to everybody in the same way. The Deputy knows this. The question of the Single Market has been under discussion for more than 20 years, and it is the same with the digital single market.

**Deputy Joan Burton:** No country has left the EU in 43 years.

**The Taoiseach:** Where we have digital borders they are an obstacle to jobs, productivity, growth and output, which is why Europe has failed to measure up against the United States for many years. Has this been discussed at the European Council in the context of Brexit? No, because Article 50 states negotiations cannot be started until it is triggered. Believe me, the point is that it is at that table the political decisions will be made. Has the question come up around the European Council table that we want to have a two-speed Europe? No, it has not.

**Deputy Joan Burton:** It will come up in Rome. The Taoiseach has just said it himself.

**The Taoiseach:** Of course, and there are comments all over the place about it, but the decision-making in respect of Brexit is made by the European Council and the proposals to come before the European Council will be brought forward through the Barnier task force on which Ireland is represented by the Minister, Deputy Flanagan, the Minister of State, Deputy Eoghan Murphy, and all the others who are working very hard.

**Deputy Joan Burton:** Who is the Irish person who has the leading role in representation on that? We never heard.

**The Taoiseach:** Mr. Tadhg O'Brien is the gentleman's name. He is a good official and he takes careful note of all the issues that come up, which is very important.

**Deputy Gerry Adams:** Yesterday, the Minister Foreign Affairs and Trade met the British Secretary of State, James Brokenshire. The same Secretary of State last week voted against protecting the Good Friday Agreement. According to news reports, he told the Minister, Deputy Flanagan, the North will not be given special status after Britain leaves the European Union. What is the Government view of this latest put-down? Perhaps it is not a put-down, given the Government has yet to ask for a special status for the North. I note in the Taoiseach's response to Teachta Burton he stated quite rightly that the EU is not a homogenous unit, which of course is correct. There is space for a tailor-made special designated status for the North in the European Union but only if the Taoiseach asks for it. The big flaw in the Government's case is it has yet to ask for it. It is the only reasonable alternative to the British position.

I warned the Taoiseach three weeks ago the British approach to Brexit will destroy the Good Friday Agreement. The British dismissed it, as did the Taoiseach, who quotes all the soft words he hears, but the fact is the British Government is intent on doing away with the European Convention on Human Rights, the oversight of the European Court of Human Rights and the Human Rights Act. It has blocked the bill of rights. The Government has not brought forward the all-island charter of rights. This is why the Conservatives, the DUP, the UUP and UKIP all voted against any protections for the Good Friday Agreement in the Brexit negotiations. The British Prime Minister is not listening to the Taoiseach. She is ignoring him. What is the Government's response to this huge threat to an agreement of which it is an equal guarantor and which has delivered almost 20 years of peace and improved economic conditions for all of the

people of the island?

**The Taoiseach:** The Minister of Foreign Affairs and Trade, Deputy Flanagan, met the Secretary of State, Mr. Brokenshire, yesterday. The Minister has been absolutely clear in his stance on this. We do not want to see any diminution of the Good Friday Agreement or its successor agreements. We stand as co-guarantor in terms of full implementation of those agreements and the Minister, Deputy Flanagan, has articulated this on many occasions. What Deputy Adams refers to as special status means, I believe, from his perspective, that Northern Ireland remains in the European Union while Northern Ireland as a member of the United Kingdom leaves the European Union. These two things are not compatible.

**Deputy Gerry Adams:** Why not?

**The Taoiseach:** It is because Northern Ireland voted as part of the United Kingdom. While as an entity it voted to stay, how do we expect the United Kingdom, which includes Northern Ireland, to leave the European Union and yet Northern Ireland is to stay as part of the European Union?

**Deputy Gerry Adams:** It is the same as Denmark and Greenland.

**The Taoiseach:** The point has been well recognised by the British Government, as articulated by me and the Minister, Deputy Flanagan, on so many occasions. We have special recognition and special circumstances and we are unique in a European sense. As the Deputy knows, I have pointed out on many occasions the peace process, PEACE funds and INTERREG funds add up to recognition in Europe of Ireland's particular case. Michel Barnier, the head of the Brexit task force, has as one of his four priorities dealing with the Northern Ireland issue, the Border, trade and the implications for the Good Friday Agreement. We will not stand for any diminution of the Good Friday Agreement. The Minister, Deputy Flanagan, articulates this every time he meets his counterparts. The Good Friday Agreement is an internationally legally binding agreement, lodged with the UN, voted for by people North and South and supported overwhelmingly at a time Britain was not contemplating leaving the European Union. This is a political issue we need to address. For our part we will be very strong in defence of the Good Friday Agreement. Why would we not be? Did not the people vote for it?

*2 o'clock*

## Priority Questions

### Defence Forces Personnel

35. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence if he will commission an independent health outcome study of aircraft maintenance personnel and of personnel working in aircraft maintenance shops in Baldonnell; and if he will make a statement on the matter. [7601/17]

**Deputy Lisa Chambers:** My question asks if the Taoiseach and Minister for Defence will

commission an independent health outcome study of aircraft maintenance personnel and of personnel working in aircraft maintenance shops in Baldonnel; and if he will make a statement on the matter.

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** At the outset I would like to assure the Deputy that the health and welfare of the men and women of the Defence Forces are a key priority for me and for civil and military management. As the Deputy is aware, there are a number of processes already in train relating to reviewing health and safety procedures in the Air Corps.

As I stated in the Dáil on 25 January 2017, the Health and Safety Authority, HSA, conducted inspections at the Air Corps premises at Casement Aerodrome, Baldonnel, on three occasions in February, April and September last year. During these visits the Air Corps outlined the most recent developments regarding its health and safety practice and procedures, which were being developed in consultation with risk management experts. I understand that the HSA met with Air Corps personnel, safety representatives and other employees and observed some work-places and work practices.

On 21 October 2016, the HSA issued its inspection report to the Air Corps which listed a number of advisory items for follow-up. They included the areas of risk assessment, health surveillance, monitoring of employees' actual exposure to particular hazardous substances and the provision and use of personal protective equipment. On 20 December 2016, the Air Corps wrote to the HSA outlining its proposed improvement plan. The Air Corps advised that it was fully committed to implementing the improved safety measures to protect workers from potential exposures to chemicals and will ensure risks are as low as reasonably practicable. The Air Corps improvement plan is being conducted over eight phases. I am advised that seven out of the eight phases are planned to be completed by May 2017. Additional risk assessment of particular chemicals, policy review and health surveillance and biological monitoring will also be considered.

As recognised in the HSA report of October 2016, the Air Corps had already commenced activities of improvement and was proactive in implementing change before, during and after the engagement with the HSA.

In addition to the HSA review, the Deputy is aware that, in September 2016, I appointed an independent third party to review allegations made in a number of protected disclosures relating to health and safety issues in the Air Corps, which I received in late 2015 and early 2016. It is important that I get a clear and independent view of the issues raised by those who have made such disclosures.

Interim recommendations and observations from the independent reviewer were received by me in December 2016 and were passed to the military authorities for immediate action, where appropriate, and response.

*Additional information not given on the floor of the House*

On 7 January 2017, a response was received from the military authorities outlining the actions under way and this has been forwarded to the independent reviewer for consideration. I understand that the reviewer is considering this material, and determining the next steps required in order to finalise his review.

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I assure the Deputy that I will ensure that all recommendations, whether arising from the work of the Health and Safety Authority or the ongoing protected disclosure review, will be acted upon to ensure the safety of the men and women of the Air Corps.

In the circumstances, and pending the completion of the current processes, I have no plans at this time to commission an independent health outcome study of aircraft maintenance personnel and of personnel working in aircraft maintenance shops in the Air Corps.

**Deputy Lisa Chambers:** This matter has been ongoing for quite some time and I raised it, with other Deputies, as a topical issue matter a few weeks ago. Since then the story has developed and, as Deputy Micheál Martin said in response to the investigation of the *Irish Examiner*, it has revealed quite a horror story within the Air Corps. Last week there were details of text messages between the Chief Whip, Deputy Regina Doherty, and a whistleblower who had warned the Government of Air Corps staff exposure to cancer-causing chemicals while working at Casement Aerodrome, Baldonnell. She undertook to contact the Minister for Defence about the matter. In January 2015 she passed a message on to the whistleblower indicating that the then Minister, Deputy Simon Coveney, would call the next day. This is contrary to his claim that he was unaware of such an appeal. Major inconsistencies have emerged in the Government's account of how it has managed the warnings it has received over concerns over Air Corps technicians' health. None of the three whistleblowers has been contacted by Deputy Coveney or the current Minister for Defence since they made their disclosures more than a year ago. Can I assume this is still the case?

Has the Minister made contact with the whistleblowers concerned? We are already seeing a lot of turmoil about the treatment of whistleblowers in another arm of the State. Have we learned nothing? Has the Minister met with the whistleblowers? If not, why not?

**Deputy Paul Kehoe:** I have not met the whistleblowers. As the Deputy is aware, these are protected disclosures and litigation is ongoing so it would be wrong of me to meet the whistleblowers. When I was informed of this, after my appointment in July 2016, I got the full report and appointed an independent person to carry out a review of the disclosures made by the three individuals. The independent person reviewed the files and felt that they did not have the qualifications to carry out an independent assessment. Upon that, I appointed another person in early September and that independent assessor gave a preliminary report to my office in late November. In December I sent a copy of the report to the military authorities and they have sent back their thoughts and views on the report. I have kept on top of this issue since my appointment in May 2016 and it is incorrect to say there has not been some form of dialogue and communication with the people who made the protected disclosures.

**Deputy Lisa Chambers:** The manner in which the whistleblowers have been treated is completely unsatisfactory. The Chief Whip and the then Minister for Defence, Deputy Simon Coveney, seem to be at odds about who said what and when, and Deputy Coveney seems to be unaware that the whistleblowers wanted to meet with him personally while the Chief Whip says otherwise.

In the context of a health review of those potentially affected, we need to assess what soldiers were affected by this chemical issue and what their health implications are or were. We need to sit down with the individuals concerned and put together a health package for them to ensure their health needs are met into the future. If the health of any of them has been adversely affected because of failings on the part of the State to provide proper health and safety

equipment and a safe place to work, the State needs to step up to the plate. It should ensure the health needs of these people are met into the future and that they do not have to foot the bill themselves.

**Deputy Paul Kehoe:** I have been assured by the Chief of Staff and the military authorities that all health and safety precautions have been put in place. The HSA also carried out a review of the Air Corps and made a number of recommendations around the health and safety of personnel.

**Deputy Lisa Chambers:** That is in the past. I am asking about the situation going forward.

**Deputy Paul Kehoe:** I wrote to the Chief of Staff and he says all these matters are receiving the fullest attention. I will not jump to any conclusions. I will wait until I have the full independent review of the person I appointed in 2016. I will look at the recommendations he makes and consider the findings of the report. It would be totally wrong of me to jump to any conclusions. I will use the recommendations of the assessor's report together with those of the HSA to make sure all safety precautions are in place in the Air Corps.

### **Defence Forces Personnel**

36. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the length of time he, his Department and the military authorities have been aware of the issues highlighted by the protected disclosures made by former and serving members of the Air Corps into the health and safety and working conditions in Casement Aerodrome; and if he will make a statement on the matter. [7648/17]

**Deputy Aengus Ó Snodaigh:** My question asks how long the Minister, his Department and the Air Corps authorities have been aware of the major health and safety issues related to the handling of, and exposure to, chemicals for personnel stationed at Casement Aerodrome, Baldonnel.

**(Deputy Paul Kehoe):** The State Claims Agency is currently managing six claims taken between 2013 and 2016 by former and current members of the Air Corps against the Minister for Defence for personal injuries alleging exposure to chemical and toxic substances whilst working in the Air Corps in Baldonnel in the period 1991 to 2006. As such, my Department and the Defence Forces were aware of allegations relating to exposure to chemical and toxic substances in the Air Corps. Given my responsibilities and the fact that the Minister for Defence is the defendant in these claims, the Deputy will appreciate that it would be inappropriate for me to make any comment in relation to these cases whilst such litigation is ongoing.

Protected disclosures submitted in respect of health and safety issues in the Air Corps were received in November and December 2015 and January 2016. I was made aware of these disclosures following my appointment in May 2016. As I have previously advised the House, I appointed an independent third party to review the matter in July 2016. Unfortunately, that individual was not subsequently in a position to proceed and he notified the Department of this in August 2016. I appointed another individual to review the matter in September 2016 and that process is at an advanced stage.

As the Deputy is aware, during 2016 the Health and Safety Authority, HSA, conducted

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inspections at Casement Aerodrome, Baldonnell, on three occasions - 4 February 2016, 5 April 2016 and 28 September 2016.

On 21 October 2016, the HSA issued its report of inspection to the Air Corps. The report outlined a number of general improvements and recommendations and included the areas of risk assessment, health surveillance, monitoring of employees' actual exposure to particular hazardous substances, and the provision and use of personal protective equipment.

The health and safety report of October 2016 acknowledged that some or all of the advice items contained in that report may already have been receiving active consideration. The military authorities have advised me that the Air Corps were proactively engaged in mitigating health and safety risks in the Air Corps before, during and after the engagement with the HSA and were pursuing the development of a chemical register template commenced in quarter two, 2015; a review of the risk assessment of chemicals process commenced in quarter two, 2015 and the HSA provided advice on this process during their visits; and, a new approach to chemical awareness training within the Air Corps commenced in quarter one, 2016.

*Additional information not given on the floor of the House*

On 20 December 2016, a response from the Air Corps outlining its improvement plan was returned to the HSA. This confirmed the Air Corps' full commitment to implementing improved safety measures that protect workers and ensure risks are as low as reasonably practicable. This Air Corps plan will be implemented over eight phases. The first phase commenced in September 2016 with planned phased completion dates to December 2017. The military authorities have advised me that phases 1, 2 and 3 are now complete with phase 4 under way. I am also advised that seven out of the eight phases are planned to be completed by May 2017.

The military authorities have confirmed that the Air Corps provides personal protective equipment, PPE, to all workers in the Air Corps and that they are required to wear such equipment in the workplace when necessary. These requirements are set out in a range of military policy and practice documents. The Air Corps plan also provides for further actions relating to risk assessments and training focused on PPE.

I can assure the Deputy that the health and safety of the men and women of the Defence Forces is of the highest priority for me and for the military authorities. I am advised that all reports made to the military authorities are investigated and any recommendations arising are implemented as part of the continual review of their health and safety procedures.

**Deputy Aengus Ó Snodaigh:** I asked a simple question and did not get a simple answer, but that is nothing new in here. When was the Minister of State aware of the health and safety concerns about the handling of chemicals? From his answer, the Minister of State seems to suggest that the military authorities were obviously briefing him. I have known the Minister of State a long time and I am not accusing him of a cover-up, but there is a cover-up here.

I have seen health and safety reports going back as far as 1995. All of them pointed specifically to the issues that were addressed in *The Examiner* newspaper. A number of Deputies have been raising these issues with the Minister of State, so this is not a new issue. It is a cover-up because the military authorities in Casement Aerodrome did not take the required steps when it was highlighted to them that dangerous chemicals existed.

Is the Minister of State aware of any health or safety reports or assessments carried out on

the different workshops in Casement Aerodrome?

**Deputy Paul Kehoe:** Let me repeat this for the Deputy. I was made aware of the protected disclosures following my appointment in May 2016, as I have previously advised the House during another debate. A number of litigation cases between claimants and the Defence Forces, specifically in the Air Corps, have been going on since 1991. I stand to be corrected on that but I think the date is 1991. If I am wrong on that I will get back to the Deputy directly.

When I was advised and briefed on these protected disclosures, I immediately appointed an independent assessor. I reappointed another one later because the original person felt he was unable to carry out the review that was before him.

Let me assure the Deputy that I have asked the military what other complainants are there. This is what I have been briefed on and told. I can absolutely assure the Deputy that this is something I take quite seriously. The health and safety of any person in any workplace is of the utmost importance. We must ensure that they are given the correct course of action and provided with all the health and safety equipment to protect themselves.

The other issue concerns the HSA report and I am keeping on top of that.

**Deputy Aengus Ó Snodaigh:** I take the Minister of State at his word. As I said, I have known him for a long time. There is a major question here, however, in that the Minister of State is not getting the information to enable him to come here and answer correctly what we are asking. In some ways, that is a bigger scandal than the one we have been dealing with for a number of days here, given the amount of people who were exposed to chemicals since the first reports I saw were initiated and which directed the military authorities to take specific steps. I ask the Minister of State to go back to the military authorities and remind them that they have carried out assessments in Casement Aerodrome which specifically pointed to major failings. They did not take any action until the HSA report was completed, which is even more scandalous.

**Deputy Paul Kehoe:** I will of course go back to the military authorities, but I can assure the Deputy that thus far this is what I have been briefed on and told. If the Deputy has any information that he wants to bring to my attention, involving the health and safety of the men and women of the Defence Forces - specifically in the Air Corps to which he referred - I will take it on board. He can be assured that I will go back to the Defence Forces, including the Air Corps, to inquire if there are any further issues surrounding the health and safety of the men and women who serve there.

### **Defence Forces Recruitment**

37. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence his views on claims that the Reserve Defence Force could cease to exist within months if extra commitments are not provided to strengthen the organisation; and if he will make a statement on the matter. [7602/17]

**Deputy Lisa Chambers:** I wish to ask the Minister of State at the Department of Defence for his response to claims that the Reserve Defence Force could cease to exist within months if extra commitments are not given to strengthen the organisation, and if he will make a statement.

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**Deputy Paul Kehoe:** For the avoidance of any doubt, I want to state very clearly that there are no plans to stand down the Reserve and I do not accept the assertion that the Reserve will cease to exist within months. On the contrary, in the White Paper on Defence 2015, the Government has reaffirmed its commitment in terms of the Reserve. My Government colleagues and I recognise the important role that the Reserve Defence Force has played in contributing to Ireland's defence capability, and in particular, to the voluntary service which has been the hallmark of the Reserve. The Government appreciates the service of the members of the Reserve and the White Paper on Defence is clear that there is a continued requirement to retain and develop the Reserve.

Under the current phase of the implementation of White Paper actions, two relate specifically to the RDF, that is, attracting recruits from all backgrounds and conducting a skills survey with a view to establishing a Specialist Reserve.

Recruitment to both the PDF and RDF remains a priority in 2017. Membership of the RDF is voluntary and unpaid and the quest for recruits must compete with the other organisations within the voluntary sector. These conditions along with the unique demands of military service make the issue of attracting recruits a challenging one. In the context of both finite resources and personnel, it is necessary to strike an appropriate balance in terms of PDF and RDF recruitment, so as to deliver the desired effects of maintaining the capacity of the Defence Forces to undertake all roles assigned to it by Government and to advance the single force structure.

Within the Defence Vote, the Government allocates over €2 million to support paid training and it also grants financial support to the RDF Representative Association.

The Government is fully committed to the retention of the RDF.

**Deputy Lisa Chambers:** The Minister of State might be aware that the Reserve Defence Forces Representative Association, RDFRA, appeared before the Joint Committee on Foreign Affairs and Trade, Defence last week. The Minister of State's own Government colleague, Deputy Seán Barrett, said the report presented to the committee was the most damning one he had seen in his 36 years as a Deputy.

Maybe the Minister of State is not aware of the current problems facing the Reserve Defence Force. RDFRA believes that the organisation will struggle to exist within two years on its current trajectory. I have raised the issue of recruitment to the Reserve Defence Force many times with the Minister of State. This is not a new issue. To put it in context, he keeps talking about the difficulty and challenges of attracting recruits. Last year, there were almost 5,000 applicants to the RDF but fewer than 100 were inducted. The issue is not about attracting recruits, it is about getting them into the organisation. The blockage is with the Department of Defence and the Defence Forces. What will the Minister of State do to address that particular issue? He should stop standing behind the excuse of challenges in attracting people. That is not the problem.

**Deputy Paul Kehoe:** I refer to the issue raised by RDFRA at the Joint Committee on Foreign Affairs and Trade, and Defence last week. A rolling recruitment campaign for the Reserve Defence Force general service was launched in September 2015. As of 31 December 2016, a total of 5,891 applications were received of which 726 were from females. The Army Reserve had 5,190 applications while the Naval Service Reserve had 771. A total of 78 recruits were recruited to the RDF in 2016. The Defence Forces will continue to process applications from the

campaign through the various competition stages. The rate of intake is disappointing. I agree entirely with the Deputy opposite on that. It reflects a number of factors, including the time the recruitment process took place, security clearances in particular, the high rate of no-shows at various stages throughout the induction campaign, the priority of keeping PDF recruitment at an appropriate level and the overhead of safe and effective training places on the resources of the PDF. While there have been a large number of applications to join the RDF, the resilience of the panel has proven to be very low.

**Deputy Lisa Chambers:** Does the Minister of State hear what he is reading out to me? He has spoken previously about challenges in terms of attracting people and then he tells me there were over 5,000 applicants but less than 100 were inducted. Does he not see that there is a major problem with the Reserve Defence Forces? With every month that goes by in which we do not take people in, the Government is killing that organisation piece by piece. It will not exist in a number of years. That is a fact. We have people retiring who are fed up with the way the organisation is being run. The single force concept does not appear to be working and it may be that we need to rejig it.

The Government must put in place set timelines for the Defence Forces to process the applications of Reserve applicants. The fact is that the Permanent Defence Forces are under severe pressure because of years of cuts. They do not have the staff to process these applications. Processing Reserve applications probably ranks way down on the list of priorities. I tell the Minister of State in the Chamber today that what is happening is that those applications are sitting on someone's desk for months on end and they are not being processed. When they are got around to, perhaps people have run out of time. People are being asked two and three times to apply for Garda clearance. These are people who are asking to volunteer for their country and they are being treated in this manner.

Unless the Minister of State takes it upon himself to put set timelines in place for processing applications so that people get a response within a set timeframe and know what they are dealing with, we will have this problem again in two months and in six months. In two years, we will be back to talk about why the Reserve Defence Forces are ceasing to exist.

**Deputy Paul Kehoe:** The Deputy opposite is well aware that I have similar issues of Garda clearance checks and vetting.

**Deputy Lisa Chambers:** Garda clearance is not the problem.

**Deputy Paul Kehoe:** It is an issue.

**Deputy Lisa Chambers:** The Tánaiste and Minister for Justice and Equality told me it is not.

**Deputy Paul Kehoe:** It is an issue for the time it is taking. I have to try to balance the PDF and the RDF. I met the deputy Chief of Staff, Major General Kevin Cotter, last week around recruitment for both the PDF and the RDF. I have a meeting with him and his team every nine weeks. I agree with the Deputy that we face a challenge, but I assure her that I have in no way-

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**Deputy Lisa Chambers:** It is a crisis not a challenge.

**Deputy Paul Kehoe:** It is not a crisis if one looks at recruitment in previous years. While

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2016 was a very disappointing year, I am willing and want to correct the position we are in. I have my own thoughts about the single force concept. I will bring those forward. I assure the Deputy that I am working with the military to resolve the recruitment issue.

### **Shannon Airport Facilities**

38. **Deputy Richard Boyd Barrett** asked the Taoiseach and Minister for Defence the number of deployments of troops there were to Shannon Airport in 2016; the cost to the Exchequer; and if he will make a statement on the matter. [7720/17]

39. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence his views on whether there has been any alteration in aid to civil power duties at Shannon Airport in 2017; and if he will provide details of same. [7644/17]

**An Leas-Cheann Comhairle:** Can the Minister of State clarify whether Questions Nos. 38 and 39 are being taken together? If so, it is the first questioner who will introduce the question.

**Deputy Paul Kehoe:** I propose to take Questions Nos. 38 and 39 together.

**Deputy Clare Daly:** The Department of Defence circulated groupings earlier and these questions were not grouped. I register that point. I will not make any bigger deal about it, but it cannot happen again.

**Deputy Paul Kehoe:** I apologise if that is the case.

**Deputy Clare Daly:** It is the case.

**Deputy Richard Boyd Barrett:** Despite overwhelming public opposition, more than 2.5 million US troops have been facilitated at Shannon Airport since 2003 with the support of Fianna Fáil and Fine Gael to conduct bloody wars in Iraq, Syria, Afghanistan and Yemen, killing hundreds of thousands of people. The public is paying for this. How much are the Defence Forces spending to facilitate the US war machine? Does the Government intend to continue to spend that money when we now have a racist warmonger in the White House intent on unleashing even more war on people across the world?

**Deputy Paul Kehoe:** As I said, I propose to take Questions Nos. 38 and 39 together.

The Minister for Foreign Affairs and Trade has responsibility for the use of Shannon Airport by foreign military aircraft and for the granting of permission for overflights by foreign military aircraft. The Department of Justice and Equality and An Garda Síochána have primary responsibility for the internal security of the State.

Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of aid to the civil power which, in practice, means to assist An Garda Síochána when requested to do so. Since 5 February 2003, An Garda Síochána has requested support from the Defence Forces at Shannon Airport on occasion. Security assessments are carried out by An Garda Síochána which determines if Defence Forces assistance is required. There has been no alteration to these arrangements in 2017. For security reasons, it would not be appropriate to disclose the precise detail of such deployments. The number of occasions that aid to the civil power functions were carried out by Defence Forces personnel at Shannon Airport in 2016

was 396. The cost incurred in the provision of this support by the Defence Forces to An Garda Síochána in 2016 was €181,669. These costs comprise payment of security duty allowance, provision of rations and fuel. To date in 2017, the Defence Forces have provided support to An Garda Síochána at Shannon Airport on 36 occasions at a cost of €19,822.

I am satisfied that there is ongoing and close liaison between both An Garda Síochána and the Defence Forces and between my Department and the Department of Justice and Equality regarding security matters generally, including the Defence Forces' aid to the civil power role.

**Deputy Richard Boyd Barrett:** We have long disagreed with Fine Gael and Fianna Fáil on the facilitation of the US war machine at Shannon and the bloody consequences of that for Iraq, Afghanistan, Syria and Yemen and on the spending of money to facilitate that by the Department of Defence and others. Can the Minister of State tell me if the Government intends to continue to spend public money to facilitate the US military at Shannon when we have a bloodthirsty racist warmonger in the White House? It is unconscionable if that is the case. The US Secretary of Defence is a bloodthirsty maniac whose name is "Mad Dog" Mattis and who has boasted about how it is fun to shoot and kill people and about how he wants to go and shoot more people in Afghanistan. Literally, the stench of death from the horrendous activities of the US military and Iraqi forces in Mosul means people have to cover their faces in the streets because of the stench of rotting bodies. These people want more of this. Is the Irish Government going to facilitate the war machine headed up by these maniacs, warmongers and bloodthirsty killers at Shannon Airport and spend public money on it? It seems unbelievable that it is.

**Deputy Paul Kehoe:** I take it from his contribution that Deputy Boyd Barrett is no friend of Donald Trump.

**Deputy Richard Boyd Barrett:** I certainly am not.

**Deputy Paul Kehoe:** As I stated in my initial reply, the Minister for Foreign Affairs and Trade has responsibility for the use of Shannon Airport by foreign military aircraft and the granting of permission for overflight by foreign military aircraft. As I also made the Deputy aware, the Department of Justice and Equality and An Garda Síochána have primary responsibility for the internal security of the State. We only come to the aid of the civil power when requested to do so by An Garda Síochána. As such, the Deputy's question would more appropriately be directed to the Minister for Foreign Affairs and Trade.

**Deputy Clare Daly:** My question should never have been grouped with this one. It is actually different and I am not having the Minister of State hide behind a grouping of questions. My question is whether there has been any alteration in aid to the civil power duties in Shannon this year. I ask because €200,000 of the defence budget was spent to carry out these duties at Shannon 385 times last year. Has that changed? The reason I am asking is because there have been some very peculiar developments at Shannon Airport, where civilian aircraft are landing and overflying our airspace with civilian registration, and then leaving and changing those call signs to military signs which means that the State would or should have a role in that regard.

For example, the Atlas Air B767 chartered to the US military overflew Ireland yesterday morning, coming from Carolina and using a civilian flight code. It then changed it after it left Irish airspace 20 minutes later to a military one. It travelled to Turkey to a base that is being used for bombings in Syria. Have there been any changes in aid to civil power duties and, if not, why not?

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**Deputy Paul Kehoe:** There has been no change. We are directed by An Garda Síochána to assist in aid to the civil power. The Minister for Foreign Affairs and Trade has responsibility for the use of Shannon Airport and what flights go in and out of it. As I have repeatedly stated in the Chamber in response to Deputy Clare Daly and others, we are requested by An Garda Síochána to assist in aid to the civil power. That is the only involvement we have in flights landing at Shannon Airport.

**Deputy Clare Daly:** Defence Forces personnel have been called out to protect US military aircraft. Have they been called out to protect any other aircraft? For example, on Monday of this week a Miami Air flight arrived at Shannon with a civilian call sign, but took off with a military call sign. Did Defence Forces personnel form an aid to civil power duty on this plane? Did they do so on 17 January with a Sun Country airlines flight which arrived on 18 January when an aeroplane was heading for Qatar?

Unusual developments are taking place at Shannon and I do not know whether things are being done to circumvent the supposed neutrality we have and the idea that permission needs to be sought. I am not clear on what the Minister of State is saying. Can he confirm that he is telling us that Defence Forces personnel have played no role in protecting those aircraft, despite the fact that they are repeatedly called out to protect official military aircraft?

**Deputy Paul Kehoe:** We are called by An Garda Síochána to aid in the civil power to Shannon Airport on occasion. We protect the planes. We do not search them or make any policy decision whatsoever. That is a matter for the Minister for Foreign Affairs and Trade. I have repeated that in the House on numerous occasions.

I am not sure whether the Deputy is looking for information on exact dates, but I will come back to her with further clarification. I do not have the exact date on which we were involved in aid to the civil power in Shannon Airport in January 2017. I will come back to the Deputy on that.

**Deputy Clare Daly:** Could the Minister of State check which aircraft were involved?

**Deputy Richard Boyd Barrett:** To hide behind the Minister for Foreign Affairs and Trade when the senior Minister in the Minister of State's Department is the Taoiseach on this issue is, to be honest, preposterous.

Has anything changed in the mindset of the Government *vis-à-vis* the facilitation of the US war machine at Shannon given that there is now a president that even the Government has brought itself to criticise? The President of the United States has racist attitudes and a dangerous agenda. Mattis, the Secretary for Defense, said, "The first time you blow someone away is not an insignificant event. That said, there are some assholes in the world who just need to be shot." He carries on like that. That is the thinking of the new Secretary for Defense. Does the Minister of State think we should facilitate a military machine and pay money to do so at Shannon Airport when the head of that machine thinks that way? Has anything changed?

**Deputy Paul Kehoe:** We have carried out this facilitation for over 50 years. Our policy has not changed.

*Dáil Éireann*  
**Other Questions**

**Defence Forces Deployment**

40. **Deputy Niamh Smyth** asked the Taoiseach and Minister for Defence his plans for the Defence Forces in counties Cavan, Monaghan and the greater Border region in view of Brexit and the possible reintroduction of a hard Border; and if he will make a statement on the matter. [7140/17]

62. **Deputy Niamh Smyth** asked the Taoiseach and Minister for Defence his plans to re-introduce a new Army barracks in counties Cavan, Monaghan or the greater Border region in view of Brexit and the possible reintroduction of a hard Border; and if he will make a statement on the matter. [7139/17]

**Deputy Niamh Smyth:** Could the Minister of State please inform the House his plans for the Defence Forces in counties Cavan and Monaghan and the greater Border region in view of Brexit and the possible reintroduction of a hard Border, and if he will make a statement on the matter?

**Deputy Paul Kehoe:** I propose to take Questions Nos. 40 and 62 together.

As part of a whole-of-Government approach, my Department is engaged in forward planning for the UK exit from the EU. While the nature of the Border will be decided during the course of the negotiations, it is this Government's stated goal to try to ensure that the current on-island Border arrangements are maintained to the greatest extent possible.

Primary responsibility for the internal security of the State rests with the Department of Justice and Equality and An Garda Síochána. Responsibility for the security aspect of Border control rests with An Garda Síochána, while the Revenue Commissioners have responsibilities relating to their particular mandate.

Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of aid to the civil power which, in practice, means to provide assistance and support to An Garda Síochána when requested to do so. The Defence Forces also provide support to the Revenue Commissioners. The fact of a UK exit from the EU does not of itself give rise to additional border control requirements at this time.

The Defence Forces keep operational plans under constant review. There is ongoing close liaison between An Garda Síochána and the Defence Forces regarding security matters and regular co-ordination and liaison meetings take place.

In recent years, a range of measures have been introduced in order to ensure that operational readiness and deployability of the Defence Forces are maintained to the greatest extent possible. These measures include barrack closures and the consolidation of three under-strength Army brigades into two revised Army brigades. This involved a redeployment of personnel from HQ and administrative posts into front-line operational units, which has improved the overarching capacity of the Defence Forces.

I am satisfied that the White Paper on Defence sets out an appropriate blueprint for the development of the Defence Forces. There are currently no plans to reintroduce Army barracks in

counties Cavan, Monaghan or the greater Border region.

**Deputy Niamh Smyth:** I am very concerned to read further reports on the reintroduction of a very hard Border, which differ from what the Government said in the Chamber. According to reports in the *Irish Examiner*, internal documents show the Government is preparing for a return to a hard Border in the wake of Brexit, including the return of full green and red channel checkpoints. This is very concerning for my constituency, Cavan-Monaghan, where we have no Army barracks and Garda numbers are completely stretched.

Today's report stated that the extent of the contingency plan revealed by the document is a stark contrast to the public statements by the Taoiseach to date that a move towards a hard Border would have very negative consequences for Ireland. The document appears to suggest a departure from the Government's stated strategy to date to ensure a continued free flow of trade on the island and the need to avoid a hard Border. What is the plan?

**Deputy Paul Kehoe:** The Government wants the current arrangements to continue. As I stated in my reply, this is a part of the whole-of-Government approach. My Department is engaged in forward planning for the UK exit from the EU. I remind the Deputy that when the British Prime Minister was in Ireland a number of weeks ago, one of the top items on the agenda was a hard Border. The Deputy referred to an article in the *Irish Examiner* that refers to customs checkpoints. It does not refer to the Defence Forces or An Garda Síochána being involved at a hard Border. It refers to customs and excise, which is a totally different conversation about trade between a member and a non-member of the European Union. I assure the Deputy that I met my counterpart in the UK after the Brexit vote and this is one of the issues I raised with him.

**An Leas-Cheann Comhairle:** The Minister of State will have another opportunity.

**Deputy Niamh Smyth:** Seven military barracks at Lifford, Rockhill in Letterkenny, Cavan, Cootehill, Monaghan, Castleblayney and Longford were shut down as part of the major reorganisation of the Defence Forces that began in 2012. Most of these properties or sites have been sold on. Along the approximately 500 km of Border between Finner Camp in County Donegal and Aiken Barracks in Dundalk, there is no military barracks and only two infantry battalions, controlled from a headquarters in Rathmines in Dublin, man the entire Border area. In light of Brexit, are we adequately and properly prepared in my constituency of Cavan-Monaghan? Both of our Army barracks have been closed and members are faced with travelling long distances for little money. Some of them have told me they have been forced to sleep in their cars due to the expense associated with their mortgages, providing for their families and travelling very long journeys to and from work. On top of all this, businesses and farmers are concerned. There are concerns about how PEACE funding will be affected and about the relations and wounds of the past that have taken so long to mend being ruptured.

**Deputy Paul Kehoe:** I assure the Deputy that the Government has a comprehensive Brexit plan in place. Once Article 50 is triggered, I assure her that we will be very much involved in the negotiations. Let me state, however, that on the Defence Forces side, the consolidation of the Defence Forces formations into a smaller number of locations was a key objective in the ongoing defence modernisation programme. On 15 November 2011, the Government approved a proposal from the then Minister for Defence to proceed with a further phase of consolidation of Defence Forces personnel to fewer locations, with the closure of four military barracks including Dún Uí Néill Army Barracks in Cavan. In addition to the barracks at Cavan, barracks located at Castlebar in County Mayo, Clonmel and Mullingar were closed in March 2012.

Following the Government's decision, officials from my Department wrote to each Department, various agencies and local authorities seeking expressions of interest in the barracks. I assure the Deputy that my Department and I, as Minister of State with responsibility for defence, have our own Brexit plans in place, as has every other Department. It is a comprehensive plan with a whole-of-Government approach to it.

### **Defence Forces Investigations**

41. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the status of the investigations into ten cases of bullying and sexual harassment by members of the Defence Forces that have been reported in the past two years; his views on claims by the soldiers' representative groups that the actual numbers of complaints could be much higher; and the efforts that have been made to put in place better procedures and protocols that will reduce the amount of time it takes to investigate a complaint. [7302/17]

**Deputy Aengus Ó Snodaigh:** This question refers to ten cases of bullying and sexual harassment reported by members of the Defence Forces. What is the status of those cases? Does the Minister of State believe the contention of the soldiers' representative organisations that it could be much higher?

**Deputy Paul Kehoe:** It is Defence Forces policy that all personnel have a right to be treated with respect, equality and dignity and to carry out their duties free from any form of sexual harassment, harassment or bullying. While military life entails robust and effective military training, such training must take place in a professional service environment that fully respects individual human dignity. Bullying and harassment of any kind are wrong and are not tolerated within the Defence Forces. They are entirely unacceptable in themselves and wholly incompatible with a successful and modern organisation.

I advise the Deputy that this is an issue to which I pay close attention. The Chief of Staff provides me with updates on all ongoing cases of bullying, harassment and unacceptable behaviour on a regular basis.

Of the ten cases referred to by the Deputy, the military authorities have advised that seven were bullying and harassment cases, six of which are now closed while one remains ongoing. The other three cases related to sexual harassment, two of which are now closed while one remains ongoing. The military authorities have advised that all of the ten cases were handled under the formal approach and were dealt with through the legal-disciplinary process or by administrative action.

All known incidents of such behaviour are properly investigated, bearing in mind the need for due process which requires fairness to all parties to the complaint. Through the induction process and general notifications, the non-tolerance of unacceptable behaviour is stressed to all members of the Defence Forces. The formal and informal procedures in force are there to encourage any individual who wishes to make a complaint.

Procedures for dealing with complaints of sexual harassment, harassment and bullying are set out in Defence Forces regulations. Complaints of unacceptable behaviour can be dealt with at different levels, either in an informal approach or formal manner. The overall aim is to ensure that the complaint is dealt with, in the first instance, at the lowest level possible. Informal

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complaints can be resolved directly by the complainant with the assistance of a third party if required. Such third party can include any member of the Defence Forces who has the trust and confidence of the complainant. Specially trained designated contact persons are also available to assist.

The formal procedure requires that a complaint is made in writing. These are dealt with by the military chain of command either through the legal-disciplinary process or by administrative action.

**Deputy Aengus Ó Snodaigh:** Gabhaim mo bhuíochas leis an Aire Stáit. It is good to hear that so many of the ten cases have been addressed. I hope that they were addressed appropriately and that the complainants were content with the action taken. However, that does not take away from the fact that the general secretary of PDFORRA, Mr. Gerry Rooney, has raised major concerns about the delay in investigating properly and dealing with such cases. Given the nature of the Defence Forces and that people have to serve quite closely with those against whom they are bringing an allegation, if it is not dealt with quickly it can fester. Mr. Rooney also raised the unacceptable timeframe and manner in which the complaints can be investigated and how it can discourage others. What steps can be taken to ensure that those who are making complaints internally can be assured they will be dealt with properly and that others who are faced with such sexual harassment or bullying are not discouraged from proceeding with a claim?

**Deputy Paul Kehoe:** I have taken a personal interest in bullying and harassment, be it sexual or otherwise. Since my appointment in May 2016, I have informed the general staff that all allegations are to be dealt with to the fullest. They are to be given every support possible and their cases must be dealt with speedily. If the Defence Forces do not deal with allegations speedily, others will be discouraged from making allegations or reports of any form of harassment. I want anyone who has a case or wants to bring any sort of issue surrounding harassment to the fore to feel comfortable and not threatened in any way by bringing any sort of complaint forward, which is something I am working on.

**Deputy Aengus Ó Snodaigh:** By that, the Minister of State seems to be suggesting that there needs to be a review to ensure that the complaints procedure is fit for purpose. Will the Minister of State initiate a review or is he just taking a cursory look at the complaints procedure to ensure that there is a proper system in place?

**Deputy Paul Kehoe:** I assure the Deputy that I get a quarterly report from the Chief of Staff regarding bullying and harassment cases. I would not know all of the individual cases. As the Deputy will understand, a large number of cases will be ongoing at any one time because the Defence Forces are a large organisation. While I do not intend to carry out a review of the procedures in place, I take a personal interest in this matter as I wish to ensure all those who make a complaint are dealt with fairly and speedily and in a manner that does not discourage others from making any form of complaint. I want people to feel comfortable and not in any way threatened when making a complaint. Complaints must be taken seriously and dealt with as swiftly as possible. If the Deputy wishes me to follow up on any particular case, he should bring it to my attention and I will have no problem doing so.

*Dáil Éireann*  
**Army Barracks**

42. **Deputy Robert Troy** asked the Taoiseach and Minister for Defence the level of consultation he had with the Department of Education and Skills or Longford and Westmeath Education and Training Board regarding the future use of Columb Barracks, Mullingar. [7099/17]

74. **Deputy Robert Troy** asked the Taoiseach and Minister for Defence his plans for the future use of Columb Barracks, Mullingar. [7100/17]

**Deputy Robert Troy:** It is almost five years since Columb Barracks, Mullingar, closed its doors following the decision by the previous Fine Gael-Labour Party Government to close the barracks. What action has the Department taken in the intervening five years to try to secure a new tenant for the barracks? Specifically, has the Minister of State or his officials engaged with the Department of Education and Skills or Longford and Westmeath Education and Training Board on their interest in utilising the barracks for an educational institution?

**Deputy Paul Kehoe:** I propose to take Questions Nos. 42 and 74 together.

Following the closure of Columb Barracks in 2012, my Department has explored a number of avenues to try to secure the long-term future of the former barracks for the benefit of the local community. Departments and other public bodies, including Westmeath County Council, have been invited on numerous occasions to declare an interest in acquiring the property. Westmeath County Council recently confirmed that it does not have any interest in acquiring the property.

In 2016, officials from my Department met the chief executive officer and officials of Longford and Westmeath Education and Training Board regarding possible use of Columb Barracks, Mullingar. The meeting included a visit to the barracks. To date, I have not received any proposal from the board regarding its future use of the barracks. There has also been no approach from the Department of Education and Skills regarding this matter.

Several months ago, officials from my Department attended a public meeting in Mullingar on the future use of the barracks. A local group was subsequently established to prepare a feasibility study on community use of the barracks. To date, however, the group has not furnished a report to my Department.

As the barracks is no longer required for military purposes, the current financial and administrative burden resulting from its retention cannot be sustained. The disposal of the property by public auction must now be progressed in keeping with the Government's policy and recent practice to dispose of surplus property no longer required for military purposes. However, in the context of its potential future use contributing to the positive development of Mullingar, my Department remains open to viable proposals to this end from public bodies.

**Deputy Robert Troy:** The Minister of State appeared to be expressing criticism of the community group for not producing a feasibility plan. To be fair to the organisation in question, it has exhausted many avenues and contacted various Departments to secure funding to carry out a feasibility study. However, funding has not been forthcoming.

The chief executive and board of the Longford and Westmeath Education and Training Board are very interested in the barracks site. The problem is the board requires funding to do so. The barracks is located on a substantial land-holding, which contains a significant number of properties and buildings. The education and training board requires confirmation that the

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Department of Education and Skills would provide funding if it were to acquire the barracks. The board is paying a substantial rent to lease a premises for its headquarters in Mullingar. It must provide post-leaving certificate courses and apprenticeships. I ask the Minister of State to engage with the Minister for Education and Skills to try to reach an agreement that would allow the facility to remain in State ownership for the benefit of the community.

**Deputy Paul Kehoe:** I instructed an official in the property section of my Department to attend the public meeting of the community group in question. It is highly unusual for a civil servant to attend a public meeting organised by political representatives but I asked an official to attend to listen to the views of local people. I understand it was agreed at the meeting that the community group would submit a proposal to me. As I stated, I have not received any correspondence from any community group in Mullingar.

The barracks in Mullingar is not safe. If a young person were to enter the premises and sustain a serious injury, the matter would come back to my desk. I want to dispose of the barracks for this reason, unless a community group expresses an interest in acquiring it.

**An Leas-Cheann Comhairle:** Deputy Troy may ask another supplementary question.

**Deputy Robert Troy:** On a point of clarification, I understand additional time is provided when questions are grouped.

**An Leas-Cheann Comhairle:** That is correct. The Deputy will have a further opportunity to contribute.

**Deputy Robert Troy:** While I accept the Minister of State's bona fides and his statement that he is trying to help, unfortunately it does not ring true on the ground. I organised the meeting to which he referred and the departmental official was made welcome. The Department is paying for security at the former barracks. Perhaps the Minister of State will consider diverting some of the funding for security to the local group to carry out a feasibility study.

What bothers me most is the attitude taken by many Ministers when they claim various matters are not their responsibility but the responsibility of another Department. There is no joined up thinking on this issue. We have a housing crisis and more than ten acres of the site could be used for new housing. Buildings on the barracks site could be used for the headquarters Longford and Westmeath Education and Training Board needs. A central location is required to provide apprenticeships and the barracks could be used for this purpose. My colleague, Deputy Lisa Chambers, spoke earlier about the need to restore the Reserve Defence Force. The Fianna Fáil Party made a submission to the Department during the term of the previous Government setting out how the facility could be used as a national headquarters for the Reserve Defence Force. The site offers many opportunities and great potential but no two Departments will talk to each other because everyone is operating in a silo. The only people for whom this will have negative consequences are those living in Mullingar.

**Deputy Paul Kehoe:** My Department wrote to the Department of Education and Skills and chief executive of Westmeath County Council. It has made numerous approaches to the county council on handing over the former Columb Barracks. The chief executive indicated the county council does not have any use for the barracks, although I am not sure if members of Westmeath County Council voted on the issue. It is wrong to claim my Department has not communicated with other organisations. If I receive a proposal from the education and training board regarding the sale of the barracks, I will consider it, as I will any proposal from any group or organisa-

tion in County Westmeath, whether a voluntary body or local authority.

3 o'clock

The Deputy mentioned security. Security is provided at the barracks in Mullingar for the reasons I outlined earlier. If there was no security there and a serious incident or accident occurred, the matter would come across my desk.

**Deputy Aengus Ó Snodaigh:** The proposed use of this facility as an ETB centre is an interesting proposal. My colleague, Councillor Sorca Clarke, put in a request to the council for €20,000 for a feasibility study to be carried out but it was voted down by councillors from the Minister of State's party and by the Fianna Fáil Party of which Deputy Troy is a member, which is a pity. Will the Minister of State consider making available funding for a feasibility study on the use of this facility which, except for occasional use by a number of community groups, is vacant? It would be a shame if this facility did not remain in the public realm. Will the Minister of State consider my proposal?

Earlier this week a motion tabled by Councillor Sorca Clarke was passed by the Mullingar municipal district. The municipal district has written to the Department of Education and Skills to try to progress this matter. Will the Minister of State at the very least give a commitment that there will be no disposal of this facility while this current avenue is being pursued by the Department? I will ask the Department to keep the Minister of State updated of progress on that request.

**Deputy Robert Troy:** It is often somewhat dangerous to speak about a topic one is not 100% *au fait* with. I can assure Deputy Ó Snodaigh that Fianna Fáil did not vote down any proposal at the council meeting on funding of €20,000.

**An Leas-Cheann Comhairle:** I must ask the Deputy to confine his remarks to a question to the Minister of State.

**Deputy Aengus Ó Snodaigh:** We can deal with the matter locally.

**Deputy Robert Troy:** I accept that there is need for a timeline on this issue such that it can be brought to a conclusion. I want to see a conclusion which ensures the facility remains in State ownership for the benefit of the community. However, as I said, I accept there is need for a timeline to ensure everyone's mind is focused. What timeline does the Minister of State envisage being provided to allow for a full consultation process with the community groups and the Department of Education and Skills on a takeover of the facility by the ETB? If that proposal fails, and I hope it does not, within what timeframe will the Minister of State take alternative action? We need to know what we are working towards.

**Deputy Paul Kehoe:** I will respond to the last question first. As stated as of 31 January 2017, I am actively progressing the sale of Mullingar barracks. As stated in my earlier reply, I will consider any proposal from any group, organisation or body in Mullingar or Westmeath for taking in charge of Mullingar barracks. As mentioned, the barracks has been vacant for almost five years. Every group and organisation, specifically Westmeath County Council, has had every opportunity to develop a proposal for the facility. There are numerous acres of ground surrounding the barracks that are suitable for housing but it is not the responsibility of the Department of Defence to build houses on behalf of Westmeath County Council or to carry out feasibility studies for the ETB or any other organisation. The provision of funding for a feasi-

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bility study is a matter for Westmeath County Council. I am not aware of any of my colleagues having voted down the provision of €20,000 in funding to the ETB or other organisation to carry out a feasibility study but I will check it out. I am progressing the sale of Mullingar barracks but I am open to all proposals from Westmeath County Council, the ETB and so on, in respect of which they should contact my Department.

### **Military Medals**

43. **Deputy Catherine Connolly** asked the Taoiseach and Minister for Defence the steps that have been or are being taken to implement the recommendation that medals be awarded to the officers and NCOs of the siege of Jadotville in view of the overwhelming support that this recommendation be acted upon (details supplied); and if he will make a statement on the matter. [7104/17]

**Deputy Catherine Connolly:** The 56th anniversary of the battle of Jadotville occurs in September of this year. The Minister of State met a few weeks ago a group of concerned students from Galway community college on their campaign in this matter. The final step is to give medals to the officers and the NCOs or their surviving families. What progress, if any, has been made in this regard and when will those medals be awarded?

**Deputy Paul Kehoe:** The issue of the award of medals to the men of A Company was comprehensively addressed in 1965. A properly constituted medals board considered the various cases presented and made a decision that no medals would be awarded. The Chief of Staff of the day considered the decision of the board and was satisfied with the findings.

Subsequently, the question was raised again in a letter to a newly appointed Chief of Staff. He forwarded the letter to the original medals board and asked that it reconvene and review its decision. The board indicated that the issues raised had received due consideration and that it was not prepared to alter its findings.

On the occasion of the 55th anniversary of the siege of Jadotville, I decided to issue a unit citation to honour the collective actions and bravery of the men of A Company, 35th Infantry Battalion. I organised and hosted a ceremony in Custume Barracks, Athlone, on Saturday, 17 September 2016 at which a unit citation was presented to the company in recognition of its collective heroism and professional performance during the siege of Jadotville while cut off from support and reinforcements. During the ceremony, I presented a copy of the citation to each member of the unit or next of kin in the case of deceased members. This was the first time a unit citation was awarded within the Defence Forces and I was delighted to be able to recognise formally the brave actions of these men. In addition, a specially commissioned insignia will be provided to the members and the next of kin of deceased members of A Company in the coming weeks. These are awards that are used internationally by other militaries to recognise those units that have served with particular distinction.

I am satisfied the events and happenings to date, in particular the award of a unit citation and specially commissioned insignia, properly honour the collective bravery of the men of A Company.

**Deputy Catherine Connolly:** The fact the Minister of State is satisfied that the unit citation and insignia are sufficient is disappointing. I welcome these positive steps but what is being

asked for specifically, 56 years after the Battle of Jadotville, is that medals be awarded. For the Minister of State to refer to an Irish Medals Board decision in 1965, which is more than 50 years ago, is not helpful. Society has moved on considerably since then. We are speaking in this regard about 155 extremely courageous men, the average of whom was 18 years. As a result of the extraordinary leadership shown by Commandant Pat Quinlan and his sergeant and other officers, 155 young men were brought home safely to this country following a courageous battle in which they faced 3,500 opponents. Surely in the half century since then we have learned something such that it is now time to undo the damage that was done in not giving recognition to those courageous young men.

**Deputy Paul Kehoe:** I did meet the students on the day of the presentation of the 2016 medal in Galway barracks. I, too, acknowledge the leadership shown by the men of A Company under the leadership of Commandant Pat Quinlan. As I stated, on two occasions a specially constituted medals board considered the various cases to present medals to these brave men. I also further considered the matter in 2016. None of the people concerned is getting any younger. One or two of them passed away in 2016. I have done my utmost to ensure these people are recognised in a fitting manner. On having seen the advice I got on the medals, I decided we have to do something to commemorate the bravery of these men. That is why the unit citation and insignia were decided upon. The ceremony for the presentation of the citations in Athlone was very moving.

**Deputy Catherine Connolly:** Two of the survivors died recently. Sergeant Bill Ready died in 2016 and Sergeant Walter Hegarty died in Galway only a few weeks ago. I appeal to the Minister of State to review his decision. We have heard many debates in this Dáil recently on courageous whistleblowers standing up and on what was done to them. This is the most appalling story. It is about the absolute demonisation of young, courageous men to suit the narrative of power and establishment. I appeal to the Minister of State to take action given that a group of young people from Galway Community College are appealing to the Government to undo the damage done. One hundred and fifty-five most courageous young men came back and they were called the “Jadotville Jacks” and told they were cowards just to make sure the establishment did not come under pressure. Notwithstanding that demonisation, those men went on to live lives as full as they could and contribute to society. If we have learned anything about bullying and whistleblowers, let us put it into practice. I appeal to the Minister of State to review the decision.

**Deputy Paul Kehoe:** I assure the Deputy that I have considered every possible angle with a view to awarding medals to the personnel of A Company. There is no use in giving the Deputy a commitment that I will review this again and that the opinion will be changed because I do not believe that will happen. Again, I applaud the bravery of the men, in addition to the bravery of all the men and women of Óglaigh na hÉireann who have travelled abroad for many years on peacekeeping duties. I commend the group of young students who have taken an interest in this issue and the siege of Jadotville. I have received the correspondence and corresponded back. It is a marvel to see young people showing an interest in such an issue.

**Deputy Catherine Connolly:** I ask the Government to show courage.

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## Air Corps Equipment

44. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the reason the military authorities did not act on foot of the first Health and Safety Authority report into the handling of dangerous and carcinogenic materials by Air Corps personnel without the appropriate protective clothing, adequate training or basic equipment, instead of waiting for the final report, thus prolonging the exposure of personnel at Casement Aerodrome, Baldonnel. [7298/17]

**Deputy Aengus Ó Snodaigh:** We dealt earlier today with the questions on what has occurred for many decades in Baldonnel Aerodrome. I ask once again that the Minister of State take the required action to ensure protective clothing is provided and every single step is taken to ensure the current serving members of the Air Corps are protected.

**Deputy Paul Kehoe:** The military authorities have advised me there was no delay in regard to the Air Corps response to the Health and Safety Authority report. On 21 October 2016, the HSA issued its report of inspection to the Air Corps. I am advised this was the only written report issued by the HSA on foot of three visits to Baldonnel during 2016. The report outlined a number of general improvements and recommendations and included the areas of risk assessment, health surveillance, monitoring of employees' actual exposure to particular hazardous substances and the provision and use of personal protective equipment.

The Air Corps responded to the HSA on 20 December 2016 outlining its improvement plan and indicating its full commitment to implementing the improved safety measures that protect workers and ensure that risks are as low as reasonably practicable. As I outlined earlier, this plan will be implemented over eight phases.

As recognised in the HSA report of October 2016, the Air Corps had already commenced activities of improvement and was proactive in implementing change before, during and after the engagement with the HSA. The Air Corps was pursuing a review of the risk assessment of chemicals process commenced in quarter 2 of 2015, in respect of which process the HSA provided advice during its visits, and a new approach to chemical awareness training within the Air Corps commenced in quarter 1 of 2016.

With regard to personal protective equipment, the military authorities have confirmed that the Air Corps provides personal protective equipment to all workers in the Air Corps, and they are required to wear such equipment in the workplace when necessary. These requirements are set out in a range of military policy and practice documents. The Air Corps improvement plan provides for further actions relating to risk assessments and training focused on personal protective equipment.

I assure the Deputy that the health and safety of the men and women of the Defence Forces is of the highest priority for me and for the military management and authorities.

**Deputy Aengus Ó Snodaigh:** I welcome the clarification the Minister of State has given on the military authorities' response to the HSA report. I was concerned that they waited until the report was finalised before taking any action. The Minister of State has now said the authorities had already started to take action but they had not taken action before the inspection process.

The HSA report made eight recommendations, seven of which I am told have been virtually implemented. Those were the easy ones and many involved dotting i's and crossing the t's. What exactly is involved in the eighth recommendation and how long will it take to imple-

ment it? Is the Minister of State confident that, as we speak, none of the Air Corps personnel is exposed to chemicals of the type that lead to diarrhoea 20 times per day, suicidal tendencies, anxiety, headaches, DNA alterations, discolouration and cancers? Are these chemicals now secure, with no personnel exposed to them? Do the personnel now have the equipment to deal with them? They did not have such equipment in the past.

**Deputy Paul Kehoe:** I assure the Deputy that I wrote to the Chief of Staff earlier this year looking for a report indicating all the recommendations of the HSA for the Air Corps are being implemented. I will forward the Deputy a copy of the exact timelines for implementation. I apologise for not having a copy with me. I should have had a copy with me. Most of the recommendations are to be implemented by May 2017, but I am open to correction in that regard. The Chief of Staff has written back to me and there are a number of issues in the correspondence I want to address. I will be in correspondence with the Chief of Staff on an other occasion.

**Deputy Aengus Ó Snodaigh:** I was told the level of exposure to the dangerous, corrosive and cancerous chemicals was akin to the level following a chemical warfare attack on a daily basis. I mentioned reports I had seen earlier. The reports I saw were from 22 years ago, 20 years ago and three years ago. They highlighted the lack of identification for chemicals, the fact that there was cross-contamination of chemicals and no personal protective equipment, and a number of other issues. I cannot fathom why the military authorities here did not take action around the same time that the Australian authorities were taking action on the very same matter in 2000.

**Deputy Paul Kehoe:** I am aware that a number of litigation cases are pending, dating from the period since 1991. Two protected disclosures were received in my Department in December 2015 and one was received in January 2016. Since my appointment in May 2016, I appointed independent individuals to carry out a review. The first felt he had not the qualifications to carry out the review so another was appointed in late August or early September. That person submitted an interim review in late November. I have corresponded with the Defence Forces on all of these issues, which I take seriously because they affect the health and welfare of members of the Defence Forces, specifically the Air Corps.

### **European Defence Action Plan**

45. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence the preparations the Government is making to pursue industrial and employment opportunities arising from the European Defence Fund; and if he will make a statement on the matter. [7345/17]

**Deputy Paul Kehoe:** The College of Commissioners adopted the European Defence Action Plan on 30 November and it must go through the wide-ranging and extensive EU procedures before any part of it becomes a reality.

The aim of the plan is to explore how EU policies and instruments can ensure that the EU's industrial and skills base will be able to deliver required defence capabilities in view of current and future security challenges. As part of this plan, the Commission has proposed the creation of a European defence fund. The purpose of the fund is to promote research and innovation and contribute to the strengthening of the European defence technological and industrial base. It is also designed to stimulate further the development of key defence capabilities.

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For many member states, the defence sector is a significant contributor to jobs, growth and innovation. In the EU, the defence industry makes an economic contribution of €100 billion, with 1.5 million direct and indirect employees. While Ireland does not have a defence industry, we have particular strengths in the area of dual use and civil commercial technologies that can support defence capabilities and contribute to the Irish economy.

In this regard, the Government approved arrangements in July 2011 whereby Enterprise Ireland would support the Department of Defence and the Defence Forces' capability development through engagement with Irish-based enterprise and research institutes on the use and application of innovative civilian technologies in the military sphere. The Government's decision allows for greater engagement with Enterprise Ireland and Enterprise Ireland-supported companies, which contributes to the Defence Forces' capabilities across the full range of their activities.

A co-ordinated approach will be required from Departments to ensure that Ireland is optimally positioned to avail of the industrial and employment opportunities that may arise from the Commission's proposals. In this regard, officials from my Department are co-ordinating with their counterparts in other Departments, including the Departments of Finance, Public Expenditure and Reform and Jobs, Enterprise and Innovation.

**Deputy Lisa Chambers:** Last year, the EU made proposals on establishing a European defence fund. This fund consists of two financial structures: a research window to fund collaborative defence research projects at EU level and a capability window to support the joint development of defence capabilities commonly agreed by member states. This will be financed through the pooling of national contributions and, where possible, supported by an EU budget.

There are also proposals to foster investment in SMEs, startups, mid-caps and other suppliers to the defence industry as a key part of this. Clearly, it represents a large opportunity for Irish SMEs. What is the Government doing to make Irish companies aware of this potential and will the Minister of State provide further detail of the liaisons he has had with other Departments on this matter?

**Deputy Paul Kehoe:** The action plan will be sent to the European Parliament, the European Council, the Committee of the Regions and the European Economic and Social Committee for formal response. We need to consider how best Ireland can benefit from the action plan. Industries need to be positioned to avail of the research funding opportunities that will arise under the preparatory action and the Commission's proposed European defence fund. The Department of Jobs, Enterprise and Innovation has advised that, in conjunction with its agency, Enterprise Ireland, it is assessing the potential for Irish companies to secure contracts under the proposed research window.

Regarding the forthcoming first call under the preparatory action, the national support network of Horizon 2020, led through Enterprise Ireland, will seek to identify specific companies to respond to the call once it has been published.

**An Leas-Cheann Comhairle:** I thank the Minister of State.

**Deputy Paul Kehoe:** In conclusion, the network will support participating companies-----

**An Leas-Cheann Comhairle:** A final supplementary question. I have been more than lenient.

**Deputy Paul Kehoe:** -----in making applications.

**Deputy Lisa Chambers:** This presents a major opportunity for Ireland. We have never seen the development of a fund like this before. The research window presents significant opportunities to liaise with European colleagues in research areas like communications, cybersecurity, etc. We would be foolish not to consider the capability window funding. We have severe deficiencies in our capabilities as regards equipment and so on. We must put a plan in place so that, when this funding comes on stream, we are ready to apply. I am asking the Minister of State not to miss this opportunity and to work hard with his Department. I am sure that other Deputies will be available to assist. We cannot miss this opportunity. Clearly, we do not have the funds to get our capabilities up to where they need to be ourselves.

**Deputy Paul Kehoe:** I agree with the Deputy opposite that this is a significant opportunity for Ireland. My Department will be assisting in every way possible. Beyond the Department of Defence, a range of other Departments and agencies, specifically Enterprise Ireland, are involved. While Ireland may not have an arms industry, a number of companies are involved in the development of new technologies and capabilities that have dual military and civil application.

This is an opportunity for Ireland to put its best foot forward and draw down some of the available funding. There are major job opportunities for Ireland in that regard.

### **Defence Forces Properties**

46. **Deputy Thomas Byrne** asked the Taoiseach and Minister for Defence his plans regarding the future of Gormanston Camp in County Meath; and if he will make a statement on the matter. [7349/17]

**An Leas-Cheann Comhairle:** There will only be one supplementary question.

**Deputy Thomas Byrne:** I will not delay the House. My question will give the Minister of State the opportunity to set on the record the Government's commitment to Gormanston Camp, allow the public to know of that commitment and recognise the camp's importance to the Defence Forces and the local area.

**Deputy Paul Kehoe:** Gormanston Camp is, and will continue to be, an important operational military installation. There are no plans to change this. The camp is a vital training asset for the Defence Forces in respect of activities such as recruit and three star training, overseas pre-deployment training, small arms live fire training and live fire air defence training. Gormanston is currently the only site in the defence property portfolio that is used for air defence training and Air Corps firing.

My Department has invested considerably in facilities and infrastructure at Gormanston Camp. Since 2010, just over €688,000 has been spent on a range of capital and non-capital developments and improvements. This is in addition to routine ongoing investment in the repair and maintenance of the facility.

**Deputy Thomas Byrne:** I thank the Minister of State. It is worth reminding the House of the functions and importance of Gormanston Camp and getting that commitment from the Government. From time to time, one hears questions on the matter, so it is important to have that

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commitment on the record of the House. I am grateful to the Minister of State for that.

**Deputy Paul Kehoe:** The Deputy has taken a keen interest in Gormanston Camp for many years. He has often raised questions on the issue. Gormanston is a critical part of the Defence Forces' infrastructure and is used for important training. As the Deputy is aware, the Government's employment scheme was run out of Gormanston Camp in 2016. The camp offers capabilities and specific training facilities for members of the Defence Forces, specifically the Air Corps and the Army.

*Written Answers are published on the Oireachtas website.*

## Topical Issue Debate

### Schools Building Projects

**Deputy Brendan Griffin:** I appreciate the opportunity to raise this very important matter for my constituency, specifically Waterville and its hinterland in County Kerry. I was at a well-attended public meeting on Monday night last week at St. Finian's national school in Waterville. There was not standing room in the school. The meeting was convened to seek support in the locality for a campaign for a new school. The support from the community was evident. A new school is very much needed and long overdue.

The State has never provided a school for the people of Waterville. The current building in which the children of the village and surrounding areas attend school was constructed by the British Government in 1913 and very little work has been done to it since. Since 2008, approximately €300,000 has been spent on maintaining the school and basic capital investment. It was, however, sticking plaster expenditure as there was nothing significant to show for the investment. The money went into a very old building that is very expensive to maintain.

Waterville is bucking the trend for many rural communities as it is doing really well. It is a place that is becoming very vibrant and where jobs are being created, which is wonderful to see. However, with that comes an increase in the population in the area and the school population is no different from the general population in that it is growing and will grow further. What is now a four-teacher school will soon become a five-teacher school. The Department keeps telling the school authorities in Waterville that an extension is the only viable option available. The problem is that the school is located on an extremely confined site of 1.5 acres. The site is on an extremely busy road that is a busy tourism route. Many large vehicles also travel on it. If an extra classroom is provided on the site, there will be no play area and no outside recreational area for the children. That is simply not good enough in this day and age.

The cost of renovating and extending a building that is already more than 100 years old is astronomical and would not be money well spent. A greenfield site is readily available in the village to the school. I support the view of the school community that an extension is not adequate and that a new school is the only solution for Waterville. I know that I speak for all of the Kerry Deputies when I say this because they have all expressed their support for the campaign. The Minister has met the school principal, Gearóid Moran, who is doing excellent work, while his team of staff are doing wonderful work. However, they are confined by the facility in which

they are operating and can only do so much. The environment is simply not responsive to the needs of modern education. If we are serious about giving each and every child a top class education, we must prioritise schools such as the one in Waterville for replacement.

Waterville is not in the commuter belt, but it has the same issues faced by many schools in it. The building is inadequate and needs work. A new building is required. The Department must move beyond the current situation where it has sought drawings and further information and acknowledge that a new build is the only way to go. I ask the Minister to spearhead the campaign to try to give the people of Waterville and future generations what they so thoroughly deserve.

**Minister for Education and Skills (Deputy Richard Bruton):** I thank the Deputy for raising this issue. I can well understand the concern of the school in Waterville and many others.

I will put the Deputy in the picture in terms of the capital budget, the backdrop against which I must deal with requests such as the one he has made. Every year we must provide approximately 20,000 new school places which roughly are split as follows: 15,000 for new students, given that there is a population bulge, and 5,000 replacement school places. That gives the Deputy an indication of the pressure on the budget.

The Deputy outlined the history of the school in question. St. Finian's national school did make an application in December 2015 to the Department requesting a new school and the Department did engage with it, as the Deputy indicated, last August. The Department examined school enrolments, the building and other factors. At that stage it indicated that it would not be possible to advance a major project at that time but that it was open to undertaking work to improve the school's facilities. Having been fairly stable, last year there was a significant increase in enrolment numbers at the school from 99 pupils to 111, just short of the number required for the appointment of a new teacher. My Department has indicated to the school that it could seek to provide for additional needs with respect to an additional teacher coming on-stream.

I must be honest and say that when one talks about a totally new build, a project must compete with all other projects where currently there is no accommodation available for pupils. That is the difficulty. That said, I am aware that the school submitted technical reports this month to my Department and we will assess them. Only last year a meeting was held to address the future needs of the school. We will look afresh in the building unit at the technical reports, but the backdrop of planning is against a very tight capital budget and the Department must decide on priorities on a rigorous technical appraisal. We will look at the new technical documents submitted.

**Deputy Brendan Griffin:** I must stress the urgency of this case and the Department must treat it as such. The projections are that the enrolment numbers in the school will surpass 120 in the very near future. The school simply cannot cater for that number. There is not an option to extend the school; as such, the Department must treat the project as a priority and fast-track it. The children of Waterville deserve the same treatment as children in the commuter belt or anywhere else in the country. It is not too much to ask that once every 100 years a community look to have a new school built. It is not the case that there is another school 2 km or 3 km away, there is not another school until one reaches Caherdaniel over Coomakista, 15 km away, or Aghatubrid national school near Caherciveen or Killeenleigh national school. The school serves a huge hinterland and it is not acceptable in this day and age to have children in school in the current conditions. I visited the school on numerous occasions during school hours and the children were packed into one classroom, in particular. They are small children, but when

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they reach the age of 11 or 12 years, they will be twice the size and the classrooms will not be big enough for them. A serious health and safety issue arises.

I spent a limited amount of time in the past working in the area of special needs. I also worked in an autism unit. There are children in St. Finian's national school with special needs and the environment for them is completely unacceptable. They deserve the same start in life as every other child, but they are not getting it. The standard procedure in the Department for processing the application is not good enough. We need more. The staff room is 4 m X 4 m and inadequate. More space is required. I am also very concerned about the lack of a drop off and collection area. The school gate opens onto the street and there is no place to park safely to drop off and collect children. A site is available. I call for the project to be fast-tracked.

**An Leas-Cheann Comhairle:** Tá an Teachta thar am.

**Deputy Darragh O'Brien:** Deputy Brendan Griffin can talk to the Minister outside the Chamber, for example, at a parliamentary party meeting.

**Deputy Brendan Griffin:** I note that the Minister did not use up his full allocation of time.

**An Leas-Cheann Comhairle:** That is a matter for the Minister. My job is to ensure speakers do not take too much time. The Deputy is over time.

**Deputy Brendan Griffin:** I cannot emphasise sufficiently the urgency of this project.

**An Leas-Cheann Comhairle:** We must move on.

**Deputy Richard Bruton:** I accept the point made by Deputy Brendan Griffin and must reassure him on a couple of points. First, there is no difference in the rules applied in commuter belts or any other area. The Deputy might point to commuter belts where there have been huge explosions of population and new schools are required to respond to them. The figures will indicate that we only replaced a handful of schools last year out of the 4,000 schools across the country. It is very difficult to secure a replacement school. I can understand how people object to the procedures, but they are dictated by financial constraints. We can only stretch the money available to meet certain needs. The same rules apply everywhere. There is the same prioritisation of technical need and the same assessment of buildings and their capacity and flaws or otherwise. We will look at these new submissions but what the Department has told the school is that it is open to new accommodation but only in the context of immediate needs. That is the position as of now and, unfortunately, I cannot give the Deputy a different answer. That is the position but we will look at the new submissions that have been made.

**Deputy Brendan Griffin:** The Minister might visit the school if he gets the opportunity. It would be very much appreciated by the local community.

### **School Admissions**

**Deputy Louise O'Reilly:** Page 89 of the programme for Government states:

We will publish new School Admissions and Excellence legislation taking account of current draft proposals (publication of school enrolment policies, an end to waiting lists, introduction of annual enrolment structures, and transparency and fairness in admissions for

pupils). We will seek to enact this legislation for the start of school year 2017-18.

At the end of last year, the Education (Admission to Schools) Bill 2016 went through Second Stage in the Dáil and has yet to be taken on Committee Stage. One point in respect of this that I would like to raise is capacity and how this affects school admissions. How will this Bill help parents in Fingal? I am raising this Topical Issue matter with the Minister given the incredible urgency that exists to increase capacity in Dublin Fingal and schools in north County Dublin where parents are being told that there are no places for their children in September. Parents are contacting me in large volumes. They are worried sick because they have nowhere to send their child. They are worried there are no places, that these children are too old for pre-school placements and that there are no alternatives. Years after putting their children's names down, they are being told that, come September, their efforts will be redundant because there is no room and the children will not be admitted.

I live in the fastest growing county in the country. We have a growing young population which means that, effectively, this problem will only get worse. Obviously, I do not mean children are the problem. Children are lovely. I mean that the problem of where they are to be taught will get worse. I will read out some of the e-mails I have received. One related to a school in Swords. It stated:

We have a son already attending the school and our second son, who was 4 last December and will be ready for school in September. With this in mind and as he already has a sibling attending the school we assumed that he would automatically get his school place in September. We enrolled him with the school last month only to receive the news last Thursday that he was 24th on a waiting list of over 100 children for a place in the school. So basically he has no place in our local school ... We were also informed that our son has no place in his preschool in September because the pre-school were of the opinion he would be starting school in September. His place was offered to a younger child. He also misses out on his free pre-school place due to his age and date of birth.

Another e-mail involved a school in Balbriggan. It stated:

I have a daughter who will be 4 years of age on the 27th of February, 2017. We enrolled her last year. Today we received a letter to say they cannot offer her a placement for September as all placements were filled from category 2 of the Enrolment Policy. This category is in relation to child's age. The cut off is the end of March which she meets. Brothers and sisters of present pupils of the school, which she meets ... She is from the catchment area ... we have been here for 17 years and is Catholic. On phoning the school I was told that they had a lot of older children applying for places this year.

Problems are rolling over from one year to the next and are having knock-on effects. Problems getting one cohort into school in one year means these children are applying again the next year as older children thus preventing other children coming through from getting a place.

Will the Minister advise me as to what I should tell these people? I received another e-mail from parents who want to send their child to a Gaeilscoil. They are Gaeilgeoirí, something we should be encouraging. They have had their child's name down for three years and have just been informed there is no place. There is issue with under-capacity. I am sure it is not exclusive to my constituency but I believe it is a more acute problem there. I want to know what I can say to those people. Their children deserve a place in school. They have been diligent in terms of

keeping up with the waiting lists. What am I to tell them?

**Deputy Richard Bruton:** To avoid confusion, the Education (Admission to Schools) Bill does not involve the building programme. The Bill is about the admissions policies that schools operate. It deals with how schools deal with children with special needs, how they set their priorities-----

**Deputy Louise O'Reilly:** I am aware of that.

**Deputy Richard Bruton:** The Deputy's opening question was how the Bill would impact the problem in Swords. It is not designed to specifically build more schools. It is designed to have a consistent and transparent policy. That Bill is before the House and will go to Committee Stage. Pre-legislative hearings on some of these issues are taking place within the committee.

I am very conscious that there is population pressure in Swords. My Department is reviewing the demographic data for the Swords school planning area as part of its general assessment. My Department also has been in direct contact with a number of primary schools in the Swords area in respect of their junior infant capacity. In that regard, it is understood that at least one school is undersubscribed and has expressed a willingness to enrol further junior infants in September 2017, if necessary. As the Deputy will appreciate, it is important that school size is monitored and that a balance is preserved among all schools in school planning areas to ensure one school is not expanding at the expense or the viability of another school.

There are about 13 different planning areas in the north Dublin area. Four new schools have been built since 2011, so this is an area where there is continuing expansion. The demographic data are being reviewed again to see whether we are at a point where additional capacity needs to be planned for. As of today, the Department's assessment is that the need of junior infants enrolling in the schools in the Swords area will be met by the available places. Unfortunately, that does not always mean that a parent applying to the school of their preference gets the school they wanted. I know some schools have longer waiting lists. That is the current position. The Department will continue to assess needs. The building programme seeks to respond to the pressure of population demand.

It goes back to the point I made to Deputy Griffin. Each year, we must deliver 20,000 additional school places. The planning is such that it is only when the demographic need is clearly established that we trigger construction. That is the only way we can meet the pressure of demand but we are meeting that demand. The assessment will go ahead in Swords.

**Deputy Louise O'Reilly:** There are 100 children on a waiting list at the moment. The person I spoke to is No. 24 on that list. Is the Minister suggesting that the capacity exists in a school in Swords to absorb 100 additional pupils? I do not think he is suggesting this and I do not think the school has this capacity. I put it to him that we have a particular problem in north County Dublin that extends beyond Swords. It concerns the age of the population there. It is a serious issue.

I am still not sure what I will say to those parents who are deeply distressed and not just because their children cannot go to the local school. There are parents who have tried schools in the area and who cannot get their children admitted. This is only February. My prediction is that this will get worse because more parents are going to hear about it as these things happen. They are going to pick up the phone and question the school and they are going to be told the same thing. If a person is No. 24 on a waiting list of 100, I do not think the Minister is suggest-

ing that those 100 pupils can be accommodated in the one school in Swords that has a bit of capacity. Perhaps the Minister could indicate if he has information because the information I have relates to discussions I have had with individual schools. All of the policies prohibit canvassing so, clearly, we are not going to get into that space. Does the Minister have an idea-----

**Deputy Richard Bruton:** What do they prohibit?

**Deputy Louise O'Reilly:** They prohibit canvassing. Canvassing is not appropriate because if there are not enough places, it is an issue about capacity rather than anything else.

What am I to say to these parents? They cannot send their children to preschool and have been told they do not have a place. The capacity identified in the one school will not be enough. Does the Minister have an idea of how many people are currently on waiting lists?

**Deputy Richard Bruton:** The difficulty with waiting list data is that waiting lists are maintained by individual schools and the same child may appear on several waiting lists. Therefore, they are not the only indicator of the relationship between supply and demand. The position my Department has outlined to me is that there are 13 primary schools in the Swords area. They obviously have a junior infant intake. I do not know what it is but presumably it is in or around the 500 mark across those 13 schools. The Department's assessment indicates that capacity will be enough to meet the total junior infant enrolment need in the Swords area this year. However, they are assessing the demographic pressures and they recognise that there are growing pressures on the system. They are assessing the need in the Swords area. In terms of the Department's assessment of the position, there are enough junior infant class places to meet the need at present. I will bring the points the Deputy made to the attention of the Department and get it to double-check the enrolment figures because this assessment is now under way.

**Deputy Louise O'Reilly:** The question relates to north County Dublin and not just to Swords. I would therefore be grateful if the Minister could broaden out those questions to the Department.

**Deputy Richard Bruton:** Yes, I-----

**An Leas-Cheann Comhairle:** If the Minister and the Deputy want a discussion, I suggest they meet in the margins.

### **Ambulance Service**

**Deputy John Lahart:** We were expecting the Minister for Communications, Climate Action and the Environment to be present, but we will say more on that later. I speak on behalf of Deputies Haughey and Darragh O'Brien, myself, all Fianna Fáil Dublin Deputies and all Fianna Fáil public representatives in Dublin. As the Minister of State will know, Dublin Fire Brigade, DFB, has been providing an ambulance service to the citizens of the city and county since 1898. That is almost 150 years. Uniquely, all firefighters are also paramedics and rotate between fire and ambulance duties. The dual role they have of fire-based emergency medical service is internationally recognised. It is also recognised as best practice. It is replicated in cities such as Seattle, New York, Dusseldorf, Frankfurt, etc. The beauty of it is that Dublin is recognised as having the second best survival rate for out-of-hospital cardiac arrests in the world after Seattle. This is because of the fire-based emergency medical system. My colleagues will take up the

debate.

**Deputy Seán Haughey:** I first raised this matter in the Dáil on 25 January and I stand over the remarks I made on that occasion. Yesterday was St. Valentine's Day, the anniversary of the Stardust tragedy in 1981. On that awful night we saw the efficiency and professionalism of the Dublin Fire Brigade and ambulance service at its best. International best practice indicates that combining fire rescue and emergency services greatly improves the response to a crisis. That was clearly seen in the case of the Stardust tragedy.

SIPTU is balloting for strike action at the moment. All indications are that the go-ahead will be given for strike action. The key issue is that the Dublin Fire Brigade is being starved of resources and support to do its job. The chief executive of Dublin City Council wants to transfer the call-taking and dispatching for ambulances to the national control centre in Tallaght. I oppose this. It is not in the interest of the citizens of Dublin. The expert panel published a report. That is the way forward to deal with this particular issue. I hope the Minister of State present will support it. It is a roadmap on how to deal with the problem and it was published in December 2015.

**Deputy Darragh O'Brien:** The time we have is wholly insufficient to deal with this particular item. Over a number of years, I have been writing to the Minister of State's predecessor. The bottom line is that the DFB ambulance service and its structure work extremely well, as my colleagues have outlined. What Fianna Fáil as a party and the members of the DFB are really concerned about is the removal of the delivery of that service from the DFB. The reason they are so efficient is because they manage it themselves. They are all trained paramedics and can work with any of the appliances. We saw it with the terrible bus crash in Dublin. Everyone who is on that rig is a trained paramedic. It works.

Dublin City Council and Mr. Owen Keegan have an issue with funding and that is all it is. The HSE is looking to amalgamate this. The DFB complements the HSE ambulance service. This is not a turf war issue. I ask the Minister of State to give a commitment on behalf of the Government that there will be no changes to the operation of the DFB ambulance and to pledge and commit to that. I ask the Minister of State to do that and to raise it with her senior Minister. I believe that the Minister, Deputy Coveney, should be here to answer this because he has big role in telling Mr. Owen Keegan to get off the stage and take his hands off the DFB ambulance service.

**Minister of State at the Department of Health (Deputy Helen McEntee):** I thank the three Deputies for raising this issue. I give my apologies for not being Deputy Coveney or Deputy Harris. I am taking this on behalf of the Minister, Deputy Harris, who gives his apologies. If there are commitments I cannot give, I will certainly take the requests of the Deputies back to both Ministers.

As the Deputies know, Dublin Fire Brigade provides emergency ambulance services in Dublin city and county by arrangement between Dublin City Council and the HSE. The HSE National Ambulance Service provides some emergency capacity in the greater Dublin area as well as non-emergency patient transport. I take this opportunity to commend the excellent work that is completed by the people that undertake that work for the Dublin Fire Brigade and the National Ambulance Service. In recent years, three comprehensive reviews of our ambulance services have been undertaken: the HIQA review, the independent Lightfoot review of National Ambulance Service capacity and the review of Dublin ambulance services that was

jointly commissioned by the HSE and Dublin City Council.

The capacity review, published last year, examined overall ambulance resource levels and distribution against demand and activity. The review identified deficits in ambulance capacity, including in the Dublin area, which will require very significant investment to address, as the Deputies have pointed out. Implementation of the recommendations of the capacity review require a multi-annual programme of phased investment in ambulance manpower, vehicles and technology. To this end, increased funding has been made available for ambulance services in the HSE national service plan for this year.

The HIQA report on ambulance services, which was published in December 2014, highlighted significant public safety issues arising from two ambulance services operating in the same domain. The report identified concerns around the existence of two separate control and dispatch processes and also highlighted the need for greater clinical governance of both services. The HIQA report points very clearly to the need for enhanced integration of service provision in the greater Dublin area. The Dublin ambulance services review, which was commissioned in 2014, is focused on identifying a service model for the optimal provision of emergency ambulance services and patient care in the Dublin region, including service quality, patient safety, capacity and value for money for ambulance services.

I assure the House that the Minister, Deputy Harris, is fully aware and appreciative of the excellent historical tradition of service provided to the citizens of Dublin by the Dublin Fire Brigade. However, at the same time, it is fully accepted that in the interest of patient safety we need the DFB and the NAS to have a more co-ordinated and integrated approach to service delivery. It is important that we optimise and maximise all available resources to ensure the citizens of Dublin have the most responsive and safest ambulance service possible, which I know we all agree on.

The Minister, Deputy Harris, has not as yet received a copy of the final report on the review of Dublin ambulance services, which, as I mentioned, was commissioned by Dublin City Council and the HSE. However, to be clear, if any change to the model of service delivery is required, a formal proposal for those changes will have to be submitted to both the Minister, Deputy Harris, and the Minister for Housing, Planning, Community and Local Government, for their consideration and approval. To that end, discussions are taking place between officials in the Department of Health and the Department of Housing, Planning, Community and Local Government. The Departments have requested a joint action plan from the HSE and DCC with regard to service and governance issues.

**Deputy John Lahart:** I have seven points to make in 60 seconds. The Dublin Fire Brigade gets 7% of the national ambulance budget but takes on 40% of the ambulance calls nationally. It is simple maths. Dublin City Council actually has the legal authority to run the Dublin Fire Brigade and ambulance service. It is not necessarily a moral obligation, but I believe that obligation has been well established after 150 years. The fire-emergency medical service model is the best model for an urban area. All expert reports point to that. The dual qualification makes the Dublin Fire Brigade ambulance service very efficient on the public purse. The Dublin Fire Brigade is very used to emergencies. It deals with emergencies every hour of every day. It is never off service. This is not a competition with the National Ambulance Service.

**Deputy Darragh O'Brien:** Not at all.

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**Deputy John Lahart:** Dublin Fire Brigade is never off service. This practice has been well established for 150 years. The Minister of State's reply, particularly with regard to a decision not having been made, is very disheartening. We want to serve notice on the Minister that we are going to continue to press this issue and highlight it on behalf of Dubliners and on behalf of the national fire and ambulance service in Dublin.

*4 o'clock*

**Deputy Seán Haughey:** I mentioned that the chief executive of Dublin City Council, Owen Keegan, wants to see a transfer of all call taking and dispatching for ambulances to the national central control centre in Tallaght. The Dublin Fire Brigade call centre is in Townsend Street. Technology and IT solutions are available to co-ordinate the ambulance service between Tallaght and Townsend Street. The national ambulance service has centres in Tallaght and Ballyshannon in County Donegal, so this is possible. Unions and staff must be consulted on any proposed changes. So far, everything that has been done in that regard has been done unilaterally. That is no way to do business. The unions and the staff must be consulted. Councillors in the local authorities have passed motions along the lines of what we are suggesting here this evening. As I mentioned, the pre-hospital emergency care services Dublin report was published in 2015. That is the roadmap with which to proceed, and I hope the Minister of State and her colleagues will take it on board.

**Deputy Darragh O'Brien:** I appreciate the Minister of State coming into the House to give the response but the second and third last paragraphs in the reply were written by HSE senior management. One can read in the answer that the divvy-up has already been done but we are putting the Government on notice that Fianna Fáil will not accept these changes in Dublin. The local authorities will not accept them.

**Deputy Richard Boyd Barrett:** We will not accept them.

**Deputy Darragh O'Brien:** It is a cross-party issue. Anyone with a brain will understand that if it is working extremely well, which is the case, it should not be changed. If anything, the combined emergency medical service, EMS, should be replicated in Galway, Cork and Limerick. It can and should be done. This is a case of Owen Keegan in Dublin City Council not wanting to fund it. We need to sort it out because we will not accept any changes to this service. It is a very serious issue for us and for all other parties which care about this service. I ask the Minister of State to take on board the comments we have raised, which I know she will do.

Finally, there has been no consultation whatsoever with Dublin Fire Brigade, DFB, ambulance or their employee representatives. The HSE making the decisions with the Minister is not acceptable at all.

**Deputy Helen McEntee:** I thank the Deputies. Many statements have been made that I will not disagree with because a fantastic service has been provided over the past number of years. However, the Deputies must accept best practice when it is put forward. The objectives of the review were to determine a cost effective model of provision going forward, ensure optimum value for money for the public purse but, importantly, determine the optimum model of ambulance provision which ensures that patients receive the highest standard of emergency response and that the care provided meets all national safety and quality standards. That is what we must aim to achieve.

**Deputy John Lahart:** The Dublin Fire Brigade ambulance achieves that.

**Deputy Helen McEntee:** It is my understanding that the review was originally scheduled for completion in 2014. However, it was not possible to finalise it prior to the conclusion of the national ambulance service, NAS, capacity review. Where funding is needed, it has been allocated in additional funding and this year's service plan has been allocated for our ambulance service through the HSE national service plan. This is about best practice and ensuring that we have the best service possible for the people who need it. I am sure that when recommendations are made and the report is given to the Minister he will discuss this issue and engage with the relevant bodies before any decision is taken. I will certainly bring the Deputies' comments to the Minister and raise their concerns with him.

### **Housing Issues**

**Deputy Richard Boyd Barrett:** Despite constant announcements, promises and plans from the Government about its intention to deal with the housing and homelessness crisis as a matter of top priority, every time the Minister examines that crisis or talks about it and every day that passes, the crisis gets worse. It is a crisis that the Government promised in its programme for Government would be resolved within 100 days yet a year on it continues to get worse, not better, on a daily basis.

Yesterday's news of the escalating crisis was the *daft.ie* report showing that the biggest increase in rental inflation ever recorded by *daft.ie* since its inception, 13.5%, occurred in the last quarter of 2016. Dublin rents are now rising at a rate of 15%. Rents in Dublin are up 65% from their lowest point and 14% from their highest point before the crash in 2008. Average rents in Dublin are now €1,643 per month. In Cork, they are €1,096 per month while in Galway, they are €975 per month. They are €875 per month in Limerick and €745 per month in Waterford. Even with the Minister's rent certainty measures, another 4% can be put on that. Another 4% on rents in Dublin will bring the average rent cost up to over €1,700. In every category of rental property and in every single area, the rent allowance or housing assistance payment limits are very considerably less than the average rental levels. We have now also record levels of people in the rental market, at 475,000, which is an increase of 150,000 over the past five years, yet there are fewer than 4,000 rental properties available for rent, and most of them are unaffordable to anybody on a low or middle income.

The Minister's plan is not working. Even if his plan is to deliver increased supply - the magical mantra of the market - and that he will have 20,000 extra residential units a year, if I understand his plan, there will still be a massive surplus of demand over supply, even if his plan works, for years to come. That means there will be no pressure on landlords to reduce rents. For years to come, even if the Minister's plan works, rents will not decrease, and they are already unaffordable and continue to rise. The Minister has got to change tack or the situation will get worse.

I want to know what the Minister intends to do about this problem. If the HAP limit in Dublin is €1,300 and average rents are €1,600, how is somebody supposed to afford that? What are they supposed to do when they have nowhere to live? It is just not doable. If we think about it, 60% or 70% of an average worker's income is required to pay rent if they can get a property, and they probably cannot even get a property. It is just not doable.

We are asking for a radical change in tack to pin rents back to affordable levels, which means retrospectively reducing rents to something like 2010 and 2011 levels, and then have the

rent certainty operating from there as well as a dramatic increase in council housing provision.

**Minister of State at the Department of Housing, Planning, Community and Local Government (Deputy Damien English):** In response to Deputy Richard Boyd Barrett and the *daft.ie* report on rent increases, it is clear that there are acute rent pressures in the rental market; we all know that. Those pressures are driven by a number of factors - rising demand, lack of supply and the high costs indebted landlords face in servicing their loans. Those stresses are again confirmed in the latest data from the *daft.ie* rental report but as I have said publicly, that is not a surprise. We know this is happening and it is what we are trying to address. That is the reason we are putting plans in place.

The report shows that rent asking prices rose nationwide by an average of 13.5% in 2016. In Dublin, annual rental inflation is at an average of 15% and strong rent inflation is also seen in Dublin's commuter counties. These increases are placing huge pressures on tenants, particularly those who are seeking new accommodation. We want to tackle that problem and as I said at an event this morning, and at a housing conference yesterday, we want to change the housing numbers for two reasons, namely, for social housing to give people that choice but also economically this will hold us back. We cannot provide accommodation for people, companies cannot grow, we cannot expand and we cannot continue to create new jobs.

We want to do this, and we fully intend to do it, but it is wrong to say that we promised to do it within 100 days. That is not what we said. We promised to put in place an action plan that would tackle this problem over a couple of years. It is not possible to magically come up with a solution overnight. Deputy Boyd Barrett gives the impression that if we click our fingers, the problem will be solved. It does not work that way. There was no plan in place that was backed with money. A plan has been put in place now. It was put together over the summer in fewer than 100 days, as per the commitment, and published in July. It will be rolled out bit by bit from August-September onwards.

It should be borne in mind that this report refers to the period prior to the Government's new strategy for the rental sector, which was published in December as part of the overall housing plan, and prior to the rent pressure zones announced at the same time. There is no doubt the problems in the rental sector are part of a bigger issue. We are in the midst of a housing crisis and the problems caused by high rents reflect, and are reflected in, the other issues facing the housing market. There are not enough homes for first-time buyers, while there is an increased demand for social housing, with unacceptable levels of homelessness. The issue is the lack of supply. All of the actions outlined in Rebuilding Ireland are aimed at increasing the supply of housing. Likewise, in the rental strategy which was published in December we are trying to get the balance right between rent control in certain areas to ensure only minor increases and encouraging increased investment in the rental market. We have to do both. We are trying to win new investment in the rental sector to have more houses provided because we cannot fix this problem overnight and build all of the houses needed.

It is wrong to say nothing is happening in the housing plans. Last year approximately 15,000 new houses came onstream. The plan in 2017 is for approximately 18,000 to come onstream, but we now expect to see up to 19,000, as there is no doubt that we will beat the number of 18,000. We want to reach 25,000 a year. I made it very clear to the construction sector at meetings held today that if we could get to 28,000 or 29,000 new housing units a year for several years to help us to catch up with demand, that is what we would do. The aim at the end of the five-year plan is to have new 25,000 houses per year thereafter, but in the middle of

the plan we will probably go a little higher because we will need to do so if we are to catch up. The Deputy is absolutely right in that regard.

Coupled with this, we have efforts and had new plans announced to try to bring vacant stock back into use as social housing. More than 5,000 voids have been brought back into use in the past two years, with 2,000 being provided last year alone because we had provided the money to do so. We are putting in place the repair and lease back initiative which involves cash upfront to private owners to bring their houses back into usage as social housing. There are other plans such as the buy and renew initiative for local authorities. We are supplying money in new areas to make this happen. The capital budget for housing in 2017 has been increased by 50%. We are reacting to this and a total of €5.5 billion of taxpayer's money is being committed to fixing the problem, but we cannot spend all of it in one day. The Deputy should not kid himself. It takes time to put a system back in place. The system of social housing provision was closed down well before Fine Gael entered government, as the Deputy knows. We agree with him and are trying to build it back up again.

**Deputy Richard Boyd Barrett:** The problem is that it just gets worse. If there was any sign that things were improving, I would give some credence to what the Minister of State said. It is not that the debate started today or yesterday or even a year ago. When I stood at the top of the Chamber in 2012 and warned that there would be slum conditions similar to those in Sean O'Casey's time, I remember that I was scoffed at from the Fine Gael benches. There was laughter across the Chamber because it could not possibly happen, but it is. Last week there was a newspaper report on a property in Lehaunstown. Today there is a newspaper report that a three-bedroom property with 16 bunk beds is being advertised to young women and rented out at €400 per bunk bed. The journalist who went into the place said it was absolutely squalid. We are back to tenement conditions and none of the measures proposed by the Minister of State will address the problems immediately. For example, a simple thing that could be done is, as we proposed in a motion passed by Dublin City Council, that the local authority should have the power to take and use any property which has been sitting empty for longer than six months if the owner does not signal an intention to use it. However, the city manager stated he would not implement it. I propose that he be instructed to implement the measure. It is completely unacceptable. I also propose that rents in the rent pressure zones be pinned back to affordable levels - approximately 2010 levels - as an emergency measure to make them affordable in order that everybody looking for rental property would not automatically be in a crisis, as is the case because rents are too high and HAP and rent support levels are simply not sufficient. Will the Minister of State do these things?

**Deputy Damien English:** We have made the decision that in the rent pressure zones there will be a limit on increases to a maximum of 4%, one third of the rates in the *daft.ie* report today. The report reflects the situation before we published the rental strategy. Our intervention in these areas will help. I understand the Deputy wants us to move further backwards, but that is not something we are in a position to do. We have a rental strategy agreed to by all of the Cabinet which we believe has the balance right between trying to have predictability in rents in some key pressure zones and adding pressure zones where the evidence is available and encouraging more investment in the sector. If we cut off investment, we will have a bigger problem.

I recall the Deputy speaking in 2012 and fully compliment him as he flagged this issue, but I state repeatedly that the resources were not available. I wish they had been available in 2012 and 2013 to be spent on social housing but they were not. It became a real issue in 2014 and 2015 when we could see rents increasing. In areas in Dublin they have doubled from €700 to

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€1,400 in the past two or three years. They were not at these levels in 2012 or 2013, but they were in 2014 and 2015. I am saying the Deputy was right, but we did not have the resources we needed available. Now we have money to tackle the problem and have a plan in place to spend it. I have no doubt that it will make an impact. We cannot fix the problem overnight in the way the Deputy wants us to do so. He has a magic pen with which he could go and do it, but it does not work that way for us. We must crank the system back up, intervene where we can and put in place resources to activate sites and have State-owned land put back into use. The Deputy is correct on initiatives to bring vacant properties back into use.

On the motion mentioned by the Deputy, we have the site levy to be introduced in 2019. We have received advice from the Attorney General that we cannot intervene before then. In the meantime we will use carrots to try to get people to bring properties back into use. If the county manager wants to attempt to do this, so be it. I am not sure whether he would legally be able to do so. I understand what is behind the motion, but we are trying to use the carrot approach. We are asking people who have accommodation not in use to talk to and work with us through the various arms of the State. We can lease long-term or give them money upfront to bring the accommodation back into use. If people own land, we will work with them to service it to have it brought back into use. We will try all of these measures. We will get a better response in adopting that approach for now.

*Sitting suspended at 4.15 p.m. and resumed at 4.55 p.m.*

### **Brexit and Special Designation for the North: Motion [Private Members]**

**Deputy Gerry Adams:** I move:

“That Dáil Éireann:

notes that:

— on 22 May 1998, voters in Northern Ireland voted to accept the Good Friday Agreement, GFA, by 71.1% to 28.9%, and in Ireland by 94.39% to 5.61%;

— since the GFA was ratified and the restoration of power-sharing in 2007, the European Union, EU, has been a critical partner for peace, providing substantial political and financial aid, which has led to greater economic and social progress on an all-island basis;

— on 23 June 2016, a referendum on the UK’s continued membership of the EU took place;

— a majority of voting citizens in Northern Ireland, namely 55.8%, voted to remain in the EU;

— the British Government has now made clear that they will trigger Article 50 of the Lisbon Treaty by the end of March 2017, and begin the exit process, and will also be seeking to leave the single market in a so-called ‘hard Brexit’; and

— this situation is unprecedented, as no member state has left the EU and single market before now;

recognises that:

— under the terms of the GFA there is an inherent right for those born on this island to Irish citizenship, and by virtue of that right, citizenship of the EU as well;

— Northern Ireland is being forced to leave the EU against the expressed wishes of its people;

— this represents a major set-back for the political process in Northern Ireland and directly challenges the integrity of the GFA, and will have huge consequences for the protections contained within it, especially the principle of consent;

— the pursuit of a ‘hard Brexit’ may well impose the amendment of the Northern Ireland Act 1998, which gives legislative competence and authority to the GFA;

— the Oireachtas Joint Committee on European Union Affairs, in its June 2015 report, UK-EU Future Relationship: Implications for Ireland, recommended that ‘the Irish and UK Governments negotiate bilaterally to have Northern Ireland recognised (in an EU context) as having “a special position” in the UK, in view of the Good Friday Agreement. Recommends further that special arrangements be negotiated at EU level in that context, to maintain North-South relations and Northern Irish EU citizenship rights and protections attached to such rights.’;

— the EU has shown itself to be flexible in coming forward with pragmatic arrangements for dealing with complex territorial situations; and

— a special status relationship for Northern Ireland outside of the EU would do little to deal with the massive political, social and economic challenges thrown up by Brexit;

concludes that:

— a ‘hard Brexit’ would undermine the institutional, constitutional, and legal integrity and status of the GFA; and

— the GFA political institutions, human rights guarantees, all-Ireland bodies, and the constitutional and legal right of the people to exercise their right to self-determination and a united Ireland through consent, by referendum north and south, must all be protected; and

calls on the Government to:

— enter any forthcoming negotiations to defend the democratic mandate of the people to remain within the EU and act in Ireland’s national interest;

— report to the Houses of the Oireachtas, on a quarterly basis, regarding developments in the Brexit negotiations; and

— negotiate for Northern Ireland to be designated with a special status within the EU and for the whole island of Ireland to remain within the EU together.”

Tá mé buíoch as an deis an rún seo a chur faoi bhráid na Dála anocht ar son Theachtaí Shinn Féin. Iarraim tacaíocht ó achan Teachta don rún atá os ár gcomhair. Cuirim fáilte roimh an Teachta Stephen Donnelly a bheidh ag caint don chéad uair mar soldier of destiny le Fianna Fáil ar an ábhar.

**Deputy Darragh O’Brien:** An-chairdiúil, Gerry.

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**Deputy Gerry Adams:** Maith thú. Tá a fhios agam an craic.

We have said consistently that it is crucial that the mandate of citizens in the North, who voted in June to remain in the European Union, is upheld. We are seeking to formalise the position of the Dáil in favour of special status for the North within the European Union, and to call on the Government to adopt that position. The Government amendment is not acceptable and Sinn Féin will vote against it. The AAA-PBP amendment, from a party which urged voters in the North to support Brexit, is also not acceptable.

*5 o'clock*

The Fianna Fáil amendment accepts almost all our motion and adds a number of matters relating to the Good Friday Agreement, including the bill of rights, protection for the human rights elements of the agreement, future funding streams of PEACE and INTERREG. All these broadly reflect Sinn Féin's position and are in our motion.

I regret Fianna Fáil, which earlier today told us it was supporting our motion, then chose to introduce an amendment without consultation. Notwithstanding that, Sinn Féin is willing to accept the Fianna Fáil amendment and to support the composite motion that will then emerge.

While I have not had an opportunity to study the Taoiseach's remarks today in the Mansion House, the snippets I heard on the news did not inspire me. I will begin my contribution by expressing my deep disappointment with the Taoiseach's comments today on Sinn Féin's call for the North to have a designated special status within the European Union.

It is the first time he has said with such clarity that he is not in favour of a special designated status, or if he is, that he is not prepared to go against the British diktat on this. That reflects the deep flaw in the Government's approach to Brexit. The Government is still thinking within the confines of the Twenty-six Counties state. It is not thinking of the future or of the historic nature of this Brexit move by, essentially, a majority of people in England and Wales.

The Government's position is dictated by what Britain wants. It also reflects the deep-rooted partitionism that infects the body politic in this State. The Taoiseach's starting point was that the North is a part of the United Kingdom and if that state pulls out of the EU then so, too, must the North. That ignores the widespread opposition on this island to partition, including within the Fine Gael Party. The Minister for Foreign Affairs and Trade, while he does not say it publicly, wants to see an end to partition, and a united Ireland, as much as the rest of us. The Taoiseach's position also ignores the Good Friday Agreement which recognises-----

**Deputy Charles Flanagan:** The Good Friday Agreement is the foundation stone.

**An Leas-Cheann Comhairle:** An Teachta Adams, without interruption.

**Deputy Gerry Adams:** Go raibh maith agat. It also ignores the fact that the European Union is not the United States of Europe. It ignores the Good Friday Agreement which recognises the unique status of the North. As the Taoiseach said today, the EU is not a homogenous unit. On the contrary, part of its strength lies in its diversity. While we remain critical of the EU, including its two-tier structure, its lack of democratic accountability and a lack of proper citizen-based arrangements, it has demonstrated flexibility in coming forward with pragmatic arrangements for dealing with complex situations. For example, Greenland, a Danish dependent territory with limited devolution, voted to leave the EU in 1985 while Denmark remained

as a member state. Greenland was then transferred to the overseas countries and territories status. A trilateral declaration agreement now exists between Greenland, Denmark and the EU. Some 25 overseas countries and territories have a special relationship status with the EU.

Does the Taoiseach believe it is beyond the ability of the people of this island to shape out a special arrangement for the North arising from Brexit or is he afraid of having to negotiate with the British on an issue which they have already set their face against? It is something I have experienced many times with successive Irish governments. They figure out where the British are at and then cut their cloth to meet that, instead of acting in our own national interests. There would have been no Good Friday Agreement had that approach been taken at that time. Therefore, the Taoiseach's position is unacceptable.

No Irish government should meekly accept the rejection by a blow-in British Secretary of State that Britain will not accept a special designated status for the North. Last week, the British Government set out its stall. In the British Parliament it ignored the imperative of the Good Friday Agreement. The Conservative Party, the DUP, the Ulster Unionist Party - the favoured partner of the SDLP - and UKIP, as well as the MP for Bexley and Sidcup, James Brokenshire, combined to vote down any protections for the Good Friday Agreement. So much for the assurances to the Taoiseach by Theresa May. That is no great surprise for those of us who know that British Governments always act in their own national self-interest. They do not give a tuppenny damn about the North. Nowhere is this better illustrated than in England's treatment of the devolved Governments. Nicola Sturgeon has expressed her disquiet at the London Government's attitude towards Scotland. The Sinn Féin Party's experience to date, having taken part in meetings of the Joint Ministerial Committee, is that the British Government does not care one jot about the devolved administrations. Therefore, things have got to change.

Sinn Féin has repeatedly called on the Taoiseach and the Government to agree a strategic approach to the negotiations with clear political, economic and trade objectives. They must protect the interests of all citizens on the island of Ireland, defend the Good Friday Agreement, and ensure that the frontier between the EU and Britain is not on the island of Ireland. That means upholding the democratic vote in the North to remain, which is the aim of this motion. It also requires the Government, which has a seat at the negotiating table, to actively campaign for the North to have a special designated status within the EU.

In addition to tonight's motion, to try to advance this objective, I introduced the European Communities (Brexit) Bill 2017 in the Dáil last week. The Bill places a statutory requirement on the Taoiseach to outline the Government's approach to negotiations surrounding Brexit to the Oireachtas. I hope we will have the opportunity to debate that Bill soon.

All this is critical to the well-being and future of the Good Friday Agreement. Thus far, the Government has failed to act decisively as a co-equal guarantor of that agreement. The dangers which this presents are enormous. This British Government has no great investment in the Good Friday Agreement. We already know that it intends to bring an end to the jurisdiction of the European Court of Justice. It is also committed to ending its relationship with the European Convention on Human Rights. These decisions will have profound implications for the agreement. None of this deals with the fact that, under the terms of the Agreement, citizens in the North have a right to Irish citizenship and, therefore, to EU citizenship. How can those rights be protected and realised?

In addition, there have been a succession of economic reports, including one recently by

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the ESRI, which warned that Brexit will cost tens of thousands of jobs across the island. Some 14,000 people regularly commute across the Border for work, business and education. If we do not work, act and co-operate together in setting clear targets, the trucks and goods that cross that Border every day on their way to Europe will now face customs checks from Dundalk to Letterkenny. That is a lot of jobs at risk and a very messy process.

Therefore, this is about the future. As a matter of urgency the Irish Government must set out its strategy and objectives in the Brexit negotiations. That is what this motion aims to do. It is about upholding the democratic vote of citizens on this island to remain, and to act in the national interests of the whole island.

**Deputy Pearse Doherty:** In recent weeks, we saw the House of Commons's committee of experts giving the plain and unvarnished legal facts about what Brexit from the customs union really means. It means a border in our country unless we do something about it. This weekend in my county, communities from Lifford and Bridgend will demand as Border communities that there be no return to the hard Border that so many of us grew up with and detested. Those communities, including farmers, businessmen and businesswomen, and workers from across the country, North and South, do not want platitudes or sympathy. They want a united political effort to prevent the imposition of any border in this country.

In today's media we hear that despite the words we have heard from the Government this evening, the Government is planning for a return to that Border. Sites across the Border are being identified for customs posts, including in my own county of Donegal as well as in Louth, Monaghan and elsewhere. That is the reality and wishful thinking, but it is not enough to accept that.

A short time ago at the finance committee, the Minister for Finance confirmed to me that is indeed what is happening - that Revenue is scouting out sites for customs posts along our Border, confirming the media reports earlier today. That is why Sinn Fein has moved this motion. The solution in the immediate term is a special status for the Six Counties within the European Union. Let Trump talk all he wants about walls, Ireland should be talking about uniting the country. A hard Border is the same as a wall. It disrupts and it divides. The North must therefore continue to have access to the Single Market which allows for the free movement of our people, goods, services and capital on a North-South basis and among the other EU member states, helping that part of our island to benefit from the largest single trading block on earth. It is also about remaining part of the common travel area to maintain the free movement of people and goods without trade tariffs, physical checks or passport controls while opposing any suggestion of external international EU land borders or border controls within the island either by land, air or sea. We all know that the imposition of customs controls will not only have obvious consequences for businesses involved in cross-Border trade but will also reduce the effectiveness and even the viability of an all-Ireland supply chain, something which could be of particular importance, of course, in the agrifood sector, a sector which could stand to benefit substantially through heightened all-Ireland co-operation in areas such as animal health, plant health, food labelling, State aids and veterinary services. Let us not forget the significant movement of agricultural products across the Border today. In 2015, bulk milk imports into the South for processing by creameries and factories amounted to 594 million litres, with nearly all of it coming from North of the Border. This is equivalent to 9% of our domestic Southern supplies and 26% of the Northern annual milk supplies.

What do we need to do? Our capital programme must focus on cross-Border projects like

never before. Every policy lever at our disposal must be used to prevent the Border effect getting a hold on our economy. Sinn Féin's four MEPs are putting forward realistic and practical proposals to mitigate the effect of Brexit on our country. Unfortunately, the Government simply has not got it. I reiterate that we need special status for the North within the European Union. The usual talk, wishful thinking and diplomatic meekness will not work. People are fed up with it. What do references to "seamless borders" or "the need to avoid a return to the Border of the past" mean? When it is spelled out in hard facts, it means what is happening as we speak with Revenue officials going to identify sites in Donegal at Bridgend, Lifford, Pettigo and all other Border crossings for customs posts.

This is an issue of unprecedented importance North and South and the people have had the chance to speak about it. A clear majority in the North wants to stay. Border communities want to hear tonight that we are putting forward solutions and ideas and not just sleepwalking our country into the worst possible Brexit. There has been a great deal of talk about what Britain can or will do. Diplomatically, we have to push the EU to be flexible but we are only a small part of that block and must punch above our weight. As much as we need to negotiate hard with the British, we need to negotiate hard with the Commission and other EU member states. Our interests are not the same as those of Greece, Portugal or Estonia on these issues. We cannot be lost in EU committee-speak. Where we need to, we must raise our voices and make our demands clear. The motion before us sets out a clear and achievable demand if the political will is there. Let the House stand together and for all of the people of Ireland. Let it recognise, represent and respect the will of the people of the North and let us pass the motion to allow us to campaign for a special status for the North within the European Union.

**Deputy Peadar Tóibín:** The people of the North have the right to be Irish citizens. Hundreds of thousands in the North today are Irish citizens and the number is growing. This makes them EU citizens and the responsibility of the Minister for Foreign Affairs and Trade. In a few short years, these Irish and EU citizens will be stranded under an increasingly isolated London Government. The foundation stone for the hard-won peace process in the North has been the notion of consent. Consent has been pivotal to the development of stability. The majority of the people of the North have voted to remain in the EU and they have not consented to be sundered from the developing all-Ireland economy. The London Government seeks to throw this consent in the dustbin of history. The Minister has a responsibility in that regard.

Self-determination is pivotal to republican political ideology. Ireland was on its knees 100 years ago. One of the worst famines in European history was still a vivid memory for many. The country had been emptied of nearly 3 million people through death and emigration. Given that the Union Jack flew over every town in the country for hundreds of years, representing the largest empire the world had ever seen, freedom and self-determination must have seemed impossible. To a growing number of Irish men and women, however, it was clear that self-determination was an absolute necessity for survival. They set about a revolution that changed the course of all our lives. Just a few dozen miles up the road in towns such as Newry, Armagh and Enniskillen, Irish people have democratically self-determined that they wish to remain in the EU. However, for those people not much has changed in the last 100 years. The North remains a forgotten backwater, hardly featuring on the home counties' Tory radar. Shockingly, the pivotal self-determination of the Northern electorate in regard to Brexit is being ignored and disregarded by London. Shockingly, what happens to the Border on this island and to our national interest remain beyond our democratic control 100 years after the Rising.

Unbelievable as it may seem, I produced last year the first report since partition of an

Oireachtas committee on the all-Ireland economy. Despite all our talk of the all-Ireland economy, precious little research has been done on it. For the report, I interviewed hundreds of people of differing backgrounds throughout the island of Ireland including academics, businesspeople, trade unionists, trade organisations, public representatives, farmers, State officials and local authority representatives, all of whom said our future was stronger in an all-Ireland economy. All of that will come to nothing if Brexit continues on its current trajectory. We are told that Britain and the North will leave the Single Market and the customs union. We are told the free movement of people between Britain and the EU will end. We are told product, service, environment and labour regulations will diverge on these two islands. In the same breath, we are told it will be okay. This is dangerous nonsense. That circle cannot be squared through all the negotiation and goodwill in the world and especially not by a subservient Government sitting on its hands. The only way the will and consent of the people of the North can be fulfilled is if the North remains within the EU. The only future for the Good Friday Agreement is in the context of the EU. The only hope for an all-Ireland economy is if the North receives special status within the EU and the only way that will happen is if the Government opposite gets off its docile butt and starts to campaign with us.

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I move amendment No. 3:

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

“notes that:

— while the result of the United Kingdom’s (UK) European Union (EU) membership referendum of 23rd June, 2016, was not what the Government would have wished for, it respects the outcome of the democratic process in the UK and the decision of its electorate to leave the EU;

— recognising its value and benefits, Ireland will remain a fully committed member of the EU and continue to play an active role in the EU;

— the outcome of the UK referendum creates particular concerns in Northern Ireland, where a majority voted to remain in the EU;

— Brexit presents significant and unique challenges for Northern Ireland and the island of Ireland;

— Northern Ireland and the protection of the peace process are central concerns for the Government in the upcoming Brexit negotiations, in addition to the other stated priorities such as economy and trade, the common travel area and the future of the EU;

— the Good Friday Agreement, GFA, an international agreement registered with the United Nations, remains the foundation for all our engagements on Northern Ireland and remains in force whatever the status of the UK within the EU;

— the GFA, which was endorsed by the people of this island, North and South, includes the principle of consent and the possibility of a change in constitutional status in Northern Ireland;

— the Government, as co-guarantor of the GFA, has emphasised at every opportunity in extensive discussions on Brexit with all EU member state Governments (including

the UK Government), with members of the European Parliament, the EU Commission and other EU institutions that the principles and provisions of the GFA must be fully respected in any future agreement between the EU and the UK; and

— the Government has clearly and repeatedly stated and demonstrated its commitment to working urgently and intensively with our EU partners, the British Government and the Northern Ireland Executive to see how collectively we can ensure that the gains of the peace process in the last two decades are fully protected in whatever post-exit arrangements are negotiated;

recognises the progress that had been made through the North-South Ministerial Council in scoping out the sectoral implications of Brexit for Ireland, North and South, and agreeing joint principles for moving forward, including:

— recognition of the unique circumstances of Northern Ireland, bearing in mind its geography and history;

— ensuring that the treaties and agreements between Ireland and the UK are fully taken into account;

— protecting the free movement of people, goods, capital and services; and

— maintaining the economic and social benefits of co-operation on both sides of the border; and

further notes that:

— the re-establishment of devolved power-sharing institutions in Northern Ireland as soon as possible after the upcoming elections on 2nd March, 2017, will be important in ensuring effective local political representation at this critical time in the Brexit process;

— the Government, as co-guarantor of the GFA, and its institutions will work to support the political parties in Northern Ireland in this regard;

— Northern Ireland is included in the EU's list of negotiation priorities following an intensive diplomatic initiative by the Irish Government; and

— the Government remains committed to ensuring that the unique circumstances of Northern Ireland including all aspects of the GFA are fully considered in the upcoming negotiations and securing the best possible outcome for all of the people on the island of Ireland.”

I am pleased to have the opportunity to move the Government's amendment and to acknowledge that this is a very important debate in the context of a critical issue, namely the matter of Northern Ireland and the withdrawal of the UK from the European Union. This is a major strategic challenge to the island of Ireland and a matter of great concern to all of us in the House and beyond. We face acute challenges to our economy and trade as well as in relation to Northern Ireland. I assure the House that the Government continues in a determined way to work closely with our European partners to ensure that they understand issues like the common travel area and our right to continue its operation, consistent with EU law, notwithstanding the withdrawal of the UK from the Union. Brexit is very much at the top of our agenda and has been since well before the referendum vote in the UK. It is top of the agenda in every Depart-

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ment and that is doubly so for my Department and that of the Taoiseach. The challenges of Brexit are multifaceted as indeed is our response. Across every Department, a substantial programme of work is well under way.

For the last eight months, I have been working closely with the Taoiseach, briefing governments in the European Union on our priorities and highlighting Ireland's approach and position to partner countries outside the European Union. I have had over 150 high level meetings and discussions to date. Most recently, last week I travelled to Brussels where I met EU chief negotiator Michel Barnier, the European Parliament's representative Guy Verhofstadt and leading and influential MEPs from the Parliament and held formal meetings with foreign ministers from Italy and Finland.

While I was in Brussels the Taoiseach was in Warsaw holding bilateral talks with the Polish Prime Minister. The diplomatic programme undertaken by the Taoiseach and all of my Government colleagues, including the Minister of State, Deputy Eoghan Murphy, is buttressed by an intensive programme of engagements at official level and discussions with officials in the Commission, and member state Governments are continuing.

At national level an enormous programme of work has been undertaken. Ireland alone was in a position to publish a framework contingency plan on the day of the UK referendum result. The work across Government is intensive and relentless. It has been co-ordinated and led by the Taoiseach. To the suggestion in the Fianna Fáil amendment of a Minister for Brexit, I reiterate that the strategic challenge of Brexit is a job for the entire Cabinet led by the head of the Cabinet and Government, the Taoiseach. All Ministers in Government have their part to play, as do all political parties North and South.

As regards Northern Ireland, the Government has been clear that there are entirely unique circumstances that must be taken into account in the matter of the negotiations on the UK's withdrawal from the Union and the future relationship between the UK and the EU. The Good Friday Agreement, an international treaty registered with United Nations, provides for a unique political and constitutional settlement in Northern Ireland which is the foundation of the peace process. This is something the European Union as a whole has always recognised and has been supportive of. I have received heartening support from my foreign ministerial colleagues in that regard.

It is worth recalling that the Good Friday Agreement recognises the birthright of all of the people of Northern Ireland to identify themselves and to be accepted as Irish, British or both. This means that virtually everybody born in Northern Ireland can, as of right, choose to be an Irish citizen and, therefore, a citizen of the European Union with all of the rights and obligations of both. There is no parallel for this anywhere in Europe, a point I have continued to highlight with my colleagues.

The Agreement also contains very important provisions on the constitutional status of Northern Ireland. The Government has been clear that Brexit must cause no legal impediment to the mechanism set out in the Agreement for a united Ireland, in accordance with the principle of consent, and this point is specifically referenced in the Government's counter-motion.

The European Union is, first and foremost, a peace project and the Union has made immense contributions to the peace process on the island of Ireland over the past two decades and longer. From my engagement with all of my EU counterparts, Members of the European Parliament

and senior representatives of the Commission and Council, I know there is a deep appreciation of the role of the European Union and the contribution it has made in support of the peace process, and they wish to continue that support regardless of the challenges and changes resulting from Brexit.

At the core of both Opposition motions is a specific request for the Government to adopt a position whereby Northern Ireland remains in the European Union with a special status post-Brexit. The UK's withdrawal from the Union is patently not something that this Government or anyone in the House wanted. The Government actively engaged and advocated for just the opposite during the referendum campaign in Northern Ireland and Great Britain. Our task now is to face up to the unwanted result and outcome, with all of the challenges that brings, in order to secure what will be the best outcome for the island of Ireland as a whole.

The cold reality is that, notwithstanding the unique circumstances on the island of Ireland, concepts and terms like "special status" give rise to serious concerns for other EU partners about precedents that might be set elsewhere. This would risk undermining the efforts of the Government to specifically address and mitigate the very real impacts facing our island and the people of Northern Ireland, in particular, due to the withdrawal of the UK from the union. While I entirely understand the rationale, the fact is that such a proposal would unnecessarily distract from work to secure arrangements which reflect the genuinely unique situation of Northern Ireland, which was founded in the peace process and the Good Friday Agreement, as well as its geographic status as the only border between the UK and 27 EU member states.

The provisions in the Government motion clearly support and point to the need for specific, effective and realisable measures that could address the major concerns about Brexit. Whether this relates to the Border, citizenship, constitutional and human rights provisions of the Agreement or otherwise, the Government will also advocate for the continuation of a range of EU policy support for Northern Ireland and the peace process, including EU funding. It is considering precedence and potential approaches of an innovative nature in this regard.

There is an array of difficult issues to address. Perhaps the most difficult and concerning of all is the matter of the Border. There has been much discussion and speculation about how this could be achieved, but the position of the Government from the very beginning has been that the invisible Border must be maintained. We are intensively engaged, in order to deepen understanding and support for each of Ireland's headline concerns, with every one of our EU partners, including the United Kingdom, as I have already outlined.

Over the past eight months, I have engaged intensively throughout the European Union and there is not a Foreign Minister in the European Union who is not aware of the central importance of the Good Friday Agreement and the staunch determination of the Irish Government, its co-guarantor, to make sure its principles and provisions are fully respected in any future arrangement or agreement between the European Union and the United Kingdom.

We must ensure that none of the gains of the peace process are lost. We have to be clear about the Border and many other areas. The United Kingdom and the European Union may need to compromise if we are to achieve the demanding objectives that the Government has set. The preservation of the invisible Border is a shared goal of the Irish and UK Governments. The Taoiseach set out to Prime Minister Theresa May on 30 January in Dublin the imperative for achieving that. There will be a need for the British Government to factor into its negotiating position with the European Union the stated objective in regard to our Border. I reinforced this

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message in my meeting with the Secretary of State for Northern Ireland at a meeting yesterday.

The Government will continue to work with our EU partners and prepare comprehensively in support of our overall objectives, including those pertaining to Northern Ireland, the peace process and all-island issues. It is, therefore, essential that the indispensable work of the North-South Ministerial Council can recommence at the earliest possible opportunity as the EU-UK negotiations are about to start.

The re-establishment of the devolved power-sharing institutions in Northern Ireland as soon as possible after the elections on 2 March is critical in managing the implications of Brexit for Northern Ireland. The Executive, as Deputies will be aware, is responsible for politically representing Northern Ireland's interests, including in the upcoming EU-UK negotiations. Members of the House have a specific responsibility in that regard.

Our amendment sets out the overall strategy for protecting the gains of the peace process and working in the interests of the island as a whole, underlining the work the Government has undertaken in regard to Northern Ireland in the context of this challenge. Many of the elements of the motions proposed by both Opposition parties are covered in this ongoing work, but are not listed in the Government motion so as to avoid inadvertent prioritisation of some and possible exclusion of others.

The avenue we take is that which will ensure that all provisions of the Good Friday Agreement are fully respected in any future EU-UK arrangements. We will secure the peace process and all-island interests. This is what the Government will continue to make progress on in the context of these negotiations. I commend the Government's counter-motion to the House.

**Deputy Stephen S. Donnelly:** I welcome the tabling-----

**Deputy Charles Flanagan:** Does this qualify as a maiden speech on behalf of Deputy Donnelly?

**An Leas-Cheann Comhairle:** No one should interrupt. The Fianna Fáil amendment can only be moved if amendment No. 3 is lost. It will not be moved until tomorrow, depending on the outcome. It is not for me to indicate what way it might go.

**Deputy Stephen S. Donnelly:** I welcome the tabling of the motion by Sinn Féin on what Brexit means for the Good Friday Agreement and the people of Northern Ireland and what the Irish Government needs to do about it. I would also like to acknowledge Sinn Féin's position on accepting our amendment.

In the past two hours, the Taoiseach described Brexit as the most important negotiations in our history. What is at stake? It is the following: the close ties between our nations; jobs in Irish companies that trade with the UK, including jobs in manufacturing, tourism, transport, professional services, technology and much more; the livelihoods of farmers and of men and women working in the agrifood sector; and public moneys that are badly needed for investment in public services, health, education and infrastructure. The people of Northern Ireland face all these threats too, and more. Their economy, jobs and ability to invest in services and communities are at risk as are their rights, including their right to be members of the European Union and their rights as citizens of the European Union to move, work and do business freely within the EU.

Yesterday we met a civil society delegation from Northern Ireland. It is concerned that the deepening deprivation in some communities is leading to a rise in young people joining paramilitary groups and that sectarianism is reappearing in the workplace. It is concerned that the bill of rights mandated under the Good Friday Agreement is still not being implemented, that the peace process is coming under pressure and that Brexit will make all these things worse. It would not be fair to say that this Government is doing nothing on Northern Ireland in the context of Brexit. It would be fair, however, to say that the Government is not doing nearly enough. This view is in line with that of civil society, which is that the Irish Government has been detached from the Good Friday Agreement for the past six years. The allegation was made yesterday - it is not my allegation - that this Government is becoming a mouthpiece for the British Government.

The motion before the House calls for Northern Ireland to be designated a special status within the EU. We agree with this call and want to further debate what it means. This Government's response to the challenges and opportunities of Brexit as they pertain to Ireland and Northern Ireland has been too vague. What does special status actually mean? What sectors will be worst hit? What rights of the people of Northern Ireland are at risk? What sort of invisible Border can actually stop people and goods from moving across it? What can farmers and businesses actually do to protect their incomes?

Article 50 will be triggered in a few weeks' time and we have to move from generalities to specifics. The Fianna Fáil motion accepts the motion before the House and adds detail on what is required. It calls on the Government to negotiate for the North of Ireland to be designated a special status within the EU; to secure the ongoing realisation of rights of citizens in Northern Ireland to avail of Irish and, by consequence, EU citizenship; to safeguard the four freedoms of movement of goods, workers, capital and services; to protect ongoing access to EU institutions, including the Court of Justice of the European Union, the European Court of Human Rights and EU sectoral agreements; and to protect and ensure the full implementation of the Good Friday Agreement and subsequent agreements. The motion calls on the Government to maintain future funding streams of PEACE and INTERREG financing; to enter any forthcoming negotiations in co-operation with our EU colleagues recognising the vote of the majority of citizens in Northern Ireland to remain within the EU; and to ensure that the Amsterdam treaty, as it relates to the common travel area between the UK and Ireland, is respected fully and upheld.

We need to beef up Ireland's current approach to Brexit. As a matter of urgency, a Minister for Brexit at Cabinet level should be appointed and tasked with leading a whole-of-Government response to the challenge of Brexit. The "every Minister is a Brexit Minister" approach has been the driving force to date behind the vagueness in the Government's approach.

We need to be absolutely clear that special status for Northern Ireland in the context of the Brexit negotiations is by no means guaranteed. The UK does not support it, but rather a much weaker recognition of so-called unique circumstances. The Northern Ireland Secretary of State has specifically stated that he believes a special status would be "the wrong approach". Therefore, the Irish State, together with the Northern Ireland Assembly, must fight for it. They must fight for the rights of Northern Ireland citizens as EU citizens and the protection of workers' rights; for an invisible border that can be implemented in the real world; for the preservation of the common travel area; for the protection and progress of the peace process; for ongoing EU PEACE funding; for the protection and strengthening of trade in agrifood and other industries in the North and South; for the strengthening of sectoral ties between the North and South, including in energy, health, education and transport; for support to the regions in the Republic that

will be most affected by Brexit; and, critically, for the protection and ongoing implementation of the Good Friday Agreement.

**Deputy Declan Breathnach:** I have lived all my life in the constituency of Louth in a community that suffered the fallout from the Troubles yet benefitted greatly from our membership of the EU. It was only with peace and EU investment that our region came out of the shadow and began to thrive. That process ensured an invisibility in our Border. It would be a regressive and retrograde step should any damage be caused to either the fragile peace achieved to date or the economic progress that has accrued to our island as a result of our EU membership and, in particular, in the context of Brexit. Fianna Fáil has made substantial amendments to this Sinn Féin motion. However, it is the interests of all the people of this island, North and South, that our main objective is to ensure that we do all that we can to highlight the unique and special circumstances of Northern Ireland and the need for this to be a central tenet in the final Brexit agreement.

However, EU customs and trade lawyers have stated special EU customs rules for the Border between the Republic and Northern Ireland are unlikely. As stated by a Sinn Féin Deputy, a report in today's *Irish Examiner* by the political editor, Daniel O'Connell, states that he can reveal that the Government is preparing for the return of a hard Border in the wake of Brexit, including the return of full red and green channel checkpoints. It has been revealed that Revenue Commissioners' officials have been engaged to examine locations for full Border checkpoints with red and green channel facilities in counties Louth, Monaghan, Cavan, Leitrim and Donegal.

The M1 motorway, which passes through my own constituency, is of considerable focus. I have seen this myself and witnessed last Monday for the third time the M1 motorway closed going south. I have seen cars being impounded and checked and I do not believe this to be the normal process of various State agencies. All this is in stark contrast to what the Government has been saying over and over again since the referendum, which is that there would be no return to a hard border.

We are calling for the Government to make the case for and secure a special status for Northern Ireland and to ensure the right of citizens of Northern Ireland to avail of Irish citizenship and, by consequence, EU citizenship is retained. As stated by Deputy Donnelly, this also applies to the maintaining of PEACE and INTERREG funding, which is crucial both North and South in terms of how we do business and improve our region. The peace process in Northern Ireland and the Good Friday Agreement which underpins it cannot be compromised, including no dilution of human rights. This has been pivotal in encouraging joint co-operation in our educational institutions, local authorities working collaboratively North and South, peace groups of all persuasions and none, and sporting organisations, to name but a few.

There have been many excellent organisations and initiatives that followed from the Good Friday Agreement, including the Ballyconnell agreement and Co-operation And Working Together, CAWT, which facilitates cross-Border collaborative working in health and social care. We need to be informed not just at the macro level but, more importantly, about the ramifications at the farm gate and the village store, for educational institutions and on cross-Border health care and on so many other areas that affect our daily lives. It is for this reason that we need a complete analysis and audit of the various sectoral impacts on the sectors right across Government. Manufacturers will have to consider whether it is still economically feasible to move goods several times for processing, as alluded to earlier, across the Border. Surely we can

agree an all-Ireland brand that will promote the agrisector, North and South, to the wider world and that the EU would recognise.

It is my belief that non-contentious issues such as tourism promotion on an all-Ireland basis together with ensuring security in our energy requirement should be part of any negotiations. If the building of it is not lost to our communities, the Narrow Water Bridge would be symbolic and help tourism. While not wishing to dilute the economic challenges facing this island, I believe that peace and prosperity will drive our economy. Now, more than ever, we must continue dialogue - north, south, east and west - to ensure our island nation prospers. The will of the people of Northern Ireland, the majority of whom voted to remain in the European Union, must be reflected in the final agreement. Imposing the full impact of a hard Brexit on Northern Ireland or this island would be unacceptable.

**Deputy Darragh O'Brien:** I thank and commend Deputy Gerry Adams and his colleagues in Sinn Féin for tabling the motion and accepting the Fianna Fáil amendment. This will add to and strengthen the motion and I ask the Government to reflect and withdraw its amendment because it will not have any effect. What we have is the Dáil, under the new political arrangement, speaking with one voice. It is at times such as this that we can reflect on how far we have come since the Good Friday Agreement.

I have not yet had an opportunity, as the Fianna Fáil Party spokesperson on foreign affairs and trade, to extend my best wishes to Martin McGuinness on his retirement and wish him a speedy recovery. I also acknowledge the work that Mr. McGuinness, Deputy Adams and many individuals in the South, including members of my party and all other parties, did to secure the Good Friday Agreement. The Agreement is our starting point and a red line. Any dilution of it must be rejected, whether this involves moves by the British Government towards diluting its human rights dimensions or a strengthening of the Border.

If I heard the Minister correctly, he dismissed the argument in favour of special status for the North. I am disappointed he did so because the North should have special status and the Government indicated previously it would support such an approach. Unfortunately, because the Secretary of State, James Brokenshire, on behalf of the British Government, dismissed special status, the Government has simply followed by stating it cannot secure special status. It cannot and should not give up that fight. The passing of an agreed motion on this matter would show that the Dáil speaks with one voice on this issue. An agreed motion should also become Government policy because the Dáil is elected by citizens in the Republic.

I have spent a great deal of time in the North, especially in the past year, and my party has engaged with groups here. As my colleague, Deputy Donnelly, stated, we also met representatives of groups yesterday which are looking to Dublin for leadership. They want the Dáil to advocate and fight for the hundreds of thousands of citizens in the North who have Irish citizenship and ensure their rights as European citizens are protected. Whether one is born in Dublin or Belfast, Irish citizenship is equal but I do not see the Government or the Minister fighting for that.

The amendment proposes the appointment of a minister for Brexit to co-ordinate work in government on this issue. This is not in any way to do down the work the Minister is trying to do but when too many people are in charge, no one is in charge. Too many things are falling through the cracks. Having a common focus through a Brexit ministry and recognising, as a Government, that the North should have special status in the European Union would be a

starting point. I am greatly concerned that the Taoiseach is having bilateral meetings without insisting, as a starting point, that the North have special status. We need to do much more in this regard.

The passing of the Good Friday Agreement, the ending of terrorism and the Troubles and the normalisation of relations between Britain and Ireland showed what was possible on the island of Ireland. The British exit from the European Union is the biggest single threat and the Brexit negotiations the most important negotiations we have faced since the Agreement was signed. The Government must realise that this issue is of crucial importance for Ireland and the future of Europe. Let us be selfish for a change and try to look after Ireland.

In the past five or six years, I have consistently stated that the approach taken by this Government and its predecessor to the all-Ireland bodies established under the Good Friday Government and the British Government has been worse than *laissez-faire*. We have not used these mechanisms to their full potential. We now have an opportunity to redouble our efforts and ensure the institutions the people of Ireland, in all 32 counties, voted for in 1998 are used to their full potential.

**Deputy Seán Haughey:** Ireland is the member state of the European Union most affected by the decision by the United Kingdom to leave the European Union on 23 June 2016. Our concerns centre on the possible erection of barriers to trade, the creation of a hard Border, the maintenance of the common travel area and the viability of the Northern Ireland peace process. Trade between Ireland and the United Kingdom is valued at €1.2 billion per week and it is estimated that 14,000 people cross the Border every day. It is concern for the future of the Northern Ireland peace process that is exercising all our minds. The political stability and prosperity of Northern Ireland are now at risk. As Deputies noted, the Good Friday Agreement is of central importance.

Northern Ireland citizens have a right to European Union citizenship as a result of their right to Irish citizenship, as provided for in the Constitution and Good Friday Agreement. The European Convention of Human Rights, through the Good Friday Agreement, is fundamental law in Northern Ireland and the courts must be able to enforce European human rights law in Northern Ireland.

The issue of national identity has come to the fore again arising from the decision on Brexit, which is a major problem. There is a strong fear that the Border could become politicised. We do not want to return to previous times. As my colleagues noted, the PEACE and INTERREG programmes, which have played an important role in the peace process, must be maintained. This means that irrespective of what price the British pay as part of their divorce proceedings, the commitments given to these programmes must be fulfilled and maintained.

A delegation of the Joint Committee on European Union Affairs visited the European institutions recently. During the visit, we met Commissioner Phil Hogan, Mr. Michel Barnier, the chief negotiator for the European Commission, and Mr. Guy Verhofstadt, MEP, the European Parliament's representative on Brexit, among many others. In my view, there is now a full appreciation and understanding of the Irish position among key personnel in the European Union. There is also considerable concern about the future of the Northern Ireland peace process, in which the European Union played an important part. While the threats to the peace process are understood, it was made clear to me that Ireland must be much more proactive in preparing its solutions to our unique problems. The message I received was that Europe is open to solutions.

I hope work is under way in this regard.

Many groups and organisations are identifying the problems and proposing possible solutions. I note, in particular, the work of the Institute of International and European Affairs, which has produced various papers proposing practical solutions for discussion. Our problems need to be dealt with first and up-front once Article 50 has been triggered and we need to have our issues and concerns included in any initial draft papers prepared by the Commission.

Ireland must negotiate for the North to be designated as a special status region within the European Union. We must drill down into this concept to produce specific measures on the movement of people and conduct of trade. As regards trade between North and South and the Republic and United Kingdom in general, we need to argue for state aid rules to be eased for a transitory period and a special fund to be established to allow for the development of replacement and diversification. We must also utilise the European Investment Bank to develop our ports to improve connectivity as we deal with this major issue.

**Deputy Brendan Howlin:** This week, we have a Government in crisis while the United Kingdom is only weeks away from triggering Article 50 of the Lisbon treaty. It does not bode well for Ireland that collective responsibility in our Government has broken down just as the country faces a challenge that will define it for decades to come. For the past few months, the Dáil has been left in the dark on Brexit, despite the Taoiseach having appointed himself the actual minister for Brexit. Months ago, I requested, and the Taoiseach agreed, that we be provided with weekly updates in this House on all that was happening in regard to this matter but that has not happened. I received my first briefing from officials from the Department of the Taoiseach, comprehensively on our state of preparedness, yesterday. While the briefing was offered last week I was unable to take up the offer until this week. We need to improve in this area. While there are questions that need to be asked in terms of our state of readiness, arguably the state of readiness of Northern Ireland is infinitely worse. It has been plunged into an Assembly election. The relationship between the DUP and Sinn Féin has become politically toxic in the context of that election.

That this motion has been tabled by Sinn Féin at this time is interesting. The people of Northern Ireland voted to remain part of the European Union. The largest nationalist party in Northern Ireland, Sinn Féin, failed to register for the Brexit campaign with the United Kingdom Electoral Commission. According to Mick Fealty registering with the Electoral Commission allows a party or an individual to become a registered campaigner and to spend more than £10,000 on referendum campaigning during the election period. That the largest nationalist party in Northern Ireland decided it did not want to spend more than £10,000 on the campaign indicates that it did not take the campaign seriously. It was taken for granted.

**Deputy Gerry Adams:** We won the campaign.

**Deputy Dessie Ellis:** We won it.

**Deputy Maurice Quinlivan:** What campaign did the Labour Party run?

**Deputy Brendan Howlin:** I have looked at the register. Every political entity, including all the tiny parties all over the United Kingdom, registered because they wanted to spend more than £10,000 on their campaigns because this was such an important issue. It is remarkable that Sinn Féin did not do that. Registration not only allowed parties to spend money, it allowed them access to polling stations and so on.

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The Labour Party supports the SDLP's call for a bespoke deal for Northern Ireland to address the following issues post-Brexit: strengthening of existing all-island institutions; continued cross-Border co-operation; guarantees of funding for Northern Ireland beyond 2020; recognition of the rights of the 200,000 persons resident on the island who are neither Irish nor British citizens; and the need for parity of esteem in human rights across the island of Ireland. My colleague, Deputy Joan Burton, has also called for the creation of a separate component or strand within Brexit talks to deal exclusively with Ireland-UK matters. That is an idea worthy of consideration, particularly given that the European Commission and Council appear to have already established an impenetrable structure for its negotiations, the detail of which I tortuously tried to grasp yesterday.

Like many of my colleagues, I am concerned that the impact on Ireland may become collateral damage to a wider EU row with the UK. What we are hearing in terms of some of the rhetoric being uttered is that Ireland, sitting in the middle ground, may become squeezed between the hardline Brexiteers and the arch federalists. In terms of this motion, Sinn Féin is seeking special status within the European Union for Northern Ireland. That is a position I support but it will realistically be very difficult to achieve when the reality is that the largest political party in Northern Ireland is happy to leave the EU. Critically, while there is a precedent in Greenland for an autonomous region to leave the European Union while the parent state remains, there is no precedent for a state to leave and one of its regions to remain within the EU. The EU works on the basis of state rather than regional membership, at least so far.

The report by Mr. Daniel McConnell in the *Irish Examiner* that the Government is examining locations for customs checkpoints is a portent of what might await us. A border might well be back in some shape or form despite the assurances of the Taoiseach and Prime Minister, Theresa May. Outside of a fast-tracked united Ireland that may be the reality. Whatever status we arrive at, it is the turmoil that exit will create that is the real challenge for our politics and public policy. As a Westminster committee was recently told, "In future you will not be able to walk your dog on Slieve Russell unless you have a passport for the dog." In truth, the range of questions that Brexit has placed before us demand detailed and forensic answers.

I have previously given one example of the complex situation we are facing, namely, the North-South interconnector and the common energy market. I choose this issue not because it is the most serious issue, because there are many more, but instead of grappling with the complexities of these issues and seeking to chart national responses to them the Government believes that a nationwide roadshow and repeat of the same slogans again and again will suffice. We need to have very public engagement on all the forensic work that is happening within Departments on all the issues, including tourism, energy policy, agriculture, industry, aviation, shipping and transport. If the picture were not alarming enough already the evidence of the former head of the European Commission customs procedures to MPs two weeks ago was further reason to sit up and take note. At that time he bluntly stated that if Northern Ireland is not part of the European Union customs territory then there will be a customs border. Of even more concern is that the ESRI has found that Ireland would lose 4% of total exports under a hard Brexit outcome. Some 4% is huge. It would hit most in the job intensive sectors such as agrifood and tourism. Some 4% of our exports in 2015 amounted to €4.5 billion. As Ireland's recovery takes hold and our people start to feel some sense that there is a future for this country after the lost decade, Brexit could not come at a worse time. For this reason, we have argued for advance planning on the European side and for the expansion of tools such as the European Globalisation Adjustment Fund. I again ask the Minister to lay out in forensic detail the plans

that this country is making.

**Acting Chairman (Deputy Declan Breathnach):** The next speaker is Deputy Bríd Smith who is sharing time with Deputy Mick Barry.

**Deputy Bríd Smith:** I welcome this discussion on Brexit and, in particular, Brexit in the context of Northern Ireland. I do not believe we talk enough in this House about Northern Ireland. I am delighted that we are doing so tonight. However, when I read this Sinn Féin motion I recognise neither the European Union nor Northern Ireland. I certainly do not recognise Sinn Féin in it. Liadh Ní Riada, a Sinn Féin MEP, on joining the left group in the European Union, said in her statement that the reason she joined that group was because the economic and fiscal policies of the European Union are having a catastrophic affect on the lives of all our citizens. She also said in that statement that: “The gap between the rich and poor in the EU is constantly increasing, social rights are being dismantled, unemployment (especially youth unemployment) remains at high levels and the people of the member states are being subordinated to poverty and stagnation.” That is the Sinn Féin I recognise. It is the EU I recognise.

The European Union’s neoliberal and austerity policies and its fortress Europe policies have imposed an undemocratic Union which fails to do what it set out to do, which was to provide equality, jobs and security for the people of Europe after the World Wars but it does the opposite. It is currently promoting an arms industry and developing a military apparatus to compete with the rest of the world. There is good reason for the view that Europe does not serve the people of this island or Northern Ireland well. What is required is a real look at Northern Ireland. Rather than it being a place where women, workers and students have rights, three women were recently arrested in Northern Ireland for taking the abortion pill. Women in Northern Ireland are worse off than women in the South in terms of there being no abortion facilities in Northern Ireland. It is one of the most unequal places in Europe to live, with a high level of deprivation yet it has 14,000 millionaires, with 45% of households having no savings.

*6 o’clock*

In the Northern Ireland Assembly, both the DUP and Sinn Féin have been pushing for the Fresh Start agreement. That agreement will result in a loss of 20,000 public sector jobs, welfare reform in the “I, Daniel Blake” style, privatisation of public property resources and services, and a lowering of the rate of corporation tax. These are the realities of both Europe and Northern Ireland. We want instead to amend the motion so it will state we will not accept a hard Border after Brexit and that the people of the North and South do not want it. We will defy the European Union or Britain if either attempts to impose such a border. That really means developing a model of people power for this country resulting in action being taken to defy those powers that would impose a hard border and to have people dismantle any hard border they attempt to impose on us.

We will be calling on the Northern Ireland Executive to refuse to lower corporation tax and to have an open debate on the kind of public model we need to create a green economy. By that, I do not mean a nationalist economy but an environmentally friendly economy for the people that puts people before profit. In the words of James Connolly, who said we serve neither King nor Kaiser, we would like to see the people of this island openly saying they serve neither London nor Brussels because neither acts in the interests of the people of Northern Ireland or the South. We look forward to a change in this country and I am much more hopeful.

**Deputy Mick Barry:** The scope of this debate needs to be broadened somewhat so the nature of the European Union, which is consistently referenced in a positive light in the Sinn Féin motion, is discussed. After all, the campaign Sinn Féin waged for a “remain” vote in the North was clearly a factor in producing the different result there by comparison with England and Wales. It is ironic that Sinn Féin campaigned to remain in the first instance and talked up the role of the European Union at a time when the deeply undemocratic anti-worker and anti-migrant nature of that institution had become more apparent than ever. It is on this basis that the political tradition to which I belong opposed the entry of Ireland, North and South, into the Common Market and opposed all treaties since then that have furthered the pro-capitalist and anti-worker nature of the European Union. It was presumably for those reasons that Sinn Féin adopted a similar position right up until the Brexit referendum.

The European Commission and European Central Bank, as two component parts of the troika, foisted a brutal diet of austerity on working class people in the South in addition to Greece and Portugal. Successive treaties have effectively written neoliberalism into law. The policies of Fortress Europe, which have contributed to the death of thousands in the Mediterranean, in a sense leave Mr. Donald Trump and the border wall he dreams about in the ha’penny place.

The word “Brexit” has become synonymous with the right-wing arguments that were made by UKIP, the DUP and a wing of the Tory party in favour of leaving the Union. Contrary to the dominant view of the UK capitalist class and a host of pro-establishment organisations, from NATO to the IMF, this minority within the political and economic establishment, for its own reasons which I do not have time to go into here, felt that UK business interests would be better served outside the European Union. They tapped into a pre-existing anti-establishment mood and used xenophobic arguments to further their aim. However, from a completely different perspective, there was and is a left-wing case against the European Union consistent with the arguments some of us have made for the past 45 years. The case for a left exit, or “Lexit”, was made in Britain and Northern Ireland not just by the radical left but also by the Northern Ireland Public Service Alliance, the largest public sector union in the North, and also the likes of the trade union RMT.

With regard to the specific concerns raised in the motion, the Anti-Austerity Alliance stands for the maximum freedom of movement of people internationally and therefore opposes any kind of hard border between the North and South. Furthermore, it opposes the threats that are posed to the status of EU nationals living in the North and Britain and, likewise, the talk of retaliatory measures being taken against people in the North and Britain living in continental Europe. In so far as the Tories see Brexit as an opportunity for an offensive against the social and economic rights of workers, these possibilities have to be combatted by industrial and campaigning means by workers in the North and Britain rather than by appeals to this Government to negotiate a dispensation with the Tories.

A left Government here that sought to introduce the necessary measures to raise revenue through a steeply progressive taxation regime and then investment in housing, health and jobs would find itself on a collision course with the European Union and its fiscal rules, just as Syriza did until its capitulation in Greece. The course pursued by Sinn Féin in not arguing for a Lexit in the North indicates that if it achieved a place in government in the South, it would not fundamentally differ from the current Government or its Fianna Fáil-led predecessor in managing the system for the 1%, the richest minority at the top.

**Deputy Michael Fitzmaurice:** I welcome this motion. It is agreed throughout the whole

island that Northern Ireland deserves special status. I commend Sinn Féin on bringing this motion forward. When I was a young lad growing up, we saw troubles in the North on television, and people were actually afraid to cross the Border at one stage. In fairness, the work of Sinn Féin, the Unionists and other parties involved, but mainly the first two, must be commended for bringing peace to the North and a new way of life to many people. Irrespective of what needs to be done and the consequences of Brexit, we need to keep up this momentum. Irrespective of whatever effort must be made by the South and Britain, or America or whatever other parties got involved in the peace process, we need to ensure the path the people in the North are now on is protected. It is great to see that anybody can go to any part of the North at present without fear.

In the South, we are delusional if we do not stand up and tell the people the current scenarios. We are like substitutes on a substitutes' bench looking out at two teams playing but, unfortunately, none of the two teams seems to be ours. Europe will be trying to do the best deal it can for itself and the Brits will be trying to do whatever they can for themselves. We are going to be like piggy in the middle if we do not tell people what is occurring straight out. We must be honest and say that there is a serious possibility of a hard border. People talk about our friends but in 2009 we saw the way this country got crucified by Europe. We saw what happened with the promissory note. We saw it would be Frankfurt's way or Dublin's way. We saw a deal breaker but, unfortunately, it was not in the interest of the people in this country. It would be naive and foolish of us to build up something that may not be attained. From what I can see at present, a hard border will exist and we would do well to try to resolve that issue. I hear people saying X number of people voted one way or another in the Brexit referendum. I voted against the Lisbon treaty twice in referendums but ultimately I had to accept the result of the vote. As with the British vote, which has resulted in the British deciding to leave the European Union, one must respect whatever democracy does. If we do not start respecting democracy, just as we question undemocratic practices in all parts of the world, we will be in trouble ourselves. We are currently talking about bringing power to Northern Ireland. There are many ties between England and Ireland. The Government talks about different Departments, Brexit Ministers and all the different ways we should be approaching this matter. However, when I look at the Dáil, I often wonder whether the people here ever tried to do a deal at a fair in a small town years ago. We need to set out our stall. We need to say exactly what we require. Let us not cod ourselves. We are going around Europe and talking to various people, but they are not really concerned about us. They do not mind how Ireland gets on. Their business is to represent themselves in their countries, not to think about us. That is how they will approach this regardless of whether we like it.

A debate has to start. Plan A seems to be that we will look on from the dugout, see how Mr. Barnier and the British get on and sit with our hands in our pockets. What if doomsday happens and things go wrong? What will we do if tariffs are placed on Irish agricultural products? Will we wake up and start running around trying to find different markets? I agree with Deputy Bríd Smith, who said that we needed to tell Europe where to go, but it does not listen to people who tell it to do that. Instead, it tries to penalise people monetarily. That is Europe's way of hammering people down.

At the moment, everyone is on the road with plan A. We are hearing in every town hall and so on that Ireland is doing X, Y and Z. If it does not happen, however, we will need plan B. The debate needs to start on Ireland being a part of the EFTA or the like so that we can still trade with Britain and the EU. If we cannot trade with Britain, the loss will be too much. Let us be

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realistic - we will not pick up markets in other parts of the world overnight that will compensate for the loss to our agricultural sector. From what I have heard, Europe wants to give Britain a slap like a bold child in a class so that no one else will leave. Yes, it costs money to be in the EFTA and we would have no say in the EU, but we do not have much of a say at the moment. We are walked on in every way. If we do not do something, our economy will suffer a ferocious crash. Ireland cannot afford that, given what we have come through.

We need to lay out our stall and tell Europe what we want. In fairness, I do not see Britain having a problem with that. It has stated that it does not want a Border or tariffs, but the bureaucrats in Europe tell us that we must have X, Y and Z. We must start that debate and think of ourselves for once, not be the great buddies of Europe. Instead of patting people on the back and smiling at them, we would want to be giving them an odd dig in the ribs.

**Deputy Martin Ferris:** Quite right.

**Deputy Bríd Smith:** Only in the ribs.

**Acting Chairman (Deputy Declan Breathnach):** The next speakers are Deputies Michael Healy-Rae, Mattie McGrath and Danny Healy-Rae, who are sharing eight minutes. Is that agreed?

**Deputy Michael Healy-Rae:** I have 30 seconds extra.

**Acting Chairman (Deputy Declan Breathnach):** No. Everyone will have the same.

**Deputy Michael Healy-Rae:** That is fine.

I thank Sinn Féin for initiating this important debate. It is timely. Although there is a great deal of political crisis occurring in the Dáil, the free movement of our trade and citizens following Brexit are important issues. Last week, the Joint Committee on European Union Affairs went to Brussels where we had 14 meetings over a two-day period. We met people like Mr. Michel Barnier, the chief negotiator, and Mr. Guy Verhofstadt, the European Parliament's lead negotiator on Brexit.

I will address a point to Sinn Féin Members, given that they know so much about Northern Ireland affairs and what is happening. In the past, Mr. Barnier visited the North and met leading members of Sinn Féin and people from all the various sectors. He has a great grasp of what exists between Northern Ireland and the South. He knows the peace process intimately. He knows how important it is for us not to have a hard border. Having spoken to him, I am more confident that his finger is on the pulse and that he knows how important it is to us that we get through this. Otherwise, Ireland will be adversely affected, which none of us wants. Since we are in a unique situation, we must negotiate, we need political leadership and we all must work off of the same page. Having had those meetings, I am more confident that we are at least dealing with negotiators who know the situation on the ground. I welcome this debate and thank Sinn Féin for initiating it.

**Deputy Mattie McGrath:** I appreciate being able to speak on this matter. We have known for long enough that there will be a Brexit, but not enough is being done about it. With so many distractions, sideshows and so on, less and less is being done about it. While I appreciate Deputy Michael Healy-Rae's comments about visiting Europe - I am also on the Joint Committee on European Union Affairs - the majority of the people of Northern Ireland voted to remain. How-

ever, they are unfortunately not a part of Ireland at the moment. I wish that they were and we all aspire to a Thirty-two County Republic, but we are where we are and the situation is grim.

We cannot have a hard border. In early September, I travelled from Bosnia-Herzegovina to Croatia via a motorway that had only recently been built. I saw tailbacks and the 52 people on the bus had to give over their passports for checking. Unfortunately, little sweeteners had to be given to the officials on the road to avoid everyone having to be taken off the bus and checked. We did not give them, but that is the system over there. We cannot have that.

I was young enough when I went to Northern Ireland ag lorg mná. Fuair mé bean go hálainn anseo freisin. She is still with me, thanks be to God, 34 or 35 years later. I remember how the Border was. The Acting Chairman knew it well. It was an appalling vista, with tailbacks and people being taken out of their cars and searched by the UDR, customs and God knows what on both sides of the Border. We cannot go back to that. It would set us back 30 years.

I compliment everyone involved in the peace process, including my former colleague and former Senator, Deputy and Minister of State, Dr. Martin Mansergh, who played a major role, Fr. Alec Reid and many other people. We need those kinds of people again and massive engagement. We need envoys. It is not business as usual in Europe because the people in Europe have not been good to us. We have had many experiences of that, for example, the banking crisis and our fisheries. The big powers in Europe have not wanted to engage or have not given a damn about us. We saw how hard-nosed they were when Brexit happened. They just wanted to annihilate everybody else.

We have to fight our own corner. We have to ensure that this island and our exports are protected. We have to ensure that our farming industry and jobs are protected. Above all, we must ensure a sense of justice and respect for the people of Northern Ireland. I compliment the Deputies who moved this motion and the Fianna Fáil amendment, which I believe is being accepted, but we need action, not words. We need to talk strongly. It is time to call on our European colleagues to stand up and look after us in Ireland, North and South. We have been good Europeans.

**Acting Chairman (Deputy Declan Breathnach):** The Deputy is going into someone else's time.

**Deputy Mattie McGrath:** Deputy Danny Healy-Rae is just taking two minutes.

**Acting Chairman (Deputy Declan Breathnach):** The Deputy is interrupting other people.

**Deputy Danny Healy-Rae:** No, it is fine.

**Deputy Mattie McGrath:** We have agreed that Deputy Danny Healy-Rae is taking two minutes. The Acting Chairman is interrupting me. Do not take me off my train of thought. The Acting Chairman is worse than the patrols at the Border.

**Deputy Fergus O'Dowd:** Worse?

**Deputy Mattie McGrath:** At least they have uniforms. The Acting Chairman only has a bell.

**Acting Chairman (Deputy Declan Breathnach):** Keep going, Deputy.

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**Deputy Mattie McGrath:** We have to stand up for ourselves. We have to be bold. We have to tell Europe that we have been exemplary Europeans who have looked after all Europe's interests and that it is now time for Europe to return the favour and look after this country's interests and people and respect us as a sovereign nation. I do not know the intricacies of what is happening with the Border and mainland Britain, but we need to fight our corner. We need to be tough. Get on the boxing gloves, Minister.

**Deputy Danny Healy-Rae:** I support this motion. I welcome the idea of a special exemption for Northern Ireland. We have to have it. A hard Border would be a disaster because it would deprive us of the free movement of goods and agricultural produce and make it difficult for workers to travel back and forth. There is clearly great support for the motion. However, the talk must happen other than in this Chamber. It must involve politicians in Europe and Northern Ireland Ministers and politicians who are currently not being given the priority they deserve due to the forthcoming election in Northern Ireland.

A specific Minister should be appointed to deal with Brexit, with no other responsibility in his or her portfolio, because it is a crucial time for the people of this country. Vast areas in rural Ireland will be disastrously affected by the decision of the British people to remove themselves from the European Union. We were told by the group which came before us, whose name I cannot recall, that Brexit would have a severe impact on the regions. It was said that Brexit would not affect Dublin or other cities but it would affect rural areas. As a Deputy representing rural Ireland that is why I am asking the Government to pull out all the stops and talk with the politicians in Europe. Our MEPs should have a pivotal role to play in the debate to ensure this country's interests are put forward and not allow a hard Border because that would take us back more than 20 years to the way we were before the Good Friday Agreement.

**Acting Chairman (Deputy Declan Breathnach):** Deputy Carol Nolan is sharing time with Deputy Caoimhghín Ó Caoláin. Is that agreed? Agreed.

**Deputy Carol Nolan:** Gabhaim mo bhuíochas leis an gCathaoirleach as ucht an deis labhartha faoin topaic fiorthábhachtach seo. As we all know, the majority of citizens in the North, 56%, voted to remain in the EU in the recent referendum. Their wish must be upheld and respected. Those citizens voted to remain because it is in their best interests politically and economically. As the fallout from the Brexit referendum continues, the only thing that is becoming clear is that there is no plan to protect the interests of Ireland, North and South. It is also quite obvious that the British Government is on a collision course with the EU, in which our economy and successive peace agreements are regarded as collateral damage. To drag the people of the North out of the EU against the express wishes of the majority of its people fundamentally undermines democracy and the principle of consent, which has become the bulwark of political relations in the North and is the foundation of the peace process.

Economically, the prospect of the return of a hard Border on this island will have hugely negative impacts for SMEs, investors, farmers, the agrifood sector and, of course, on ordinary citizens North and South who will be forced to bear the brunt of the impact. In education, for example, stakeholders have raised significant concerns about the impact of Brexit in areas such as cross-Border funding for educational programmes and initiatives, the institutional framework for North-South co-operation, the impact on teacher flow and supply and the mutual recognition of qualifications. Those important issues were raised at a recent meeting on Brexit with representatives of the Department of Education and Skills. In the higher education sector serious concerns have been raised about the impact of Brexit in terms of attracting EU funding

for research and innovation, as well as the issue of student flows North and South and the lack of certainty on future student funding.

Research collaboration between Irish and British and Northern Irish research teams on EU-funded projects has been extensive and mutually beneficial, with 892 collaborative links in successful projects under Horizon 2020. The retention of those collaborative links is crucial to Ireland's ability to attract research funding and develop the expertise that allows us to compete on the international stage in terms of attracting international students and future investment. The designation of special status for the North within the EU is the only credible means by which we can minimise the negative fallout from Brexit. The achievement of special status would allow for the retention of EU funding streams and would protect the common travel area and allow North-South co-operation and collaboration to continue unhindered.

The EU has, on previous occasions, shown itself to be pragmatic and flexible in coming forward with arrangements for dealing with complex situations. Sinn Féin has already commenced a diplomatic offensive on this issue. Both Martin McGuinness and Michelle O'Neill have been in touch with the various Heads of State to outline the need for special status and our Oireachtas team has been meeting with relevant ambassadors. We need the Government to do the same. There is no excuse not to do so. We need a united approach on this issue and we need to speak with one voice North and South to defend the interests of our country and our people, all 32 counties, not just the interests of those in the Twenty-six Counties partitionist state. I urge all parties to support this motion.

**Deputy Caoimhghín Ó Caoláin:** The uncertainties associated with the forthcoming triggering of Article 50 by British Prime Minister, Theresa May, and the implications it will have for Border communities like my own in Cavan and Monaghan, have instilled an unsurprising sense of foreboding and fear among people North and South of the Border and very especially in those same, and in other, Border counties. The British Government has made it clear that it will trigger Article 50 of the Lisbon Treaty by the end of March 2017 and begin the exit process, and it will also seek to leave the Single Market in what can only be called a hard Brexit. This situation is unprecedented, as no member state has left the European Union and the Single Market before now.

Sinn Féin has been continuously saying that a North of Ireland exit from the European Union would harden the divisions between North and South on this island, with the potential for the re-introduction of customs checkpoints, trading tariffs and adverse knock-on effects for all-island economic activity and co-operation. That would re-affirm and harden the Border and could be the most intense development on the Border landscape since partition and certainly since the demilitarisation of the Border since the Good Friday Agreement.

The Government has continuously assured us that it would do its utmost to avoid any return to a hard Border. However, it is frightening to learn that under Government plans to deal with Brexit, it has begun identifying location points for full customs checkpoints along the Border with the Six Counties. According to reports in the *Irish Examiner*, internal documents show that the Government is preparing for the return of a hard Border in the wake of Brexit, including the return of full red and green channel checkpoints. Cited in the same publication was a quote from a Minister, whomever that might be, who said "No one is aiming for a soft Brexit anymore, it is now about preparing for the worst". I presume that is not a quote from the Minister for Foreign Affairs and Trade, Deputy Flanagan.

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**Deputy Charles Flanagan:** Who was it?

**Deputy Caoimhghín Ó Caoláin:** That is what I do not know.

**Acting Chairman (Deputy Declan Breathnach):** Deputy Ó Caoláin should be allowed to speak without interruption.

**Deputy Charles Flanagan:** Neither do I.

**Deputy Caoimhghín Ó Caoláin:** Perhaps the Minister will establish that and let us know. The re-establishment of Border checkpoints would be a calamitous scenario for people right across this island, but particularly in Border counties and all efforts must be made to prevent that from happening. The revelation triggers so many questions that I would appreciate some clarification on it. Perhaps the Minister would make a note of my questions and respond appropriately. For example, who is involved in this effort to identify the location for Border controls? How long have they been doing it? When are they due to report back? To whom will they report? What can the Minister of State tell us regarding their role? Can he confirm what will happen to all the other Border roads that will not be checkpointed? Will it be a return to the dark days of the past where bollards and barriers divided neighbours, families and whole communities? The very prospect of all of this is terrifying. We deserve clarity on all of these matters. These are the questions that ordinary folk living in the Border counties are discussing and are anxious about.

There is a way of avoiding all of this. A total of 56% of people in Northern Ireland voted to remain in the EU. The democratic will of the people must be respected. The only credible approach is for Northern Ireland to be designated with special status within the EU and thereby for the whole island of Ireland to remain within the EU. As part of the Brexit negotiations, it is essential to argue the case for designated special status for Northern Ireland within the Union. I therefore call on all Deputies to support this motion which calls on Government to enter any forthcoming negotiations to defend the democratic mandate of the people of the Six Counties to remain within the EU and to act in Ireland's national interest. The Government should also report to the Houses of the Oireachtas on at least a quarterly basis regarding developments in the Brexit negotiations. I repeat that the Government should negotiate for Northern Ireland to be designated with special status within the EU and for the whole island of Ireland to remain within the EU and together. Iarraim ar Bhaill seasamh le muintir na tíre seo, ó thuaidh agus ó dheas, agus vóta a chaitheamh ar son an rúin thábhachtach seo.

**Minister of State at the Department of the Taoiseach (Deputy Dara Murphy):** In reading the motion and the amendments for this evening's Private Members' business one would have to say that we all agree upon an enormous amount of the content of both. We had a very constructive meeting of the Committee on European Union Affairs today. Again, representatives from Fianna Fáil were there. Deputies Haughey and Crowe were present. To date, we have demonstrated two characteristics regarding how we engage with these negotiations. The first has been the strong level of consensus among parties here in the Dáil while the second has been a very strong consensus about the absolute importance the Government and people attach to the issues and challenges that will be faced by our brothers and sisters in Northern Ireland. I have had very good engagement with Máirtín Ó Muilleoir, Deputy Crowe and members of Fianna Fáil and other groups. Listening to the Taoiseach's speech in the Mansion House today, one could see that nobody on these islands is attaching as much importance to the special circumstances that will pertain to the people of Northern Ireland and citizens of the Republic of

Ireland who live in Border regions.

The one part of today's debate that we must acknowledge is the fact that the Good Friday Agreement legally binds us to a process of consent with respect to the position of Northern Ireland within the UK. It is true to say that the people of Northern Ireland voted to remain within the EU, as did the people of Scotland and people in London, but the UK did not. We must come up with a framework to deal with the new reality we have, a reality we did not want, which will see a part of this island experience extreme difficulty as we will experience it ourselves through a decision taken by the UK. The Joint Committee on European Union Affairs chaired by Deputy Michael Healy-Rae held meetings in Brussels last week and saw some of the work we have been doing.

I will touch briefly on an issue that has been raised today particularly strongly by Fianna Fáil, namely, the argument for a Brexit Minister. As we move into the negotiations, they will be broken into sectors and modules. For example, Council formations dealing with issues relating to agriculture and transport could take place in different cities and countries with some to be held in Brussels and some in Luxembourg. Only one country has a Brexit minister and that is the country that is leaving the EU, which is the UK. We believe that the Department that should lead these discussions is the Department of the Taoiseach because it will be the European Council that will make the decisions. The preparation for those decisions will be made, as always happens in Europe, in different pieces and sections. Our permanent representative office or embassy in Brussels is already divided into the sectors of discussion that will take place.

I compliment the members of the Committee on European Union Affairs and restate that regardless of whether it is through the European United Left-Nordic Green Left group, of which Sinn Féin is a member; the Alliance of Liberals and Democrats for Europe, of which Fianna Fáil is a member; the socialists or other groups, politics in Europe works differently from the way it works here. Every political party will have a very strong role in delivering. As I said at the outset, we do not find much disagreement about our message apart from the real world difficulty with which we must deal concerning the Good Friday Agreement and the fact that while a significant number of people in Northern Ireland did vote to remain in the EU, there is no indication that they would vote to achieve what we would like to achieve, which is a united Ireland.

**Deputy Fergus O'Dowd:** I extend my thanks for the invitation to attend the Fianna Fáil Brexit summit in County Louth. I also thank the Sinn Féin representatives who attended the Fine Gael summit on Drogheda. This shows that the parties across this House are working together on a very important issue. I am speaking here tonight in my role as chairman of the Fine Gael Brexit committee. We have visited Northern Ireland and have met with the SDLP, Alliance and the UUP. We have written to Sinn Féin and look forward to its response to our invitation. I look forward to meeting with it and the DUP in Northern Ireland when the election is over.

We are all of one mind on this island that peace is hugely important and must be maintained. It is about keeping this debate about peace on our island, economic prosperity and the future of the whole island. Deputy Farrell will speak about the meetings he has had. We have had meetings in counties Louth, Cavan, Sligo and Leitrim. We will hold a meeting in Cavan where the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs has already held a meeting. We will have one as Gaeilge in Dún na nGall at the request of the Minister of State, Deputy McHugh. We are active, committed and listening. That is what Fine Gael is doing. We are campaigning on this issue, as is everyone across this House.

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We all want the same outcome. We want our island to continue to be peaceful, prosperous and successful. The Acting Chairman, Deputy Breathnach, is aware of the huge co-operation between the chambers of commerce in Dundalk and Newry. These towns suffered greatly during the Troubles. They were destroyed in terms of their economic infrastructure and job creation. They are now vibrant towns that are working together. The key thing is that they are working together every day. The chambers of commerce have united policies for improving the economic situation North and South. I want to see that continue. Hopefully, I will get a few more minutes in the next debate but I believe we are on the right road here. Let us keep working together and let us drive it forward towards an all island solution that respects all political views and none.

**Deputy Alan Farrell:** As co-chair of the Fine Gael Brexit committee and having engaged with thousands of members of the public, interested groups and in particular, businesses throughout the country, we are all speaking with one voice in respect of this debate, which I appreciate is very focused on our unique relationship with Northern Ireland. That is something that is not necessarily commonplace in this Chamber. My colleague, the Minister of State, Deputy Murphy, mentioned it with regard to European politics. This is a time to put aside our ideological differences and accept that this is something we all need to work on together.

I entirely accept the premise that we should have a unique relationship with the Six Counties and with Westminster in the future with regard to how Northern Ireland is treated. However, the reality is that while it remains a part of another jurisdiction, we do not necessarily have a say in the matter. That is regrettable and something we all wish to change, but we must deal with the realities of today. In the intervening period, we have to continue as Houses of Parliament, as Government and as an Executive in further informing our European partners of the importance of the special relationship that we have and of its most important aspects, which are the peace process, the Good Friday Agreement and everything that flows from that. I believe that is a position that we can all agree upon.

In the short time I have remaining I will refer to the request for a specific Minister for Brexit. Having engaged with thousands of people across the State, it is very clear that the concerns are so broad and the issues so great that no one man, woman or even Department, which would have to be established in record speed, would be capable of dealing with this issue. It has to be led from the top and must involve all Ministers. I have engaged with all Ministers and Ministers of State on this matter. The expertise that they bring to the table means that we cannot have one individual person as a Brexit Minister. It has to be a whole-of-Government and a whole-of-Parliament approach to ensuring that Ireland and Northern Ireland are treated in the most appropriate fashion by our 26 other European colleagues.

**Deputy Kathleen Funchion:** As a member and Chairman of the Joint Committee on the Implementation of the Good Friday Agreement, we have been inviting civic and business groups and political representatives to present to the committee since the Brexit vote was passed. There is cross-party consensus in the committee that there will be consequences for the island, not only economically but also politically, what with all of the issues around the uncertainty of the Border. Initially, we heard from both Governments that there could be absolutely no return to a hard Border, but as of yet we have not heard what is the alternative. There appears to be no urgency on this Government's part through its negotiations with the British Government to seek special status for the North or to ensure the protection of the Good Friday Agreement.

Since the publication of the British Government's White Paper on Brexit last month, the

establishment of a Border between the North and South once Britain leaves the EU in 2019 has become much more of a reality. It is stated that its aim is to have as seamless and frictionless a Border as possible between Northern Ireland and Ireland. This indicates that it does consider that there will be a Border of some description. We also know that Britain could be in breach of its international obligations under the Good Friday Agreement if it presses ahead with plans to pull out of the European Convention on Human Rights. There is a clear obligation on both Governments to incorporate the European Convention on Human Rights into law in both the Twenty-six Counties and Six Counties. Therefore, should the Human Rights Act be scrapped, the move would place Britain in breach of its international obligations under the Good Friday Agreement.

A recent European Parliament report warned that the British Government's Brexit agenda could require the Good Friday Agreement to be altered. It claims that the impact of Brexit will be political, particularly since the Good Friday Agreement, which is an international agreement, will require alteration. This is because of the uncertainty around the Border and what exactly its return will look like. It states that the re-establishment of a hard Border between the North and the South could provoke a reversal of improvements in cross-Border trade. That is not news to any of us. It is one of our greatest fears for Brexit. We in Sinn Féin have argued at a local, national and European level for special designated status to ensure that the North remains in the EU. The only way to ensure the consequences of Brexit for both North and South are minimised economically and politically is if the democratic wish of the people of the North of Ireland is respected and, through strong negotiations, the North receives special status and remains in the EU.

**Deputy Louise O'Reilly:** The Sinn Féin motion is very clear on the need for the Government to defend our national interest and to negotiate for the North to be designated with a special status within the EU. We make the case that we need a whole-of-Ireland approach, not least because of the catastrophic effect that Brexit will have for the Border regions and the island more generally, but because it is not a black and white or them versus us situation in respect of the North and the South. We have a symbiotic relationship. People, goods and services flow naturally across a man-made partition. We also co-operate, integrate and work together.

Nowhere is this more prevalent than in health care. Brexit will hit health in terms of free movement, right to health services and regulatory issues. What will happen when we can no longer act as a critical mass for services such as the congenital heart network? What will happen when patients are no longer able to cross the Border to access services under the cross-border directive? What will happen when emergency ambulatory transfers from across the Border are impinged? Services will be restricted and lives could be lost. In recent weeks, the Irish people were shocked and horrified but were also seeing familiar scenes in terms of chronic waiting lists. What will happen with the discontinuation of the entitlement to source treatment in the North and Britain in certain circumstances in which there are delays in having the treatment concerned offered in Ireland where the cost is met by the HSE? Currently, there are soundings being made about the possibility of the entitlement being replaced by a bilateral agreement that would offer a similar level of entitlement.

Reference has also been made to the option of what is known as the S2 route, but that assumes that Britain will become a member of the European Economic Area. Ultimately, entitlements using the S2 route are more restrictive and less favourable than those covered by the cross-border health care directive. In response to parliamentary questions I submitted last year, the HSE revealed that in the 18 months to 30 June 2016, it reimbursed €659,245.09 - just to be

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accurate - for treatments and services in the North under the cross-border health care directive. This represented 277 people travelling for vital health care. Brexit poses an enormous threat and a further inconvenience to those patients accessing services for which long waiting lists exist - orthopaedics and orthodontics being the most common. If the cross-border directive is no longer applicable to the North post-Brexit, it will create an even greater vacuum in the delivery of health services and put even more pressure on our over-burdened health service.

**Deputy Seán Crowe:** Sinn Féin's support of a vote for Britain to remain in the EU was not an endorsement of how the EU is currently structured or of how it operates. We are quite clearly critical of the EU and spend a lot of time inside and outside of this House, as people know, criticising it and the way in which it operates. However, placing an external border is not a solution. Popular protests at customs posts, as suggested by one of the amendments tonight, will not solve any of the problems that the Border counties and the people living along the Border clearly face.

I thank everyone who contributed to the debate this evening. I believe the contributions reflected the concern we all have for Brexit. It is important that we unite on this issue because it is of critical importance to Ireland and its people. Ireland's national interests must be defended. That has been the message that most of the speakers have articulated tonight.

The British Government's pursuit of a hard Brexit may well impose an amendment to the Northern Ireland Act 1998, which gives legislative authority to the Good Friday Agreement. I believe this is unacceptable to everyone in this House. The Good Friday Agreement was endorsed by the overwhelming majority of citizens across the island of Ireland as well as the Irish and British Governments, which are the co-guarantors responsible for safeguarding its integrity. It is not the unilateral right of any British Government to interfere with this democratically agreed Agreement nor can any British Government overrule the democratically expressed wishes of the people in the North to remain within the EU. That is the reason this motion is so important. The Irish Government must fulfil its moral and legal duty to stand up for the rights of all citizens, including those in the North. We cannot allow the British Government's withdrawal from the European Union to undermine the protections and safeguards or the principle of consent enshrined in the Good Friday Agreement. A hard Brexit means a hard Border on the island of Ireland, and that must be avoided at all costs.

We believe there is a particular onus on the Irish Government to take a stand in the forthcoming negotiations with other European Union member states. Sinn Féin wants to secure the natural position of the whole of Ireland within the EU by designating special status to the North within the European Union. The democratic mandate of the people of the North to remain within the EU must be respected through designated special status which can secure the position of the entire island of Ireland within the European Union. As a party, Sinn Féin has been on a diplomatic offensive. Like many others, I have been in regular meetings with ambassadors of the EU member states in Dublin briefing them on the need for the North to be given that special status within the EU.

Like other speakers, I, too, was on the recent trip to Brussels where we met with Michel Barnier, the chief negotiator for the Commission, and Guy Verhofstadt, the MEP who is the European Parliament representative in those negotiations. In all the meetings we had there was a broad understanding that Ireland was in a unique position regarding Brexit and I believe there was a willingness to examine this island's complex territorial issue. We know there is huge goodwill towards Ireland but that must be turned into positive action. The EU has shown its

flexibility in complex territorial disputes in the past. As a priority, therefore, the Government must negotiate on the basis of ensuring that the North gets special status within the EU. The motion before the House tonight calls on it to do just that. I welcome that this will be passed and I thank all those who indicated that they will support it.

**Acting Chairman (Deputy Declan Breathnach):** I thank the Deputies for their co-operation with regard to time-keeping.

Amendment put.

**Deputy Seán Crowe:** Vótáil.

**Acting Chairman (Deputy Declan Breathnach):** In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 16 February 2017.

### **Message from Select Committee**

**An Leas-Cheann Comhairle:** The Select Committee on Finance, Public Expenditure and Reform, and Taoiseach has completed its consideration of the Revised Estimates for Public Services for the year ending 31 December 2017: Votes 7, 8, 9, 10 and 13.

*7 o'clock*

### **Confidence in Government: Motion**

**The Taoiseach:** I move:

That Dáil Éireann reaffirms its confidence in the Government.

I am pleased to have this opportunity to report to the House on the important work being undertaken by the Government, the major challenges that face the country and how the Government intends to meet these challenges. The debate is also an opportunity to expose the political opportunism that has resulted in this motion. Sinn Féin, not content with collapsing the power-sharing arrangements in Northern Ireland, now wants to cause similar chaos down here.

**Deputy David Cullinane:** It did not take long to mention that.

**The Taoiseach:** By its actions, Sinn Féin has deprived the people of Northern Ireland of proper political representation at this crucial time in the Brexit process and I will not let it do the same in this State. Sinn Féin's motion was prompted, we are told, by the Government's decision to establish a commission of investigation into very serious allegations centred on an alleged smear campaign against a serving garda. When one reflects on the history of that party's relationship with An Garda Síochána over the years and its shameful handling of sexual abuse claims in its own movement, it has a brass neck to call for a general election on these issues.

I want to make it clear to the House that the Government's sole objective in responding to the recent protracted disclosures has been and remains to get to the full truth of all these allegations. The false allegations against Sergeant Maurice McCabe are simply appalling. Sexual

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abuse is the worst crime a person could be accused of. He and his family deserve the truth, as do all against whom allegations have been made. I, therefore, offer a full apology to Maurice McCabe and his family for the treatment meted out to them as exposed in recent programmes. This must be done by finding the truth in a way that is transparent to the public but also fair to all concerned. The Government has decided that a full tribunal of inquiry is the only way it can be achieved. Intensive work is under way on the terms of reference and I hope the House will support the proposal so the work of the inquiry can commence without delay.

I reject any suggestion the Government has not supported Garda whistleblowers. I remind the House the Government ensured all Sergeant McCabe's previous allegations were investigated. They included the reports on the penalty points which were published and the Guerin report into policing issues in Cavan and Monaghan which led in turn to the O'Higgins commission of investigation. I am pleased in each of these instances the inquiries largely vindicated Sergeant McCabe's concerns and complaints. It includes the recent inquiry by Mr. Justice O'Neill into the allegations of a smear campaign arising from two protected disclosures. Last week, we proposed a further commission of investigation, chaired by Mr. Justice Charleton of the Supreme Court, accepting the terms of reference drawn up by Mr. Justice O'Neill. Now that will be transformed into a full tribunal of inquiry.

The issues raised by Sergeant McCabe and others also led to significant reforms by the Government, including the establishment of an independent police authority for the first time in the history of the State. We legislated for the protection of whistleblowers and empowered GSOC to receive complaints from serving gardaí. In response to proposals from the Independent Alliance group, we have agreed to appoint without delay an independent international policing expert to carry out a thorough investigation into the wider and more fundamental issues of public concern which have emerged relating to the administration, ethos and culture of An Garda Síochána, and this work will augment the ongoing issues by the Policing Authority and the Garda Síochána Inspectorate.

I recognise the long-term commitment of Independent Alliance colleagues acting in the interests of the McCabe family and the cause of whistleblowers. Their charter for change states unequivocally that Garda whistleblowers have been treated shamefully and a complete overhaul of the justice system is necessary. I hope the work of the tribunal of inquiry will also contribute to the ongoing process of policing reform, which is absolutely necessary in the public interest.

There has been much comment on my brief contact with the Minister for Children and Youth Affairs, Deputy Zappone. I have corrected the public record in this regard. On 24 January, one of the Minister's officials told my office she intended to meet Sergeant McCabe. That was relayed to me. On 7 February, in a brief informal conversation as the Cabinet meeting of that day was about to commence, the Minister mentioned she had met Sergeant McCabe about false allegations of sexual abuse that had been made to Tusla about him. She did not go into the details of her meeting with Sergeant and Mrs. McCabe or into Tusla's gross mishandling of the issue. She quite rightly respected his right to privacy and confidentiality regarding very sensitive matters.

It was absolutely clear to me these allegations would be fully covered by Mr. Justice O'Neill's draft terms of reference as allegations of criminal misconduct against Sergeant McCabe, as these are at the very core of the proposed commission's remit. In fact, it was Mr. Justice O'Neill who carried out a thorough examination of the two protected disclosures and prepared his draft terms on the basis of covering all the issues he believed needed to be investigated. This was

later confirmed by Mr. Justice Peter Charlton, who stated all the allegations revealed in the “Prime Time” programme are, in fact, covered by the original draft terms of reference.

I also acknowledge I was mistaken in my account of the sequence of contacts with the Minister, Deputy Zappone. This was an unintentional error for which I have already apologised to the House. However, I will not and do not apologise for my record as Taoiseach when it comes to child protection. I appointed the first Cabinet-level Minister with responsibility for children in the history of the State. In responding to the Cloyne report I expressed the revulsion felt by very many people at the gross failure of the Catholic Church to protect children and punish abusers. I ensured a referendum was held to enshrine the rights of our children in our Constitution, *Bunreacht na hÉireann*, and that the Children First guidelines were put on a statutory footing. There is much more work to be done and many more challenges to be met.

An election is the last thing the country needs less than a year after the last one. At a time of huge international uncertainty we need stability. In a few short weeks the formal negotiations on Brexit will begin. Ireland is well prepared for this process but we need to hit the ground running as soon as Article 50 is triggered. Our programme for Government is based on a clear principle to use the fruits of a strong and well-managed economy to improve the daily lives of our people. That plan is working. The economy is growing strongly. This morning, I had the privilege of announcing a further 500 jobs with an international firm in Dublin. Last year, more than 1,000 jobs a week were created and a further 45,000 new jobs are expected later this year. We continue to invest in tackling the very serious challenges in the health service. The housing and homelessness crisis is probably the most difficult legacy of the collapse of the housing bubble which we inherited back in 2011. Bringing housing supply back to sustainable levels and stabilising the rental sector has been a slow process but we have a clear plan and that plan will overcome and deal with this particular challenge.

Our prudent management of the public finances means we are on course to have a balanced budget by 2018. We recently began work on a national planning framework, which is essential if we are to achieve balanced regional and rural development. This will be underpinned by a new ten-year national capital plan, which will set out the key infrastructural investments needed to support a post-Brexit Irish economy. The delivery of these and other initiatives in the programme for Government is what the country needs to meet the very real challenges ahead, not political stunts by the Sinn Féin Party. I commend the motion to the House.

**Deputy Micheál Martin:** The issue which has dominated debate during the past week touches on points fundamental to the functioning of our Republic. Public faith in the integrity of State agencies in general, and the police force in particular, is an essential foundation for democratic institutions. From the moment I was approached, almost exactly three years ago, about serious allegations made by Sergeant Maurice McCabe, my party’s position has been very clear. The truth must be established and justice must be done. While there has been a constant effort by one party in this House to promote snide comments about our actions, both in here and through its legion of online trolls, we have been consistent in responding to every substantive piece of information we have received. We have refused to play politics with this issue. We have pushed for and secured independent inquiries and have rejected efforts, particularly by the last Government, to declare the matter closed. Most important, we have maintained ongoing contact to ensure we respected the wishes of those who have suffered most in this scandal.

There is no question but that the Government has, especially over the past week, handled this matter in a casual and an incompetent manner. The Taoiseach and his Ministers failed to

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react with appropriate concern when deeply disturbing information was brought to their attention concerning the possible use of a State agency to terrorise an honourable servant of the State. Their complacency in respect of ensuring this matter would be fully investigated by the proposed inquiry is appalling and is clearly at the heart of the ongoing failure to respond to the many ways in which the Government was informed about the Tusla file. While it is not central to the substantive issue, we have no doubt that the Tánaiste knew from multiple sources, including a direct conversation with Deputy O’Callaghan, that requests to broaden the inquiry’s terms of reference were specifically founded on the need to include the Tusla file. Just as when they met each other, members of the Government may have talked but appear never to have listened.

During the last Government, there was clear and obvious evidence of efforts to bury this scandal. While many in Fine Gael and the Labour Party worked hard to lay all the blame on the former Minister for Justice, they happily went along with the earlier attempts to minimise the importance of the allegations and they dismissed the people making them. In contrast we have, as of yet, no evidence that this Government has acted in bad faith in its discussions concerning the scope of the inquiry. There is insurmountable evidence of complacency and incompetence but there has been no attempt to block the establishment of an inquiry with the powers and terms of reference required to establish the truth and provide justice. The Taoiseach has confirmed to me that he is willing to support an inquiry of the type that Sergeant McCabe is correctly calling for.

If the concern of Deputies is genuinely to deal with this scandal the question before us should deal with the form, terms of reference and funding of an inquiry. The question before us is not how we get justice for Maurice McCabe and others, however. It is about whether we should collapse the Government and the Dáil in order to have a general election in the next few weeks. The sole motivation behind putting this question is party politics. As we have seen recently in the North, at every given moment Sinn Féin’s primary concern is promoting the interests of the provisional movement. When it comes across an issue it looks for ways to exploit it rather than to address it. In the case of the Assembly, it took advantage of an undoubted scandal about an out-of-control scheme which it had known about for a year and which had been made worse by its active promotion by the party’s new Northern leader. Instead of securing an immediate inquiry, it secured an immediate election. In a vote of confidence in First Minister, Arlene Foster, on 19 December, Sinn Féin initially abstained but two weeks later, it collapsed the Assembly and the Executive. As a result, the people of Northern Ireland will have to vote relying on political charges, rather than a definitive and independent review. The people of Northern Ireland must also go without a voice in critical Brexit discussions and in discussions on the action to take in regard to the hospital crisis, which is their number one concern.

**Deputy David Cullinane:** No Fianna Fáil candidates will be standing.

**Deputy Pearse Doherty:** The party that embraces corruption.

**An Leas-Cheann Comhairle:** Every group will have an opportunity to contribute. I ask Members to refrain from interrupting.

**Deputy Micheál Martin:** It is not possible to accept that Sinn Féin tabled its motion of no confidence out of any sincere outrage about how information was handled. Every one of that party’s senior members aggressively attacked me and others for raising now proven allegations about abuse within the provisional movement. Remember Máiría Cahill and the treatment meted out to her, and Paudie McGahon. I was relentlessly attacked by Sinn Féin for daring to

raise those issues, outside and inside this House. We are still waiting for the first person to respond to its call for witnesses to come forward to the gardaí. Not one person has come forward.

While the issue of confidence in the Government has been put on the agenda for purely partisan reasons, it has to be addressed. Our position remains that every Deputy elected to the Dáil has a duty to do everything possible to make the Dáil work. We reject the idea that the only roles we can play are to support Government in everything or oppose it in everything. Unlike any other party, Fianna Fáil tried to remove Fine Gael from Government. We did not just oppose Deputy Kenny and Fine Gael, we repeatedly offered an alternative to them. We will not take lectures about removing Fine Gael from office from Deputies who sat on their hands when this could have been achieved. I point out to Deputy Howlin and his colleagues, with their new-found revolutionary zeal, that on 10 March last year each of them voted to support Deputy Kenny's nomination as Taoiseach. Deputy Rock might also consider the fact that the record of the House has not been erased. It still contains his multiple crawling speeches on the visionary leadership qualities of the man from whom he is now sprinting away. It is great to hear that Fine Gael Ministers have rediscovered their voices, having been running from journalists for the past three days.

The confidence and supply arrangement we reached is absolutely transparent about the basis for enabling the Government to be formed and to continue. In return for a range of guarantees, mainly focused on ending some of the worst policies of the last Government, it has been given the opportunity to get on with its job. In defiance of all the commentaries, we have played this agreement absolutely straight. We have been a constructive Opposition in proposing alternatives and, on some occasions, allowing through policies with which we disagreed. We can point to concrete advances on pensions, a more progressive budget strategy, the suspension of water charges and investment in key educational supports, each of which was achieved in the face of the right-wing agenda of key Fine Gael representatives.

While we have refused to play games, there have been clear breaches of the agreement by the Government and regular provocations from its members. The last-minute appearance of hundreds of millions in budget spending, the blocking of Deputy O'Callaghan's judicial appointment Bill and the bulldozing through the House of the rent control Bills are examples of this behaviour. So, too, are the regular statements of Fine Gael Ministers, manoeuvring for the post-Kenny era and claiming that they will "put manners on those Fianna Fáilers". These comments are both childish and representative of an arrogant party which cannot accept its fall in public support.

The events of this past week have put the agreement under serious strain. We continue to believe that the Government's policies are leaving too many people behind, that it is drifting and failing to provide leadership, either from the top or in any major policy area. Most Ministers are focused on their personal future, and on pretending to be external commentators on public affairs, rather than attending to the people's business. We want a change of Government but we believe this Dáil has not yet fulfilled its obligations to the people, whom we are elected to serve. My party's priorities are to address this scandal and help our country overcome the many challenges it faces. There is no evidence that an immediate election would do this. We will abide by our agreement. However, there is a point after which all good faith efforts to make this Dáil work will have failed and there will be no alternative but to have an election. That point is much closer today than it was last week. It may well be reached if there are further revelations that suggest that the Government has been acting in bad faith in this matter, or if it fails to honour both the spirit and the detail of its agreements.

**Deputy Gerry Adams:** I speak this evening in absolute opposition to the Taoiseach's motion of confidence in himself and his Government. He leads a Government that is without purpose and devoid of direction, stumbling from one crisis to the next. They have lost any authority to govern and that authority of course derives from their guardians in Fianna Fáil. The Fianna Fáil position is that it wants to ensure that this Government survives. The latest scandal to engulf Fine Gael and the so-called Independents is caused by Fine Gael's perpetual and disgraceful handling of the campaign of vilification against Maurice McCabe and other Garda whistleblowers. Fine Gael has lurched from one justice and policing crisis to another. Whistleblowers, brave citizens, have been the target of campaigns of abuse and harassment from within An Garda Síochána, enabled by this Government's behaviour. In no other modern state would these actions be tolerated, yet under the watch of two parties that have dominated politics here since partition, this is the state that we are in. Why? It is because between them Fine Gael and particularly Fianna Fáil are responsible for a culture of insiderism, strokes, cronyism, corruption, graft, cute-hoorism, brown envelopes, dig-outs and whatever you are having yourself Micheál.

*(Interruptions).*

**A Deputy:** How many brown envelopes? That is a touchy subject lads.

**An Leas-Cheann Comhairle:** When they are selected to speak they will have an opportunity, so I would ask all Deputies to refrain. I will give the same privilege to every Member who speaks here.

**Deputy Gerry Adams:** And extra time, a Leas-Cheann Comhairle.

**A Deputy:** Pull your socks up.

**Deputy Gerry Adams:** Last year they gave it a new name, "new politics", in the centenary year of 1916. However, this new politics represents the type of politics that is prepared to accept an alleged criminal conspiracy by senior gardaí to destroy the character of a decent man doing his duty, and expects the Government that allowed this to happen to remain in office. In their world, political power is not a means to an end, it is an end in itself. That is the Fine Gael and Fianna Fáil way, but as Martin McGuinness has shown it is not the Sinn Féin way. No wonder the Taoiseach and the Fianna Fáil leader protest at Martin's decisive leadership.

Maurice McCabe is a man who deserves the thanks of the people of this State. He is a man of incredible strength. He and his wife, Lorraine, and their family deserve our support and solidarity. Their resilience and commitment to each other has been extraordinary. The twists, turns, lies, spin and the contradictory claims of the Taoiseach and his Ministers in recent days have heightened public outrage. Citizens do not have confidence in this Government. The Tánaiste was first up last Thursday to deny any knowledge of contact between the gardaí and other State agencies regarding Sergeant Maurice McCabe. Her position was contradicted both by the Minister, Deputy Zappone, and then by Teachta Jim O'Callaghan, who said they had informed her of the Tusla links. She reiterated her position on Sunday when she said she had no advance knowledge of the Tusla allegations against Maurice McCabe. She has maintained that position since. An Teachta O'Callaghan has maintained his position, so we have a senior Fianna Fáil Deputy essentially calling the Minister, Deputy Fitzgerald, a liar over a very serious issue, yet Fianna Fáil is not prepared to do anything about this.

The Taoiseach too has failed to clarify when and how he became aware of all this. He re-

fused again this morning. Having previously denied it, he now admits that the Minister, Deputy Zappone, told him that false accusations made against Maurice McCabe were referred to Tusla. He says he assured her that all this would be covered by the terms of the then proposed commission of investigation, but unless the Taoiseach has seen these disclosures he had no way of knowing that false accusations brought to him by the Minister, Deputy Zappone, were the false accusations contained in the protected disclosure. He has yet to explain that, so both his position and that of the Tánaiste are not credible.

Maurice McCabe's appalling treatment illustrates the absolute need for a culture of openness, transparency and accountability within our policing, justice and political systems. In the midst of numerous controversies, Sinn Féin has consistently called for a new dispensation, for the establishment of an independent policing board similar to that established by the Patten Commission in the North. Under this process the gardaí would have been accountable to an independent policing authority with full powers to hold them to account. The Government rejected this again and again. There is a Policing Authority but the most senior garda, the Commissioner, remains accountable to the Minister for Justice and Equality. No police service, senior police officer or Garda Commissioner should be solely accountable to any one politician no matter who he or she is. Therefore, real change has not happened - not of the quality and depth that modern policing and citizens deserve.

Remember the story about someone saying, "Give me another pint guard, or go to Achill Island". Those days are over. People expect more, but this Government is not capable of delivering a new beginning to policing or delivering for ordinary citizens. Our health service is creaking under the pressure of cuts and lack of investment. Record levels of patients are on hospital trolleys. Children with scoliosis are left in pain for months, sometimes for years, awaiting treatment. Tens of thousands of patients languish on unacceptable waiting lists. Front-line staff are left to manage a broken system without necessary resources. It is clear that this Government is not capable of fixing the problems in health care.

What of the housing emergency? For decades Fianna Fáil and Fine Gael abandoned the construction of social housing. They surrendered that to the private sector. They have driven up the price of rents and left tens of thousands of people, including families, without a home. Homelessness is now at record levels. Citizens cannot afford runaway rent increases, yet the State continues to abrogate its responsibility. In this Dáil Fine Gael and Fianna Fáil have co-operated to stop all attempts to bring about rent certainty and proposals to build more social housing. The Government also refuses to adopt a position of seeking a special position for the island or the North within the EU in the aftermath of Brexit.

This is a Government which has undermined confidence in itself. Everything that is wrong is its own fault. It is all self-inflicted. The Government's policy, under the banner of "keep the recovery going", is to cut taxes for highest earners, continue to starve our health services, cut capital gains tax, ignore the housing emergency, protect elites and vested interests and cherish all the bankers of the nation equally. The policy is to tolerate a crisis in public services and that means protecting their wealthy friends.

Last year we celebrated the centenary of the 1916 Rising. Perhaps Fine Gael and Fianna Fáil Deputies will reflect on what that was all about. There are very decent people here. I have never tried to take away the character of one person here. What was 1916 all about? Perhaps they will also reflect on how they have advanced on the Proclamation and its principles in the time that their parties have dominated politics here since partition.

**Deputy Michael Creed:** And how you have sullied it.

**Deputy Gerry Adams:** Fianna Fáil will, of course, continue to peddle the line that it is not in the interests of citizens to have an election. What that really means is that it is not in Fianna Fáil's interests. It suits it to have a weak Government in power that it put there in the first instance. Now it complains that Sinn Féin would not talk to it in the aftermath of the general election. It is absolute nonsense. We talked to all parties and Independents who would engage with us. Teachta Martin will recall Sinn Féin saying that in the interests of delivering change, we were willing to talk to Fianna Fáil. Indeed, it is Fianna Fáil which refused to talk to us. Contrary to what he said during the general election, the Fianna Fáil leader put the Taoiseach, Deputy Enda Kenny, back into power. This is the same de facto "deputy First Minister" of this Government, Deputy Micheál Martin, who lambasted Martin McGuinness for taking a principled stand and resigning because he would not put up with the behaviour which had brought the North's institutions into disrepute just as the Government's behaviour has brought the Oireachtas into disrepute. I call on all Deputies to exercise their mandates and to vote against the Government motion.

**Deputy Brendan Howlin:** The Labour Party campaigned in the election 12 months ago for the re-election of the outgoing Government and at the first meeting of the Dáil honoured its election pledge by supporting the nomination of the Fine Gael candidate for Taoiseach. However, we voted against the arrangement cobbled together by Fine Gael and Fianna Fáil, supported by Independents, that brought this Government about. We did that because I predicted at the time that it would not last 12 months. That has yet to be fully tested.

At a time of great challenge for our nation, we have a Government which is intrinsically weak. The responsibility of governing is too important to lie with a Government that has neither the authority nor the capacity to govern. When the very notion of collective Cabinet responsibility appears to have been thrown out the window, we can truly begin to see through the crumbling edifice. A Government that was delivering progress in Ireland would have much work to do with a health service in clear need of remediation, a housing crisis that seems unremitting, rent increases that continue to spiral and, of course, Brexit, the shadow of which looms large over our future prosperity. On top of all that, we have a range of issues this intrinsically weak Government has not even considered tackling, including water charges, the eighth amendment, the funding of third level education, the baptism barrier in our schools and, of course, whistleblowing in An Garda Síochána. There is no issue the Government seems sufficiently to believe requires resolute and real action. My party believes the power of the State should be an enabler of good. In those circumstances, this weakened State is profoundly depressing.

Over the last week or so, things have gotten more serious. From doing nothing, the Government has actually begun to do harm. Over the last week, we heard a great deal about the anguish and agony imposed on the McCabe family. We are beginning to hear similar stories from elsewhere, including from the Harrison family. In truth, the fumbling by the Government on this critical issue has only added to that agony. Faced with a crisis of this nature, one would expect a Government to gather together to discuss openly the best way to tackle such an important issue and to propose measures that could reassure the public as well as give solace to the victims. Instead, we have seen senior Fine Gael and Fianna Fáil figures stop just short of calling each other liars. More worryingly, we have seen the Taoiseach and one of his senior Ministers do exactly the same. Yesterday, this tawdry mess managed to get even worse. The Taoiseach stood in this Chamber and gave two versions of the same event within 15 minutes. After a week of public disquiet, the debate we are having this evening has become all about the Taoiseach.

I worked closely with the Taoiseach for five full years and more in a Government which has been maligned but which will, in time, be recognised for its significant achievements. During our time in government, we disagreed on many points. We come from different traditions and we were not afraid to trash those differences out. Since the election I have had cause to reflect on our failings and mistakes as well as on our achievements but on balance I still believe we did a great deal of good. Some of the good we did is in this actual territory. The whistleblower legislation we implemented is recognised as world class and the creation of the Policing Authority was a ground-breaking move which had long been sought. Despite our many disagreements, we got a great deal done together. Participating in this debate tonight, it gives me no joy to see the position in which the Taoiseach now finds himself. There are many on the Taoiseach's side of the House as well as on this side who are waiting for his time as Taoiseach to come to an end. Some of them, perhaps, share the Front Bench with him. If this debate proves to be a tipping point which brings that end closer, the Taoiseach should know that he has made a significant contribution to the State. He should also know, however, that the events of the last week are not an acceptable way for a country to be governed.

I emphasise an important point that has been aired too little in the debate over recent days. Article 28.4.2° defines how collective Cabinet responsibility shall operate in Ireland. There are many other clauses in our Constitution which lawyers and academics dispute and which can be debated in different contexts, but this is not one of them. To remind the House, Article 28.4.2° reads: "The Government shall meet and act as a collective authority, and shall be collectively responsible for the Departments of State administered by the members of the Government". This is not optional. One cannot decide that some issues are decided collectively and others are not. One cannot decide that one does not want to hear any more about an issue when one's own Minister mentions it. It is not acceptable. Too many people over recent days have suggested that the notion of collective Cabinet responsibility is some sort of historical nicety. It is not. It is the highest law of this land and it is being flagrantly ignored by members of the Taoiseach's Government. I was genuinely shocked to hear yesterday and today how this Government does its business. It is one thing to bring a sensitive memo to Government under a Minister's elbow. I have done it myself. It is quite another when that sensitive memo proposes a Government order for a commission of investigation based on a judge's report which has not been circulated. How on earth can anyone in government be expected to know what he or she is agreeing to investigate?

The Minister, Deputy Katherine Zappone, presumed her concerns were included in the terms of reference. She was entitled to assume the Tusla affair was included in the protected disclosure referenced in the terms of reference, but she never got to see the protected disclosure so she never got to know her presumption was right. Everyone in government is now citing the law to justify their failure to inform colleagues but there is nothing in the law to prevent the Tánaiste from sharing details from the protected disclosure with her colleagues in government if they needed to know them. As the former Minister who introduced the Protected Disclosures Act, I remind the Government that section 16 specifically allows information to be disclosed where that disclosure is considered necessary to investigate the matter or is in the public interest. Neither does the law prevent Deputy Zappone as Minister from demanding information from Tusla and sharing it with Cabinet. It is the only way collective Cabinet Government can work. Nevertheless, the Taoiseach continued to insist today that he was restricted by law from asking questions about the protected disclosure. There is no such restriction because there is no such law. That has as much basis in reality as the Taoiseach's advice to the Minister, Deputy Zappone, to take a good note.

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I said at the outset that I had no confidence in the Government when it was formed. After the events of the last week, I cannot in conscience support the Government now. Therefore, the Labour Party Deputies will oppose the Government's motion.

It is difficult to listen to Sinn Féin talk about policing and justice matters. When Sinn Féin held its annual conference in my home town, Wexford, the family of Garda Seamus Quaid, who was murdered by the IRA, asked for the plaque in his memory in the Wexford Opera House to be removed from the venue before Sinn Féin arrived.

**Deputy Paul Murphy:** I wish to share time with Deputies Ruth Coppinger and Richard Boyd Barrett.

**An Leas-Cheann Comhairle:** Is that agreed? Agreed.

**Deputy Paul Murphy:** I have zero confidence in this Government for a lot of reasons, but they were crystallised this week when we got a glimpse of the dark, rotten and sinister underbelly of the Irish State, namely, the black propaganda campaign that has been alleged to have come from the top of An Garda Síochána. The response of the Government to the exposure gives a glimpse of the threat to people's basic democratic rights that exists. The response of the Government was to engage in evasion, spin and outright deception.

The Taoiseach's various changing versions of events over the course of a number of days have no credibility whatsoever. The Government and Taoiseach attempted to take people for fools, and continue to do so. The Taoiseach's studious and wilful misunderstanding of the point four times so far in the House, I understand, about the fact that him telling the Minister, Deputy Zappone, that the issue would be covered by the commission investigation exposes his story because it shows that he knows more than he let on. It goes even further and he cannot be let away with deceiving people again and again, while we are expected to brush it under the carpet.

Fianna Fáil enables this and its position is laughable. Anyone who heard Deputy Kelleher on the radio today describing the Government as incoherent and shambolic, but also saying that Fianna Fáil would loyally ensure its stability, would wonder what position it has gotten itself into.

Another reason I have no confidence in the Government is that it is allowing the Commissioner to remain in place. It is agreeing to the setting up of a public inquiry into whether the Commissioner orchestrated black propaganda against her own gardaí. The Government agreed to allow a public inquiry to go ahead, but at the same time has full confidence in the Commissioner continuing in her role when she is in a position whereby she could obstruct the operation of the tribunal. She has to step aside right now.

**Deputy Ruth Coppinger:** Yesterday, the Taoiseach confessed that he went on national television, gave an inaccurate account and that he never actually had a conversation with a Minister. It was false memory syndrome, as psychologists call it. The Tánaiste and Minister for Justice and Equality also had another problematic conversation with another Deputy. He had one version and she had another. It is not lies; rather, it is just alternative facts.

If this country had even a pretence of being a bourgeois democracy the Taoiseach and Tánaiste would be gone and an election would be called. That does not happen in the Irish State because we are more akin to a banana republic this week. The rotten nature of the Irish State has been exposed. The lid has been lifted and it seems that Fianna Fáil wants to press the

lid on the can of worms back down.

The allegation is that the top garda in this country may have encouraged and taken part in black propaganda against a garda who spoke out against corruption, that there may be allies of An Garda Síochána working in State agencies who will assist it in planting information against such gardaí or other people the Garda does not like and that top gardaí routinely leak information to journalists who act as a propaganda arm for the Garda on many occasions. This has repercussions for what we have seen in recent times regarding the policing of working-class communities, in particular the anti-water charges campaign. Similar black propaganda was used against protesters in Jobstown and the Commissioner's husband heads up Operation Mizen, which is investigating water charge protesters.

The State, police and courts ultimately act in the interests of the *status quo*. They will act to defend the wealth and the economic and political system of the 1%. It is impossible to see how there could be a healthy culture as long as that remains the case. The Garda needs to be opened up to democratic community accountability. What is being proposed here is shambolic.

**Deputy Richard Boyd Barrett:** In the spectator sport that, sadly, politics often descends into, instead of dealing with the serious issues that affect people, the chat around the Dáil among journalists and politicians is that the crisis has receded, the Taoiseach will survive a bit longer and because of decisions made by the Independent Alliance and Fianna Fáil, the Government will hobble on for a bit longer. Those are somewhat interesting issues but, frankly, they pale into insignificance compared with the issues that are at the heart of this crisis.

The crisis involves the utterly despicable treatment by the State of a brave man who had the courage to blow the whistle on wrongdoing in the institution of the State that is supposed to ensure justice. That person, instead of being commended and supported in his efforts to do what is right, was the subject of an orchestrated and savage campaign of vilification, intimidation and impugning of his character.

To me there is no doubt that there was an orchestrated campaign; that is beyond doubt. The only issue is precisely who orchestrated that campaign. That is to be decided. That there was a campaign is not in doubt. The Taoiseach said yesterday the inquiry is about finding out whether there was an orchestrated campaign. There was. Everybody knows it, and there was a campaign against other whistleblowers with similar tactics used. The fact that another Garda whistleblower, Keith Harrison, also had allegations about child abuse made against him at the same time that he was blowing the whistle is too much of a coincidence not to indicate a policy at the highest level of An Garda Síochána of dealing with whistleblowers in this way. It is shocking.

If that is the case, it can only be the tip of the iceberg of an absolutely rotten culture at the heart of the State and the institution that is supposed to maintain justice. Has that crisis receded? Not at all. Maybe there is light at the end of the tunnel for Maurice McCabe because at least he, in the eyes of the public, is being somewhat vindicated, something that has been forced on the State, although it is not clear that he or Keith Harrison will get the individual justice they deserve. That is far from certain, and it is unlikely that the rot in the culture of institutions of the State that could have allowed this to happen will be dealt with by any of the major parties, either those in government or Fianna Fáil, which is propping them up.

The proof of that is the extraordinary decision not to ask Nóirín O'Sullivan to step aside.

She is entitled to due process, something the Taoiseach has used as justification for allowing her to remain *in situ*. We cannot prejudge the tribunal of inquiry. However, given the seriousness of the allegations and the substantial evidence that has been brought forward, the idea that she can remain *in situ* where, if she were guilty, she could potentially frustrate and interfere with the line of evidence that would allow the tribunal of inquiry to get the truth and justice of the matter, is absolutely unacceptable. If the Government was being any way reasonable and was committed to a fair and impartial tribunal of investigation into the matter, it would have to ask her to step aside without prejudice so that the investigation could proceed unobstructed and with no possibility of or potential for interference. Unless it does that, I do not believe that either the Government or Fianna Fáil, which has failed to call for it, is serious about dealing with the rot that produced this scandal.

On every other front where the Government has set out its priorities to deal with key issues, such as, for example, the housing and health crises, it has failed. How could we possibly vote confidence in a Government that has failed on all of these fronts?

**An Leas-Cheann Comhairle:** We will now move onto the Independents 4 Change group, which has ten minutes. I understand Deputy Joan Collins is sharing time with Deputies Broughan, Clare Daly and Wallace. I ask them to ensure that they are self-disciplined. I will not be interfering.

**Deputy Joan Collins:** I certainly will be on this side of the House.

I have no confidence in the Taoiseach or the Government. I am sure he is not surprised by that statement but it does not just relate to the despicable treatment of Maurice McCabe and other whistleblowers over the past decade. I also have no confidence in the Government in terms of the housing and homelessness crisis. Nor have I any confidence in the Government in the context of waiting lists and the health crisis in general or workers' rights. On Monday, workers in Bus Éireann will most likely be forced into a strike while the Minister for Transport, Tourism and Sport maintains the farcical attitude that it has nothing to do with him.

On the treatment of whistleblowers, I was among a small group of Deputies that first raised the issue of the abuse of penalty points within An Garda Síochána. I will defer to the ruling of the Committee on Procedures and Privileges on naming people, but at the time a journalist contacted me to fish for information on whether there had ever been an incident in my previous employment in the GPO, which there had not. Other journalists inquired if, and hinted in a way that, my partner had sought favours from relations in An Garda Síochána. Again, there was no basis to the matter. There was a campaign to discredit Deputies Clare Daly and Wallace and former Deputy Luke "Ming" Flanagan. There was not just a campaign to discredit Maurice McCabe and John Wilson, the other whistleblower involved, there was also one to intimidate them.

John Wilson had the deep displeasure, at the height of the penalty points issue in January 2013, of finding that a dead rat had been tied to the handle of the front door to his family home in the middle of the night. Everyone knows the connotations associated with a rat. There were also pictures of gardaí playing with a stuffed rat called Maurice on Facebook. If anything was disgusting in this whole episode, it was actions of this kind and worse against Maurice McCabe and his family. For the O'Higgins report, we had lawyers acting under the instruction of Nóirín O'Sullivan and claims were fabricated that Maurice McCabe privately admitted making allegations of misconduct out of malice. If he had not had his recording, Maurice McCabe would

have been destroyed and people knew it.

I have no confidence in Fianna Fáil or the Labour Party either. The Labour Party sat on its hands for five years in respect of this matter. Fianna Fáil warmly applauded Paul Williams at the conference in 2013 when he stood up and criticised Deputy Wallace and Luke “Ming” Flanagan for criticising An Garda Síochána. What Pauline conversion has the Taoiseach had? He has been found out. That is all. The Taoiseach may win the vote on the motion of confidence but he should walk out on the streets and find out exactly what is people’s mood in the country.

**Deputy Mary Lou McDonald:** Hear, hear.

**Deputy Thomas P. Broughan:** I thank the Leas-Cheann Comhairle for the opportunity to oppose the motion of confidence in the Government. We have all watched in shock, disgust and disbelief as events have unfolded and taken such a sinister turn over the past week. Sergeant Maurice McCabe has endured many years of maltreatment and sullyng of his good name since he first stepped forward as a whistleblower. I absolutely agree that there should be a tribunal of inquiry with the widest necessary terms of reference. However, I also agree with my colleagues that a criminal investigation should run concurrently and that this investigation must be carried out by police officers from outside the State and perhaps co-ordinated by Europol. I also believe that the Garda Commissioner should step aside without prejudice for the duration of the inquiry.

I have never had confidence in this Government. In May 2016, just before I voted against it, I called it a sham Administration and said it was a temporary, ghost Administration. We know it is one that cannot and will not last. It is a Fine Gael-Fianna Fáil Government with the spoils of office divided between the two parties and Deputy Micheál Martin and his colleagues as the chief puppeteers. As Fine Gael and the hapless so-called Independents stagger from crisis to crisis, the great issues facing our nation such as the shocking crisis of more than 100,000 people in desperate need of housing, the 632,000 citizens on hospital waiting lists and the 250,000 children living in poverty and the multifaceted profound challenges facing Ireland when Article 50 is triggered next month by Britain are completely overwhelming this weak Administration. The common thread through all the suffering of our people is the absolute refusal by the Minister for Finance, Deputy Noonan, and the vested interests in Fine Gael and Fianna Fáil to abandon austerity and to raise and spend the necessary funding to give us the decent homes, hospitals and other caring public services our people deserve.

I commend my colleagues, Deputies Wallace and Clare Daly, for their courageous and steadfast support of Sergeant Maurice McCabe and the other Garda whistleblowers. In any advanced democracy we would think that Sergeant McCabe’s public spirited work would have been addressed by Government in fundamental reforms of policing by 2011 at the latest. The revelation by Sergeant McCabe and Garda John Wilson in 2012 and 2013 of the waiving of fixed charge notices and penalty points was an immense service to the Irish people and to saving lives on our roads. Given the many internal Garda reports and the work of Mr. Guerin, Mr. Justice Fennelly, Mr. Justice O’Higgins and Mr Justice Iarfhlaith O’Neill, it is astonishing that the Oireachtas is only now finally addressing the allegations of the smearing of Sergeant McCabe’s name. The response of the current and of previous Governments to this sad saga has been an appalling shambles. The last week in particular shows clearly that it is time for the Government to go.

**Deputy Clare Daly:** I have no confidence in the Taoiseach’s Government. In part it is be-

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cause of his handling of this matter but, to be honest with him, I really do not care about that because we all know what the outcome will be. I am much more concerned about how the Taoiseach responds now to the crisis which has dominated the airwaves over the past number of days and weeks but which we have been campaigning on for years. I appeal to the Taoiseach to listen to us. We are not wrong on policing issues. If the Taoiseach does not set up this tribunal properly, the problems will continue and we will pledge our remaining term in office, whatever it might be, to pursuing these matters.

I am concerned. I want this tribunal to be held in public but there are dangers in our rushing it through in response to what has gone on in the media. We need to get these terms of reference correct. At the heart of the allegations of Dave Taylor and Maurice McCabe is that there was a deliberate targeting and undermining of a whistleblower with the full knowledge of the Commissioner in flagrant breach of protected disclosures policy. While Maurice McCabe's experience was the worst example, it is not unique and the situation facing Keith Harrison and Nick Kehoe is exactly the same. It involves many of the same personnel. The allegations being made are not new. When we had discussions earlier with the Tánaiste, concerns were raised that if these were introduced, the inquiry would be too broad and that, in any event, the matters in question are already being investigated elsewhere. That is not the case. I am not talking about the content of their protected disclosures but rather the harassment and targeting to which they have been subjected since making the disclosure and which went on with the knowledge of the Commissioner. The disclosure of Nick Kehoe, who has been vindicated, concerned Garda involvement in the drugs trade. It was very serious and this man's life has been ruined. His claims of harassment are not being investigated anywhere. If these people are excluded, the systemic problems under the Commissioner will not be addressed and we will be back here sooner than the Taoiseach thinks.

**Deputy Mick Wallace:** I am sure it is not easy being in government and I am sure we would not find it easy either. At the same time, we would be dishonest if we were to say that we had confidence in the Taoiseach's Government. The lack of fairness during the past six years and the failure to deal honestly with corruption in the hierarchy of An Garda Síochána and NAMA are too striking. However, this matter is not just a matter of justice for Maurice McCabe and other whistleblowers. Maurice McCabe would be the first to stress why he put his head over the parapet way back in 2008. He did so because of the systemic problems within An Garda Síochána. Let us keep things in focus. The way in which the present Garda hierarchy has dealt with whistleblowers has to be at the core of the investigation. With that in mind, other whistleblowers have to be included. The story of the dysfunctional nature of the present hierarchy in An Garda Síochána will be missed if the likes of Nick Kehoe are not included. Much of what the force did to that man over several years has still to see the light of day. No one needs to tell the Government that there has been a media frenzy over the past while about the whole thing, but if we are not careful, as Deputy Clare Daly stated, we will not do this right. Our preferred option would have been a public commission of investigation run in parallel with a criminal investigation that has people from outside the country running it.

*8 o'clock*

The judge should be given powers to compel witnesses to attend, garner all necessary documents and override privilege, just as Mr. Justice Cregan has in the IBRC inquiry. There should be a limited period within which judicial reviews can be brought, as is the case in the Refugee Act, because the tribunal of inquiry will otherwise go on forever.

It was good to hear the Tánaiste state her belief that the tribunal of inquiry can be completed in nine months. It would be brilliant if that were the case. There is a serious danger that an old-fashioned tribunal will cause as many problems as it will solve. I urge the Government to think clearly about how it approaches this issue and not to react to being hounded in a certain way by the media. It should do what is right rather than simply pleasing the media, because this issue is too serious and too many people have suffered as a result of it.

This is also about how policing will be done in future. The Government has an opportunity to change how policing is done because it is not good enough and the legislative changes introduced a couple of years ago were not enough.

The Garda Commissioner is not fit for office. I would not ask her to stand aside. I ask the Government to use instead section 11 of the Garda Síochána Act 2005, which provides that the Government may remove the Commissioner if, in its opinion, it would be in the best interests of An Garda Síochána.

**An Leas-Cheann Comhairle:** The Deputy's time has concluded. He will have another opportunity to speak.

**Deputy Michael Harty:** The substantive reason for Sinn Féin's motion of no confidence in this Fine Gael-led minority Government is the assertion that the controversy over Sergeant Maurice McCabe has been mishandled and cannot be properly investigated. There is no doubt that Sergeant McCabe has been grossly mistreated by senior management of An Garda Síochána and Tusla and several inquiries have failed to clear his good name fully. The full extent of the orchestrated campaign of vilification, undermining of his motivation and smearing of his name by accusations of sexual abuse is astounding and requires to be fully, publicly and satisfactorily investigated. The establishment of a sworn tribunal of inquiry is now the only transparent and proper course of action to take. The inquiry must cover other identified members of the Garda who have made protected disclosures, had their careers damaged and had their reputations smeared. Their cases should be progressed in parallel to allow the tribunal to complete its work in nine months. After all, allegations of illegal activity and improper conduct are not confined to Sergeant McCabe.

While Sergeant McCabe is the most high-profile case, all whistleblowers have suffered in equal measure. There is a common pattern of smearing, undermining and mistreatment. Accusations of child abuse seem to be an instrument used to discredit those who challenge wrongdoing in the Garda Síochána. Should the Government fall on this issue, the inquiry will be set back by an indeterminate period, resulting in Sergeant McCabe and others who have made protected disclosures having to wait even longer for justice. The Government has been damaged by this controversy and lessons need to be learned about listening to those who highlight deficiencies in all State agencies, not only An Garda Síochána. We must restore confidence and trust in the Garda and the impartial application of the law.

The Government should be allowed to establish a public sworn tribunal of inquiry and redouble its efforts to bring this appalling saga to an end. A general election on this issue would not be in the best interests of Sergeant McCabe or other members of the force.

**Deputy Danny Healy-Rae:** People in every part of the country are horrified and disgusted by what has occurred in recent days. They do not believe the contradictory statements made in the House by many Government members. There does not seem to be any accountability.

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It is equally horrifying that the cost of another tribunal will be loaded on taxpayers, the low and middle income earners who leave for work early each morning in cars for which they have to pay dear insurance. They leave home in the mornings with snot in their noses and they will finish up paying for all the carry-on in this House and the carry-on that went on two or three years ago. They are saying there is no accountability.

We learned last week that the Health Service Executive is not accountable to the Government and the Minister for Health cannot take any HSE manager to task for anything that happens in the organisation. My brother, Michael, and I, as well as many others, have been raising cases of people with cataracts who are going blind and cannot get a 90 minute procedure done. These procedures would cost much less than all of this. Who will pay for it all?

We do not seem to be able to do anything about insurance costs either. We have only reports and investigations. We were told the issue would be sorted out and the Minister for Finance would come back to us on it. I am sure he tried to do so but the story now is that we cannot do anything about rising insurance costs, whether for a young fellow trying to pay car insurance to get to work or an old person trying to insure a car to be able to collect the pension.

We do not seem to be able to sort out the issue of housing either. The Government has been working on this for 12 months and very little progress has been made. Next week, the country will grind to a halt when Bus Éireann workers strike, yet the Taoiseach and his Ministers have not intervened or made any attempt to solve the problem. I do not have time to speak about broadband, over-regulation and many other issues.

If I had my way, I would round up the Ministers opposite, put them in a Transit van, drive them to the Four Courts and let three judges sort them out because it is the taxpayers who will pay for the tribunal. I am sorry about that.

**Deputy Michael Healy-Rae:** I am sorry I have to speak on this issue which has been handled extremely badly. I would never blame anyone who makes a mistake because, as my father always said, the person who never made a mistake never made anything. How could the Government make so many mistakes in the handling of the aftermath of this case?

I am shocked and horrified by the way Sergeant Maurice McCabe and other gardaí have been treated by the hierarchy of An Garda Síochána. In making that point, I should also point out to the Minister for Justice and Equality that throughout Ireland there are highly respectable, dependable and sound members of An Garda Síochána. They are honest, straightforward people who get up in the morning, do their duty and put their lives on the line to help other people. They do not know when they are in a squad car or riding a bicycle on the street whether they will face people with guns, drug crime and so on. We must acknowledge that there are decent, honest and hard-working gardaí. Unfortunately, when some people get shiny buttons, they seem to lose their heads and think they are small gods. Politicians have subsequently dealt with the matter badly.

I ask that people be treated with respect from now on. For God's sake, everyone is trying to do their job. If people have a problem in their workplace and make an honest to God complaint, it should be handled properly by the hierarchy of the organisation in question, whether it is An Garda Síochána or politicians who are dealing with the issue. Tusla, an organisation that has done great work, has lost much of the esteem in which it was held and has a great deal of ground to make up in restoring it.

It would be far better to be accused of murder than any type of interference with children. I am very sorry this happened. The tribunal of inquiry must go ahead.

**Deputy Mattie McGrath:** It is a bad man who never made a mistake or, as Deputy Michael Healy-Rae said, a man who never made a mistake never made anything. The Taoiseach made many mistakes and his Government was punished severely by the electorate at the previous general election. However, the party colleagues who remained and Independent Deputies gave him a second chance, which he has completely blown. He has come in here this evening blowing his own trumpet again. He will definitely get a place in the Artane boy's band or the Mayo pipe band when he retires. The Taoiseach said that he will not apologise for his record when it comes to child protection because it was at his direction that the referendum to enshrine the rights of children in the Constitution was held and the Children First guidelines were put on a statutory footing. I voted against that. I was the only person here who campaigned against it. Look at the mess we have now. The Taoiseach also said that he appointed the first Minister for children. The current Minister for Children and Youth Affairs, Deputy Zappone, is doing a reasonable job but the Taoiseach tried to trip her up the other day in terms of the confusion around when and where he met her. The Taoiseach changed his story in that regard three times last night.

During a motion of no confidence in the Taoiseach a number of years ago I gave him the benefit of the doubt but he blew that as well. As I said, all he is doing is blowing his own trumpet. I am surprised that the Taoiseach did not refer to the "recovery" in his speech tonight. What happened to the recovery? It has gone down the river in the flood. The phrases we are hearing now are "damage limitation" "cover-up", "deceit" and "deception". The Taoiseach said in his statement tonight that he was going to ensure a recovery through use of the fruits of a growing economy yet there is a continued failure to tackle the serious challenges in the health services. Given the statistics we heard in that regard last week, the Taoiseach and his Ministers should hang their heads in shame. They were found out when they could not suppress them any further. The health service is an appalling vista. The Taoiseach, or whoever drafted his speech for this evening, neglected to mention that, yet he has come in here this evening expecting people to vote confidence in this Government.

I also opposed the establishment of Tusla. It is a mess. As in the case of the HSE, the people involved in Tusla are accountable to nobody. The Government will not hold them to account but this House will hold the Government to account. If we cannot hold it to account the people will do so soon. I said before that they were waiting in the long grass and they were. They made their decision with the peann luaidhe and they will do it again. The people are sick and tired of this Government's deception, deceit, dishonesty and the spreading of outrageous misinformation by spin doctors.

The Government has a cheek to table this motion of confidence in itself.

**Deputy Catherine Murphy:** I am sharing time with Deputies Eamon Ryan and Seamus Healy. On Monday, 6 February 2017, we saw a "Prime Time" report on children with scoliosis who were on waiting lists and adults threatening suicide to escape pain. The programme gave us a bird's eye view into what it is like for people living on a waiting list. By Thursday, the suffering of those children and adults was off the agenda. It was replaced by the appalling revelations about the scurrilous and vile smear campaign surrounding Sergeant Maurice McCabe, a man who was acting in the public interest. It is rare that people feel threatened by the State. I believe people feel threatened by this State. They wonder why nothing happens and why

things do not change. That situation was so badly handled it shone a light into a dysfunctional Cabinet.

Yesterday, *Daft.ie* published a report which showed the highest ever level of rent increase. The Taoiseach said that the rental sector has been stabilised. Just because one says something does not mean it is true. This morning we learned of the 52% increase in the profits of the real estate investment trusts, REITs. There is so much dysfunction across a range of sectors that it is impossible to comprehend how the Taoiseach could come in here and ask us to vote confidence in this Government. The issues I highlighted earlier are but a snapshot of what has happened in the last week. How can the Taoiseach ask us to vote confidence in this Government?

**Deputy Eamon Ryan:** The Green Party will not be able to affirm confidence in the Government this evening. In effect, this debate is about an issue that we have been debating intensely this week and for many years. What is it that has allowed this issue more than any other to trip up the Government? Is it that Fine Gael, in terms of its identity dating back to Michael Collins, Michael Staines and the foundation of the State, is so close to the Garda Síochána it did not listen to and check some of the issues that were raised here and elsewhere only to realise too late that this was an issue that could not be ignored?

The Green Party has confidence in this House. We do not want an election but we accept there is a need to restore public confidence. We believe we can strengthen the work of this House, although that is probably a minority opinion. My confidence in this House is based on the fact that it allows us the opportunity to ask awkward questions and try to get to the truth. It allows us to question Ministers. It puts Ministers and the Taoiseach on the spot on a daily basis. That does not happen in other Parliaments. That is right and good. We have an opportunity now to extend the powers of this Parliament. Earlier today there were four committees sitting doing tremendous work, with members going from one committee to another. We work hard and we try to represent the people to the best of our ability. I do not want to see this House fall. I want to see public confidence restored in terms of what we do. We do that by restoring confidence in An Garda Síochána. That confidence has been lost as a result of what happened to Maurice McCabe and other whistleblowers. We do it by restoring some sort of order to what is going on between the Garda and the media. We all know of cases where a report has slipped and matters were dealt with in a back-handed manner. That type of connection between the Garda and the media is wrong. That is what is behind this case. We have an opportunity now to sort that out.

Even more sad is that we now also need to check on the Child and Family Agency, Tusla, which was set up to protect children, which is one of the biggest issues with which we have had difficulty in recent years. Confidence in that institution is much diminished. We have a responsibility to work together in conjunction with the tribunal of inquiry to try to sort out those three issues. There must be respect and trust in the Garda Síochána, respect and proper order in the relationship between the Garda and the media, and respect in our child protection agency so that we never again see an incident like this. We must find out what exactly happened. Let us see what the tribunal delivers.

I agree with Deputy Wallace. I am nervous about tribunals. I have been on the outskirts of a couple of them and I did not like the way they worked. I do not like how much they cost or the length of time they take. The Tánaiste has a particular responsibility to get the terms of reference of the tribunal right, to ensure its work is completed in nine months and to ensure it is transparent and brings justice to all involved. This House has a responsibility, in the context

of the tribunal taking nine months to complete its work, to see out that business and to ensure it works well and independently in a judicial manner. I would like to see us as a House deliver that report and restore some of the confidence that has been lost.

**Deputy Seamus Healy:** I will be voting no confidence in this Government for a number of reasons. It is now clear that senior gardaí were systematically intimidating whistleblowers. False accusations of sexual misconduct made to Tusla was the first leg of that operation. The second leg of that operation was the dissemination of these allegations through pet crime correspondents who are dependent on gardaí for information to do their jobs. In this way, these allegations were disseminated to other journalists, politicians and opinion formers. The Taoiseach has refused to say when he first learned about this operation. I am satisfied that he and the Tánaiste knew about it. They tried to cover it up and to confine the inquiry to a cosy secret investigation but Sergeant McCabe pulled the plug on them. They were caught out. It is time for the Taoiseach, the Tánaiste and the Garda Commissioner to resign. I believe that a criminal investigation by an external police force chosen by this Dáil should begin immediately in parallel with the tribunal of inquiry.

The Committee of Public Accounts will shortly report that €220 million was lost on the Project Eagle sale and that it was not appropriate for the Minister for Finance, Deputy Noonan, Department of Finance officials and NAMA to meet senior Cerberus representatives in the days prior to that sale. This is but the tip of the iceberg. Massive Irish assets are being sold off at knock down prices to the Government's international financial friends. People in need of health care are being criminally neglected and hundreds are dying needlessly according to our medical consultants.

At the same time as the Irish super-rich make massive untaxed asset gains - the value of their assets is now significantly higher than at the height of the boom - tenants, mortgage holders and farmers are being evicted by banks and vulture funds, including banks owned by this State.

With regard to housing, the Government has refused to declare a housing emergency and to implement adequate measures to house the homeless and the 100,000 on the housing waiting list. Recent Governments have surrendered all Irish economic sovereignty under the fiscal treaty. Despite what I would describe as a begging letter, the European Union is now refusing to allow the Government to borrow money to put a roof over the heads of our citizens. The wheels are coming off the policy of privatising State companies, combined with the over-reliance on foreign direct investment. The interests of the Irish people have been put completely in the hands of foreign agencies, foreign companies and foreign governments. I say to this Government tonight: go now.

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I support the motion. We are here because Sinn Féin is exploiting a serious issue for political gain. It quite clearly has an *à la carte* approach to whistleblowers. Ask the former Senator Máiría Cahill. When most people and parties in this House attempted to form a Government last year, Sinn Féin sat it out. I am honoured to serve as Minister for Justice and Equality. I have never sat it out because I believe public service is about contributing. My record and the records of the current and previous Governments are records of reform and progressive legislation. As Deputy Howlin said, the establishment of an independent policing authority that has oversight of Garda Síochána is one of the most significant reforms to the justice system ever undertaken in this country. We have change that will further strengthen GSOC legislation.

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Yesterday in this House, I outlined how I had dealt with the two protected disclosures I received last October. I have always been careful and concerned about dealing with all the cases that come to my attention, and I have always made the case, publicly and privately, for the protection and support of whistleblowers.

Following the publication of the O'Higgins report, I decided the Garda protected disclosure policy should be independently examined. That is why I asked the Policing Authority last June to assess and report on the policies and procedures in place. The revision of the protected disclosure policy was finalised last December. Implementation is now being kept under constant independent review by the Policing Authority, alongside a new code of ethics that is being prepared by that authority. Progress is being made but there is still much more to be done.

Policy is only part of the approach to whistleblowing. Changes to culture and attitudes and acceptance of those changes are also crucial. There has not been enough of that. Every day in this country, individual members of An Garda Síochána put themselves at risk in order that we can be safe. I never forget that in my role as Minister for Justice and Equality. I have always made it clear, however, that any wrongdoing within An Garda Síochána must be addressed fully and fairly. Sergeant McCabe's experience as a whistleblower in An Garda Síochána has been unimaginable and troubling. I thank him and his family for speaking out, however hard it may have been. We now have an opportunity to establish the truth once and for all.

Throughout my time as Minister for Justice and Equality, we have always made changes in significant areas of public life aside from policing — changes I have campaigned for all my lifetime, including changes such as marriage equality and the Children and Family Relationships Act. I have published ten different Bills since the new Government was formed, including legislation to strengthen the rights of victims of crime and to tackle the evil of domestic violence. I published a mediation Bill and the groundbreaking Criminal Law (Sexual Offences) Bill, which completed its passage through both Houses of the Oireachtas last night. We are making real progress on tackling crime. The Bail (Amendment) Bill was published last December with the aim of making the law as effective as possible in protecting the public against crimes committed by persons on bail. We have responded to a vicious armed feud in Dublin with legislation to strengthen the Criminal Assets Bureau, more money and a dedicated armed response unit for Dublin.

Let me return to words I have used in the past: democracy is not about entitlement; it is about contribution. In fairness to most Deputies and parties in this House, they are genuine, as I am, in their desire to contribute towards finding a resolution to these terrible events for Sergeant McCabe, his family and all the people involved.

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Taoiseach and Tánaiste have outlined the great challenges our country faces, including the challenges posed by Brexit and those that could be created by a new Administration in America. We are aware of all the challenges across our island. I will respond to the points made by Opposition speakers tonight. We have a motion in front of us tonight that is motivated only by political objective and whose only aim is to destabilise this Government-----

**Deputy David Cullinane:** It is a Government motion.

**Deputy Paschal Donohoe:** -----and the progress that this country is seeking to make.

**Deputy Pearse Doherty:** On a point of order, it is a Government motion.

**Deputy Paschal Donohoe:** Let me deal with this record first and with the motion. The Tánaiste and Minister for Justice and Equality has outlined very clearly, including in recent weeks, the progress that has been made in dealing with the issue of whistleblowing. The only aim that this Government has had is serving the public interest. The only objective that has ever motivated decisions made by the Taoiseach, Tánaiste and the Minister for Children and Youth Affairs, Deputy Katherine Zappone, or anybody else in the Cabinet, is to get to the truth to ensure the national interest is served. This is illustrated by the decision that the previous Government, a Government led by Fine Gael, made to bring in legislation on protected disclosures and independent oversight mechanisms in regard to An Garda Síochána. This is demonstrated by the way in which the Tánaiste responded to the protected disclosures she received. They were referred within four days to a judge. The judge did his work, came back and make recommendations, all of which the Government was seeking to implement. This is illustrated finally by the commitment the Taoiseach has made that we will go ahead with putting in place a tribunal to make sure we meet the Government's objectives of getting to the truth and serving the national and public interest.

Allow me to address some of the points made in this debate. First, let me deal with the points made by Deputies Catherine Murphy and Ruth Coppinger, in particular. There is a special place in hypocrisy heaven for the kinds of claims they have made in the debate. Two Deputies who have stood up on so many occasions asking our citizens to break the law-----

**Deputy Ruth Coppinger:** Unjust law.

**Deputy Paschal Donohoe:** -----have stood up here tonight purporting to be champions of those who enforce and implement our laws on behalf of our State. We know what the national interest is and we know the public interest that needs to be served, but for Deputy Coppinger to call upon her supporters to break the law that An Garda Síochána is asked to enforce or implement shows the contempt that she has for the institutions of the Garda and our State.

That leads me to Sinn Féin and its behaviour here tonight.

**Deputy Richard Boyd Barrett:** Civil disobedience is slightly different from a smear campaign.

**Deputy Paschal Donohoe:** There is nobody in this House who buys the new-found interest of Sinn Féin in the integrity of our Garda Síochána, an institution that has suffered at the hands of Sinn Féin's associates. It is an institution that Sinn Féin has sought to frustrate for decades in our country. There is nobody in this House who is buying Sinn Féin's new-found interest in whistleblowers given the way it treated the former Senator Máiría Cahill and its blatant and on-going denial of the truth regarding the handling of cases of sexual abuse within the IRA. I hope to be in a position to again give confidence to this Government at a later date when we come to the next budget and the following one and be in a position to go to the country and say we gave value for the votes we got, the 400,000 plus votes. We did not win the election but nobody else won it either. We took our responsibility seriously and insisted on a Government being provided to the people, one that can deliver, and if it does we will shake the hands of those involved and say well done. We will be delighted with our own performance in ensuring it did so.

**Deputy Darragh O'Brien:** The fundamental reason I stand here this evening is to say to the Government that I am not really that concerned about the posts of the Taoiseach and the individual Ministers and their futures. What I am concerned about is the constant chipping away

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at the confidence and authority of An Garda Síochána and the justice system for which the Minister for Justice and Equality is responsible. Most of us are aware of the thousands of men and women of An Garda Síochána who serve this country every single day with great distinction and put their lives on the line every single day to protect us and our children and families and the institutions of this State. What is incumbent upon us as Members of the Dáil is to make sure that confidence is restored in An Garda Síochána and the justice system as speedily as possible. That will be done by the establishment of an independent public tribunal of inquiry with robust terms of reference because what I and Fianna Fáil are concerned about is getting to the truth and vindicating Sergeant Maurice McCabe and his family following the disgusting treatment that has been meted out to him and other colleagues in the force.

This is a deeply unpopular Government. The political expediency would be, should we have wished to do so, to take it down and go to the people and have an election and, with the help of God, increase our mandate. Those who have come to the democratic process late in the day - I accept they are still learning - they are here to serve the people, not the ard-chomhairle of Sinn Féin, and the provisional movement.

**Deputy Mary Lou McDonald:** Shucks, thanks.

**Deputy Darragh O'Brien:** That is what they are here to do.

**Deputy Pearse Doherty:** I had to take a Fianna Fáil Government to court and I won because it denied me the opportunity to stand before the people of Donegal.

**Deputy Darragh O'Brien:** We also have Standing Orders.

**Deputy Pearse Doherty:** It prevented a by-election four times and denied the people of Donegal their constitutional rights.

**Deputy Darragh O'Brien:** Is Deputy Doherty not over that yet?

**An Ceann Comhairle:** I ask Deputy Darragh O'Brien to address the Chair and I ask Deputy Doherty to restrain himself, as that would be helpful.

**Deputy Darragh O'Brien:** I obviously struck a chord.

**Deputy Mary Lou McDonald:** You did.

**Deputy Darragh O'Brien:** But, what I would say-----

**An Ceann Comhairle:** Deputy Darragh O'Brien should address the Chair.

**Deputy Darragh O'Brien:** I certainly will. The reality is that it is incumbent upon all of us - I include Sinn Féin and others - to make sure that we get to the truth of the matter and that what has happened never happens again. We must ensure that all future Ministers for justice and Taoisigh never preside over the sorry saga we have seen in the past week to ten days. It borders on the pathetic.

I am also concerned at the hypocrisy of many Members in this House. I have been contacted by people who find it deeply disturbing to have to listen to one party in particular and its new-found *faux* concern for the welfare of members of An Garda Síochána. It is very difficult to sit here and to listen to them pontificating on the matter. The only thing Sinn Féin members are interested in is themselves; themselves alone. That is it. I ask the Sinn Féin Members to tell me

how many members of An Garda Síochána were murdered by the Provisional IRA in the cause of protecting the State. Perhaps they will respond to that, because that is the issue.

**Deputy Simon Harris:** They have gone very quiet.

**Deputy Darragh O'Brien:** I can tell the House, and I am sure many other Members can do so as well. What we are concerned about is getting to the truth for Garda Jerry McCabe and for Sergeant McCabe. There are six other gardaí who have never got the truth, who were murdered by the Provisional IRA while carrying out their duties. Their families have never got the truth.

I have no love for this Government at all but we are concerned with getting the truth. If the Government is interested in that it should work with all parties in this House and put together terms of reference that are robust, which ensure this never happens again. I hope the Tánaiste realises what damage has been done to the confidence of An Garda Síochána and its members. Let us think about how they felt this morning when they woke up and put on their blue uniforms and walked out in every town and village of the Republic of Ireland. Unfortunately, this is not the first time that has happened. The situation has been presided over for the past five to six years with the dumbing down of An Garda Síochána, the cutting of resources and the closure of Garda stations. I urge the Commissioner to have a think about her stewardship of the force and whether she is happy with her performance. If she is not she knows what to do.

**Deputy Ruth Coppinger:** Have a think.

**Deputy Mary Lou McDonald:** I reject the Government's motion, which is entirely politically motivated and represents a craven attempt to cling to power at all costs. The Taoiseach's defence this evening of his record in government was most unconvincing. I do not think he believed it himself. He lauded his and this Government's achievements and seemed to be blissfully ignorant to the reality that self-praise is no praise. In seeking a mandate for Government last year, the Fine Gael Party presented the electorate with what it said was a choice between chaos and stability. The Taoiseach, in his own vainglorious way, presented himself and his colleagues as stability and therefore the rest of us presumably as chaotic. According to him, anyone championing change or challenging the *status quo* represents chaos.

A year on, the nonsense of that position is laid bare. If the Government could see beyond its bubble it would know the chaos over which it presides. There is chaos in the health service with tens of thousands on waiting lists while children and young adults are in agony with scoliosis and must wait for surgery. They wait and the Government continues to let them wait. There is also chaos in the housing sector. People cannot provide a roof over their family's head. They are priced out of the market and are in desperate need of rent certainty. They are raising children in bed and breakfast accommodation, hostels and hotels. They languish on social housing waiting lists with no real prospect of getting a house. They live in overcrowded and inadequate accommodation. The chaos in those people's lives can be directly attributed to the Government. There is chaos in the lives of citizens in low-paid, insecure work, those who lie awake at night because they cannot make their rent, mortgage or pay their bills. Does the Taoiseach recognise those people? They are the ones he and his Government have failed. They have no confidence in the Taoiseach or the Government.

It is however the trauma inflicted and visited upon Sergeant Maurice McCabe that has rendered the Government definitively finished. It is hard to imagine the nightmare Maurice and Lorraine have lived through. I refer to having one's reputation, honour and standing rubbished,

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one's fitness to love and protect one's children questioned and vile allegations made by vile people - disgusting individuals intent on destroying an innocent man. These were powerful people who sought and gained the support of elements within the media in their vile campaign against Maurice. They lost, however, not because of anyone in government but because Maurice faced them down, defied them and would not allow his life and his precious family to be destroyed. He won because he is better than them. I hope they hear that message. I hope those who contrived this campaign understand that now. The truth will out and the public inquiry is now agreed because of Maurice and Lorraine's tenacity and endurance. They alone have done the heavy lifting. Others, such as Garda Keith Harrison and his family, have made the same journey.

The Government's response has been characterised by evasion, spin and "he said, she said" incoherence. The Taoiseach misled the people and the Tánaiste misled the Dáil. I have no confidence in the Government's ability to oversee reform of An Garda Síochána or anything else. Fianna Fáil knows how incompetent the Government is. Fianna Fáil cares so little for the people and so little for the future that it indulges the Government's incompetence. Fianna Fáil's response to the Government's outrageous behaviour over the past week was to advise it to, in the words of Deputy Kelleher, "pull up your socks." It must be said that the cynicism of Fianna Fáil is unrivalled even by the Government. Fianna Fáil fears the chaos of an election because it does not suit it. The party tolerates, supports and enables this chaotic Government and the damage it inflicts on men, women and children. That causes Fianna Fáil no bother at all.

Sinn Féin took a stand against corruption in Northern Ireland and the DUP knows that full well. That the Taoiseach and Deputy Micheál Martin are so outraged by our stance tells us everything about their tolerance for corruption - nothing new there, I suppose. Meanwhile, the Independent Alliance clings with all its worth to office. It seems that it will fake anything just to remain in power. The Maurice McCabe story and others lay bare the profound corruption that is still alive and well in this State. It is the story of Garda malpractice and corruption at the highest levels of Garda management but it is much more than that. It is the story of sinister collusion between elements of senior Garda management, other State agencies and elements of the media. The Taoiseach and Fianna Fáil are the architects of this culture. It is a culture that protects the *status quo* and their own power at all costs, slings mud, pulls strings, grinds up the rumour mill and panders to those elements of the media that will faithfully recount and record their every utterance against political outsiders. This is a culture that confined women and children to brutal institutions and robbed them of their human rights. It is a culture that stood over institutionalised and industrial-scale abuse. That is their culture. That is the culture that enabled the campaign against Maurice McCabe. Now it comes slowly into the light of public view and the people are rightly outraged. The Taoiseach and his Government must go and go now. They should go to the people, face them and let them have their say. They should resign.

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** As Minister for Foreign Affairs and Trade, I am acutely conscious of the challenging global environment in which this Government is operating. Our nearest neighbour, with whom we share a land border and solemn responsibilities as co-guarantors of the Good Friday Agreement, has voted to leave the EU presenting an enormous challenge. Brexit has dominated the Government's agenda for well over a year now. Our response is being led by the Taoiseach, who is widely respected in the EU and well connected to numerous heads of Government and EU Commissioners due to his deep roots in the European People's Party and across the EU.

Over the past eight months, the Taoiseach and I have led an intensive programme of dip-

lomatic engagement across the EU and beyond. I have had some 150 meetings with ministers on Ireland's priorities and unique concerns. As a result of the Government's work, Ireland's concerns have been publicly prioritised by Michel Barnier, Guy Verhofstadt in the European Parliament and the UK Prime Minister among others. The Taoiseach continues to lead this vital work across Government, in particular through the Cabinet committee on Brexit. Ireland alone published a contingency plan on 24 June 2016. Put simply, this Government's work on Brexit is intensive and relentless. On Friday, the Taoiseach and I will host the second all-island civic dialogue on Brexit. This follows 14 Minister-led all-island sectoral dialogues augmenting the analysis of Government.

The all-island nature of these dialogues is all the more important given the collapse of the Sinn Féin-DUP Executive in Northern Ireland. The new Executive in Stormont needs to be up and running within three weeks of the elections scheduled to take place just a fortnight from now. People in this House have a responsibility in this regard. We are about to embark on negotiations in respect of Brexit. We are conscious of pending elections in a number of EU member states and the possible challenges these will bring. We are also dealing with a new US Administration. This Government is absolutely focused on protecting Ireland's national interests at this very difficult and challenging time for our country. This is the time for unity, not one for narrow partisan political gain or priorities. This is a time for working together within these Houses and as a nation.

**Minister for Health (Deputy Simon Harris):** Since this Government took office in May last year, there has hardly been a more denigrated political phrase than "new politics". Whatever one wants to call it, the truth is that this Government was formed on foot of the decision of the people. It was difficult to form this Government, which is different in its function. The people's vote set us a challenge that we are genuinely working hard to meet and whatever shape future Governments and future Dáileanna may take, we should hope that we never lose the genuine best lessons from the new way of working that the current Government and Oireachtas have had to cultivate. Those lessons are listening to diverse voices, working together, winning the argument or finding a good compromise and finding the areas of common ground on the issues that matter to people so that we can make progress for them.

Everything about the Sinn Féin motion of no confidence is old. It is the old, easy "attack everyone" politics from a party that absented itself from any responsibility for Government formation after the election - the old, easy "call for an election today regardless of the consequences for the country tomorrow" politics. How can any party really believe that Ireland, which is preparing for the consequences of Brexit, can afford at this moment to dissolve its Parliament and head to the polls or does Sinn Féin just want to satisfy its desire for dissent and division? Sinn Féin expects us to believe it is the party that supports whistleblowers yet it wants to derail this Oireachtas before we can establish an inquiry to put a public platform of truth in place for Sergeant Maurice McCabe and others who have suffered and been wronged while trying to do good. We talk about whistleblowers. Talk to Máiría Cahill.

*(Interruptions).*

**Deputy Simon Harris:** I am worried the Deputies opposite might blow a fuse. The steps this Oireachtas will take this week to establish a tribunal will end forever the culture of secrecy. No matter how hard Sinn Féin protests, the good people of this country will never see Sinn Féin as a party which defends members of An Garda Síochána. To hear any Sinn Féin Member refer to "Garda McCabe" does not just make people think of the brave and courageous Sergeant

Maurice McCabe, it makes them remember with a shiver up their spines what happened to another Garda McCabe in Adare on the morning of 7 June 1996. Sinn Féin should stop playing politics. This is what the people gave us. Sinn Féin should apologise, stand by its record and let us get on with the job in the national interest.

*(Interruptions).*

**Deputy John McGuinness:** The Minister for Health just said that it was the people who elected this Government. The people gave us the result. There would be no Government and Fine Gael would not be in government were it not for the arrangement it reached with Fianna Fáil.

*9 o'clock*

**Deputy Simon Harris:** That is true.

**Deputy John McGuinness:** The Government might take note of the fact that there are some in the party who might not like that arrangement but go along with the party line in the interests of the country to get business done. That is what we do. The Government had better remember that because its performance in the past few days and on many of the other key issues facing the economy leaves an awful lot to be desired.

With regard to Sergeant Maurice McCabe, it was sad to look at how some members of the Government had behaved. When we look back at when the issue first started and how it had come to the point where the word “disgusting” was used, it was the Minister, Deputy Leo Varadkar, who said Sergeant Maurice McCabe was distinguished, not disgusting. There were very few others in the Government who stood up in his defence. This did not just happen in the past few days. It is the result of a culture that we have allowed to take hold in every single Department and agency that states it is bigger than any of us and that serves itself, not the people. That is what has happened. Today, we are looking at the beginning of the tearing down of that culture and the introduction into the system of humanity, compassion and an acknowledgement that we serve the people.

Sergeant Maurice McCabe deserves better than this debate. The terms of reference of the tribunal should not be rushed into. We need to take account of the common issues that stretch across a number of the whistleblowers who have come forward. We need to understand there is a culture that allowed them to be treated in the way they were. It was interesting to hear Deputy John Deasy say last night what he had told the Taoiseach. It was interesting to hear what former Deputy Pat Rabbitte had to say about being influenced or being told a story by a garda. It is the same with Deputy John Deasy. We should all recognise that around this House for many years, once someone raised his or her head in support of Sergeant McCabe or any whistleblower, there was a nod or a nudge to say it was not the thing to do and that the fellow could not be trusted. Over the years, the story was embellished to take in the accusation of sexual abuse which was pedalled around this House.

I look forward to the establishment of the tribunal. I ask the Taoiseach that the terms of reference be extended in order that those involved in the tribunal will understand there was a culture in the treatment of the people concerned long before and since Sergeant Maurice McCabe. I cannot forget the names of Mr. John Wilson, Garda Keith Harrison and the others that have been mentioned. I cannot forget the death of Mr. Shane O’Farrell. Ms Lucia O’Farrell met the Taoiseach and many Members of this House. When one reads the file, one can only

ask questions about that Garda investigation and her treatment at the hands of the State by the Director of Public Prosecutions and others. It has to be questioned because the report tells the reader that the State believes it can trample on the rights of people, kick them about, ruin their lives and cause them ill-health and mental health issues. That has to stop.

We have to recognise that the whistleblower legislation we trumpet so much is simply not working because often the very people about whom the complaint is being made are the same ones who investigate the case. We need independence from now on in every single thing we do in this country to restore the confidence the people should have in the institutions of the State. However, the Government has been anything but confident in how it has managed its affairs.

**Deputy Jonathan O'Brien:** I do not have confidence in the Taoiseach or the Government. I question how anybody in this House could vote confidence in the Government of a Taoiseach who cannot even remember what he said, whom he met and what he was told only a few short days ago. Since last Friday, the Taoiseach has given four different accounts of the events surrounding his knowledge of the Tusla aspects of the Sergeant Maurice McCabe's case. There were four versions in less than a week. Two of the differing accounts were actually given within 14 minutes of each other last night.

The Taoiseach stated yesterday that he had been mistaken and that he actually did not meet the Minister, Deputy Katherine Zappone, about Sergeant McCabe prior to her meeting him. Everyone can make a mistake and if it was a mistake, he can be forgiven. However, I do not believe it was because he did not just say he had met the Minister, he actually went into details of a conversation with her saying he had advised her to take very thorough notes of the meeting. We subsequently learned that that conversation was a complete work of fiction. It beggars belief Fianna Fáil is actually happy to continue supporting a Government led by a man who makes up full blown conversations with his ministerial colleagues. Let us think about that. The Taoiseach readily told the people about conversations he had had with members of the Cabinet that he never had. In any other democracy he would be forced to resign or fall on his own sword. However, in this state he is allowed to continue.

Chaotic, shambolic, incompetent, naive and incoherent is how the Taoiseach's Government has been described tonight but not by anyone in Sinn Féin. They are the words of Fianna Fáil members used in describing the Government. What is Fianna Fáil going to do about it? It is going to allow the Taoiseach to continue in the interests of stability. If I was Mr. Ryan Tubridy - I am glad I am not - I would give everyone in Fianna Fáil a tweezers because there are surely splinters embedded in their backsides from sitting on fences for so long since the formation of the Government. This is the party the members of which have pressed the blue abstain button during votes more times than they have pressed the green or the red button. That is how much Fianna Fáil cares about stability.

What was the price for the Independent Alliance's support tonight? There is to be an in-depth review of An Garda Síochána to be led by an international and independent figure. I do not know whether the Independent Alliance is aware of this, but we actually have an inspectorate that is independent, statutory and internationally-led that already looks at the operations and administration of An Garda Síochána. It is doing quite a good job. In recent years it has made over 750 recommendations on how the efficiency and administration of An Garda Síochána can be improved. Unfortunately, very few of these recommendations have been taken on board because the legislation that governs that inspectorate does not give it any power to implement them.

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Much has been said about how we have reached this point. The Government has outlined its own record on reform of An Garda Síochána. If it had listened to many of the amendments we had tabled to Bills dealing with the Policing Authority, GSOC and An Garda Síochána, as well as miscellaneous provisions and amendment Bills, we would not be in this situation. There would be a much more robust and accountable process in place for members of An Garda Síochána at a senior level. However, the Government failed to do this. For that and many others reasons, we do not have confidence in the Taoiseach or his Government.

**Deputy Joan Burton:** It does not help this country, at a time of great difficulty, dangers and issues to be deal with, that we seem to have a Government of national confusion which technically is in charge but with very little to no authority in the Dáil and subject to endless disagreements within the Cabinet.

I heard some of the Taoiseach's interview on RTE Radio 1 on Sunday and if I heard it correctly, he said that this Government has the largest number of Fine Gael Ministers in the history of the State. By the way, the Taoiseach made one mistake. He added three additional Ministers of State when he formed his Government, and with no disrespect to the individuals who occupy those positions, it was not necessary and it does not seem to have achieved anything. Of those 33 members of Government, between Ministers of State and senior Ministers, six at senior and six at Minister of State level are non-party, Independents or the Independent Alliance.

What has that given us in terms of this debate? Where are they? They are not here. A Cabinet is about taking on difficult jobs and working in the interest of the people. In some cases they will not get through that agenda. In other cases, they will get through much of it. There is no denying it is a difficult situation but the Taoiseach is on his own tonight cutting a lonely, solitary figure as his comrades in the Government absent themselves. In fairness, the Minister of State, Deputy McGrath, was here earlier, and he was here for the debate last night as well. I understand the Minister, Deputy Zappone, is in the Seanad tonight, but this tells its own story. In a Cabinet with any kind of collective sense, some of the members who do not come from this great overweening Fine Gael majority Cabinet would be sitting beside the Taoiseach and simply going the road.

I call this a Government of national confusion. The previous Government of which I was a member faced extraordinary difficulties in terms of trying to rebuild the solvency of the State after what Fianna Fáil did to it. We came in when young graduates did not have jobs or any prospect of a job. People in rural Ireland had to emigrate or migrate away from their homes. They were incredibly difficult times for very fine people.

We now face two very serious challenges. Mr. Trump, as President of America, is a totally unknown quantity. Like something out of an Oscar Wilde play, he has already lost his director of national security. The holder of that office did not seem to know that his calls would be taped. He fired the legal officer who identified that he was a national security risk. Who knows what his petulant attitude may or may not be to Ireland? We hope it might be friendly, and Comrade Adams might be able to tell us because I think he went to functions on his behalf and was one of his supporters. Presumably, we will hear more about that as Deputy Adams scrambles to greet him, as he did with George W. Bush. That was done in the interests of political expediency so I do not want any lectures on political expediency. The Sinn Féin Members are very good at doing that. He is probably one of the most elite politicians on the face of the earth.

*(Interruptions).*

**Deputy Joan Burton:** The health service was not quite good enough. There was a better private one across the Atlantic. Deputy Adams is so privileged and incredibly elite.

What is a Government about, and this is the problem tonight? This is a vote of confidence in the Government. The Government is about doing the people's business on the people's behalf so that our children, families and people who work in business have a future, but what has happened? We have utter confusion. It is shambolic and dysfunctional and for that reason, it is time for the Government to go.

**An Ceann Comhairle:** I call Deputy Mick Barry who is sharing time with Deputy Bríd Smith.

**Deputy Mick Barry:** I was listening to the reports this evening from the Fine Gael Parliamentary Party meeting-----

**Deputy Thomas Byrne:** Live tweeting.

**Deputy Mick Barry:** -----therefore, I will start by saying that I have no confidence in this Government whether it is led by Deputy Enda Kenny, Deputy Leo Varadkar or Deputy Simon Coveney. It is not just about policing, even though the Government's record on policing is so shocking and so poor. It is also about our health service. It is about a country with waiting lists so long it is ranked 35th out of 35 European countries on accessibility to health services. It is about housing. Despite a housing and homelessness crisis, local authority house building under this Government is at its lowest level since the 1970s. It is about workers' rights. Under this Government, a company which makes a profit of €250 million every year, Tesco, can attempt to cut wages by 20% and organise a crude campaign of union busting without this Government so much as lifting a little finger to outlaw that union busting campaign. Meanwhile, workers at Bus Éireann face wage cuts of more than €7,000 a year while the sole shareholder, the Minister, Deputy Ross, stands idly by.

The Ministers, Deputies Varadkar and Coveney, may not be as clumsy as the Taoiseach when it comes to telling tall tales but they all support the same policies and the Government they are all part of is unworthy of confidence.

My constituency colleague, Deputy Billy Kelleher, was very interesting on "Morning Ireland" this morning. He was asked three times if he had confidence in the Government and three times he refused to say "Yes" or "No". He was asked four times if he had confidence in the Taoiseach and four times he refused to say "Yes" or "No". Instead of a proper answer, all he would say was that he was confident the Government would continue. Deputy Kelleher's hapless interview aptly summed up the Fianna Fáil position. The reality is that the Government may well continue but only as a result of being propped up by Fianna Fáil. It may not yet be a grand coalition of the right but it is getting very close to it.

This is a coalition of forces that may well face some real opposition in the weeks ahead. That opposition will be mounted on the picket lines, with nurses fighting for a decent health service, other health service workers fighting for decent compensation after years of austerity and, if the talks do not make serious concessions, bus workers fighting for decent pay. We will support those workers to the hilt and will step up our fight for a left alternative, a general election and a left-wing Government in this country.

**Deputy Bríd Smith:** I note in his opening remarks the Taoiseach said that he will not let

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Sinn Féin cause chaos down here the way they did in the North. That is because that is his job down here. The Taoiseach and his party are overseeing the chaos in housing, health, workers' rights in the public services, abortion rights, Travellers' and refugees' rights. He will not let them oversee chaos because that is his job and he wants to do it.

I will reserve most of my criticism for Fianna Fáil, which is disgracefully propping up a Government that has repeatedly told lie after lie. When someone keeps telling lies, the brain finds it very difficult to remember what is the truth and what is the lie so they keep getting caught out. The Government has been caught out in such a disgraceful manner over a very serious claim that at the heart of the State there is something extremely rotten that is punishing Sergeant McCabe, and possibly many other gardaí, with smears about being involved in the sexual abuse of children. There is probably a pattern with regard to that, and we need to get to the heart of it.

However, as well as getting the truth for the McCabes and others, we need to call an election. Fianna Fáil is remiss and disgraceful in what it claims to be about. In reality, it is propping up the system it created over decades that at its heart is rotten and corrupt. It has been about brown envelopes, lies, the 1%, the bankers, the developers and the wealthy in this country. What we need is for all of the Government to go. We need a general election that will allow us deliver a real left alternative. If the Government does not give the people their say in all of this it just shows the contempt in which the Government holds them. I believe the State has utter contempt for the little people. It came out very much in stark terms when the Minister, Deputy Paschal Donohoe, accused our side of the House of promoting crime by advocating non-payment of water charges. He likened people fighting water charges to the disgraceful scourge brought upon Garda McCabe and his family. How dare he. What he is really saying is he has utter contempt for the tens of thousands, in fact hundreds of thousands, of ordinary Irish people who have refused to pay water charges and marched in this country. That is what that is about. That remark has nothing to do with Deputy Ruth Coppinger, it is about the people.

**Deputy Maureen O'Sullivan:** Rather ironically, I have some small semblance of confidence in the Government at this stage because finally it is doing what is right by Maurice McCabe and opening the way to doing what is right by the other whistleblowers, especially those who, like Maurice McCabe, have been having horrendous difficulties and stress in their lives because of the way in which whistleblowers have been treated. All of what has been happening, and especially what has happened this week, could have been avoided if the Government had heeded, acknowledged and acted on what Deputies Clare Daly and Mick Wallace have been highlighting here since they were elected in 2011. They were the ones who brought the issue of penalty points, whistleblowing and Maurice McCabe and others into the Dáil. They did not do it for publicity, they brought the issues here to be taken seriously and to be addressed. It was in everyone's interests to do this. What happened? Nothing. I acknowledge the hard work of Deputies Daly and Wallace in not giving up and their persistence and passion for justice which has finally seen a beginning on the road to justice for Maurice McCabe and others.

What happened showed the way in which defence battle lines are drawn up very quickly. Instead of taking the matter seriously and thanking Deputies Clare Daly and Mick Wallace and telling them we will work together to get this right, the concerns were dismissed and left lying in abeyance for a number of years. I do not expect infallibility from anybody here, but it is not a sign of weakness to acknowledge making a mistake and to acknowledge things could have been done better. It is not a sign of weakness to say "sorry, we got it wrong".

Regarding the Garda, in the constituency of Dublin Central I must say we have been in the main served well by the gardaí in Store Street, Fitzgibbon Street, Mountjoy, the Bridewell and Cabra. They have what I consider a very good practice of coming to community meetings and working with the community policing forum. From the gardaí to the chief superintendent they come to meetings and address concerns. There has been some positive work done here and by the committees and some individual Ministers have been very progressive, but there is a dark shadow over the way in which whistleblowing has been dealt with. Now that action has to be taken I hope it will be done urgently and efficiently. With regard to costs, I hope the legal profession plays its role.

**Deputy Thomas Pringle:** Yesterday, as I listened to the Taoiseach's explanations and the changes in the explanations about meetings and discussions which did not take place about the tribunal and Cabinet meetings, I was reminded of Ronald Reagan's explanation when he discovered he actually was selling arms to the Contras. He said his heart and his best intentions told him it was true but the facts and the evidence told him it was not. This sums up the situation about the Taoiseach's contribution yesterday.

The motion comes from the appalling handling and disgraceful treatment of Sergeant Maurice McCabe. He dared to raise concerns about corruption and malpractice in the Garda but he was the only one disciplined for it. He has been raising these concerns for 15 years. While the O'Higgins inquiry was ongoing we know Tusla had an active file on false allegations of sexual abuse against him. He has fought continuously to have his name cleared and have practices done properly in the Garda. The Taoiseach's Government has failed on at least three occasions to deal with this properly. If it was not for the work of Deputies Clare Daly, Mick Wallace and Joan Collins, and Luke Ming Flanagan when he was here, the situation would have been buried long ago.

The fact the Government is being forced to have a tribunal of inquiry is enough to have no confidence in it, but there is even more. The Government is responsible for allowing thousands of children to live homeless in hotels while 200,000 empty houses lie vacant in the country. Its commercialisation and privatisation of housing and the espousing of housing solutions rather than housing for citizens is another reason. Its commercialisation of health and education are gaining momentum and will do nothing but impoverish our society. I have no confidence in the Government. The Government is led by a commitment to market solutions, which make citizens consumers to be profited from rather than served by the Government. We need a Government in place which serves our citizens.

**Minister for Education and Skills (Deputy Richard Bruton):** Listening to the debate one would imagine there was some monopoly on compassion and concern on that side of the House. The reality is everyone here has a similar mandate. We all represent the same people. We all strive to do the best we can by the people who put us here. There are people here who see the only way in which they can express their concern is through condemnation and outrage. This is the type of thinking that has seen the emergence of forces throughout the Continent and in the US which are wholly inimical to the type of country and society to which most of us in the House aspire. We have to move on from the politics of anger and start to talk about the real issues that face us.

I was a member of the previous Government and we tried to manage the public finances and make cuts. Every cut was opposed by people on the other side of the House. When we tried to introduce employment measures we were treated with disdain and told they would never work,

but we see the truth is that by taking a careful approach we did deliver more people at work. We did not create the perfect society, we certainly did not, and we have a long way to go on this, and we have a housing challenge and challenges in education and health, and we all know about them, but the purpose of the House is to come here together to try to resolve the issues.

Teddy Roosevelt made a fine speech about true citizenship, drawing a distinction between the critic and the person who acts. He recognised it is not the critic to whom we owe the credit, the critic who tries to drag down the strong man and criticises the one who stumbles. It is to the doer, the person who gets into the arena whose face is marred by sweat and blood and effort, to whom we must give credit. The truth is that when it came to forming a Government, many of those in the House who are loudest in their clamour for change in society sat on their hands. They were not the ones who would step into the arena and take on the opprobrium of making changes in our society. We did. To be fair, in the area of Garda enforcement we are seeing the consequences of having whistleblower legislation and having independent Garda authorities. We are seeing stones turned over and we do not like what we see, but we cannot attribute the blame to Ministers who have put in place the changes which make it possible. We need to grow up and not pounce on every little misspoken word but look at the bigger picture and the direction in which we are trying to take the country, which is why I believe support for the Government is absolutely correct, because the alternative on offer on the other side of the House simply offers no prospects for our future.

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I support the motion of confidence in the Government. It is a minority Government, a type of government which the State has not experienced previously and one which will form part of the political landscape. It is one which operates with a different *modus operandi*, which is something not well understood by those who criticise it or those who write commentary about it. The result of the motion will have far-reaching consequences, much more so than the mere removal of a Government.

Tonight we reach a critical juncture as an Oireachtas and as representatives of our people. While public confidence in our most fundamental institution, the Garda, and in State agencies has been tested to its limits, we have an obligation as a collective and as an Oireachtas to begin the task of re-establishing confidence in the pillars of our society. Voting confidence in the Government is the starting point on that journey. My Government colleagues have outlined in detail the process that will follow. The establishment of a tribunal of inquiry that is effective and efficient will give the McCabe family the opportunity to move beyond this ordeal and move forward with their lives.

I wish to reflect on the contribution of the Members who have committed themselves to ensuring this new type of Government can succeed. In an age when naked populism seeks to dismantle western society as we know it, I am encouraged that there are those in this House, in the main on these benches and in Fianna Fáil, who can resist these forces and stand for something better. When I look at the critics of this Government, I see a mirror image of what has happened in America, of the shrill voices of Brexit and with Le Pen in France.

**Deputy Mick Barry:** Outrageous comments.

**Deputy Michael Creed:** I see the same forces in the alternative right in Germany. It is shrill populism with nothing to offer in the context of the problems we face. They are uncomfortable truths but these people should look in the mirror. Almost immediately after taking

office, we faced a challenge in Brexit like no other, and which affects the sector for which I am responsible. I have absolute confidence in the Government and that those who are most vocal in their criticism should look in the mirror as they are a mirror image of the things that threaten democracy and to bring down western civilisation. They have some track record in that regard.

**Deputy Thomas Byrne:** We are here tonight on a motion of confidence which is a very serious matter, as evidenced by the numbers in the Dáil. This is not simply a routine debate on a motion that will be passed or not passed. If the motion of confidence is passed, it is likely to be on the narrowest of margins. As Deputies McGuinness and Micheál Martin said, the Government must remember that. At every turn it must remember the confidence and supply agreement which it has entered into with us, but the Government's actions of the past week reveal a shambolic, careless and rudderless Administration. The actions of State agents and agencies are causing fear and revulsion, not just among people directly affected but among the citizenry generally. A tribunal of inquiry must be established as quickly as possible to get to the truth of the matter.

Ministers do not seem to realise that as well as being an honour and privilege, ministerial office is also a responsibility. I ask Ministers to look at the Constitution to see the nature of that responsibility. Their responsibility is to Dáil Éireann, not as individual Ministers but as a collective Government. They are not just responsible for each Department of State but for the Departments of State. They are all responsible for all Departments of State. They need to be reminded of that when they speak out in public, criticising a Minister, and in the way they interact with each other daily. It is the easiest thing to do to go back to the Constitution to find out how these things should be done. If the notion of collective responsibility for the Departments of State, as the Constitution states, were considered by Ministers, they might not be in the bother they are in at the moment.

The confidence and supply agreement is the bedrock on which this Administration stands. It is difficult to abstain, given what has gone on but, my leader has clearly outlined the circumstances which are involved. I seconded Deputy Martin for Taoiseach three times but we failed. All we wanted to do was put in place stable Government. There was a need for stable Government last May and there is an even greater need now. That is not just our responsibility. It is the responsibility of Government Deputies and all Deputies.

One of the key objectives of the confidence and supply agreement was the fairer allocation of resources towards education. Education is a key driver of economic opportunity and is a key priority of the confidence and supply agreement. We are very pleased that guidance counselling has been restored, on an ex quota basis, and a circular will be issued putting that into practice in the next week or so. It is also fair to say that despite this being agreed, it took some time to persuade the Minister, Deputy Bruton, to implement it. The reduction in the pupil-teacher ratio is also a requirement of the confidence and supply agreement and nothing has been said about that. More action is required on that. The Minister has had help because the *Irish Journal of Education* has published research recently on this issue. He should publish an action plan or at least a statement about what he sees as the ideal pupil-teacher ration for our schools and how he sees us achieving that.

We have set out our stall on third level funding and we expect the Minister to continue on that course. We welcome the expansion of DEIS but I will be insisting there be a proper appeals process which does not simply look at where pupils live but at family circumstances. Issues of fairness, equality and special education must be dealt with and we have submitted amendments

to the Education (Admission to Schools) Bill.

This is a difficult position and one we do not want to be in and the Government must continue to deliver on the policy priorities we specified.

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Like the majority of Members in this Chamber, I got into politics to make a difference, to improve people's lives. What has happened to Sergeant McCabe and his family is disgraceful. We need to put in place the public inquiry to get to the truth. I and the Government want proper terms of reference.

I also want our people to get jobs and no longer to have to emigrate. I want them to have the opportunity of a good chance to get jobs in their communities and in their country. This morning I attended a major event with the Taoiseach at which 500 jobs were announced by Indeed, the world's largest jobs recruitment website. The energetic, clever young people I met at Indeed this morning give me confidence in this country. These young people are brimming with confidence, building their careers and Ireland's future. I expect 1,140 jobs to be announced by the end of this week and there is a good pipeline for the near future. Our unemployment rate is down to just about 7% and still falling, and more than 2 million people get up every morning, go out to work, pay their taxes raise their families and live their lives. We have targeted another 45,000 jobs for creation in 2017.

However, there are headwinds in the shape of Brexit and geopolitical and geoeconomic challenges. Jobs are the keys that unlock the future of our people. Every job matters. It transforms the life of the person who gets the job as well as the lives of his or her family and community, but we have much more to do. Now is not the time to be complacent and not the time for you-said, he-said, she-said. Now is not the time for political opportunism. Now is the time to ensure justice for Sergeant McCabe. Now is the time to build for the future of our children and grandchildren. Now is not the time for a general election.

**Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Heather Humphreys):** With its motion of no confidence the Sinn Féin party is saying it wants an election. It is saying it believes an election is just what we need now. Sinn Féin wants an election, despite the pressing need to establish a tribunal of inquiry without delay in order that we can get to the truth of this matter, despite the need for stability and coherence in the face of Brexit and other significant international challenges, despite the large body of work under way on the part of the Government in a number of vital areas such as job creation, housing and rural Ireland, and despite the fact the last thing the country needs is a second election in the space of a year, with protracted negotiations on forming what would likely be another minority Government. Despite all these issues, Sinn Féin wants an election. The party is attempting to collapse the Government just like it collapsed the assembly in the North. It is displaying, quite proudly, the same reckless approach it consistently takes to matters of state. Meanwhile, the Government is focused on the substance of the matter - to achieve justice for the McCabe family. The focus now should be on letting the tribunal get on with its work so that we can get to the truth.

It is a pity another McCabe, Detective Garda Jerry McCabe, is not around to see Sinn Féin's new-found support for the members of An Garda Síochána.

I call on the Sinn Féin Members in the Chamber tonight to explain what this motion does for the McCabe family. This is nothing less than good old-fashioned Government bashing and

political opportunism at its worst.

It is worth referring to Fine Gael's record on the economy. The Fine Gael Party has driven the economic recovery since 2011. Growth rates of 4.5% are the highest in Europe. Some 200,000 jobs have been created since 2012 across every sector. Unemployment rates have been halved and the economy is now bigger than it was before the crash. In addition, we have increased the minimum wage and the old age pension. On behalf of the Government, I led the extremely successful commemorative programme with more than 3,500 events nationwide. The commemorations were inclusive and respectful.

**Deputy Róisín Shortall:** It is hard to believe that in the space of six short years a Government would go from being so popular, and having such an enormous majority and such goodwill behind it, to a position where one of the parties in that Government was practically wiped out. The other party somehow, by chance, was returned to Government but having received a right drubbing in last year's election.

It is not true that the people voted for this, as the Minister for Health, Deputy Harris, said. They did not. This is the result that people got, but they did not vote for it. The reality was that the only stable government that could have been provided last year was for Fianna Fáil and Fine Gael to coalesce, but for Fianna Fáil's own interests they chose not to do that. We are now left with a lame-duck Government that is in a very precarious situation.

In my lifetime, I cannot recall a Government being so unpopular. The public are seething over what this Government has done over the last six years. There are many issues, including the economy and poor social services, that people are really angry about. The Government has contributed to crisis situations, including the housing crisis and a completely dysfunctional health service where 350 people are dying on trolleys every year. This Government and the previous one contributed to a doubling of child poverty. All of those things make people really angry and contribute to serious problems within our country.

More than any of those issues, however, what really drives people mad is the failure of this Government, and the last one, to recognise the importance of probity. It is those probity issues that have disappointed people so much. When I say "probity" I am obviously talking clearly about the whole whistleblower issue. I am also talking about the McNulty affair, the Government's response to Siteserv, the resignation of the previous Garda Commissioner and the Taoiseach's failure to explain his role in that, the Guerin report and the misrepresentation of that. Those are the kind of probity issues in which people expect a level of leadership and honesty from government, yet this Government has been found seriously wanting when it comes to that.

Let us talk about the whistleblower issues for a moment. The issue was raised by Sergeant McCabe and John Wilson in November 2012. Okay, one would have to keep an open mind on it and examine that. However, those claims were examined on eight different occasions and the whistleblowers were completely vindicated on eight different occasions, yet the Taoiseach and the Government utterly failed to support them. They denied them the support and protection they deserved. Here we are five years later with a scandal going on before our eyes that is scandalising the public. The reason we have this is because of a failure of leadership on the part of this Government and a failure of courage on the part of members of this Government to stand up for what is right.

That is where we are and where we continue to be with this Government. In spite of all

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we heard last week from Sergeant McCabe and in spite of his demands, the Government is still denying Sergeant McCabe his rightful protection. Even up to this evening, they are not prepared to discuss with all parties in this House how we should address this matter. They are not prepared to discuss the terms of reference in a consultative way. They are not prepared to accept the proposal that was put at the Business Committee yesterday whereby we would take our time and ensure that we get this right. Every effort was made by the Government today to force this issue and rush it. It is another part of the pattern we saw last night whereby there are weasel words, obfuscation and a failure to meet these issues up front and provide the right kind of leadership when it comes to probity. People deserve better than this. They expected better from the Taoiseach and they deserve better. Fianna Fáil has to take some of the blame as well.

**An Ceann Comhairle:** We now move on to the Minister, Deputy Denis Naughten, who is sharing time with the Government Chief Whip.

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** We are all here at the gift of our constituents, so I intend in my limited time to address the people of Roscommon-Galway who elected me to represent them and their needs. I also want to speak to the wider population of rural Ireland about my determination to ensure that the economic and social future of rural communities is not put in jeopardy by political uncertainty. Life in rural Ireland can improve under this Government and through my work and commitment as Minister for Communications, Climate Action and Environment.

The failure by previous governments to assist provincial towns in rural Ireland has come at an economic and social cost to this country. To overcome the isolation and to challenge the sense of powerlessness in homes and parishes across rural Ireland, our children must be able to do their homework and small enterprises and family farms must be able to do their business. The national broadband plan will do that. It will put every placename on the digital map. It will also give every parish the means to be the hub of a living community. As a member of this Government, I am determined to deliver broadband. Rural Ireland cannot afford for this plan to be placed in jeopardy and this Government must be allowed to get on with delivering it.

Similarly the Government's action plan for rural Ireland - the first ever such plan - with clear timelines, supported by a €60 million investment to revitalise our towns and villages with the creation of 135,000 jobs, has to be allowed to be followed through on. If not, I fear the damage to rural Ireland will be irreparable.

I commend the confidence motion to the House.

**Minister of State at the Department of the Taoiseach (Deputy Regina Doherty):** The line in a Rudyard Kipling poem is appropriate to the actions of the last couple of days: "If you can keep your head when all about you are losing theirs and blaming it on you...". That is what we need right now - to keep our heads cool. We need a clear plan and a course of action to establish the tribunal of inquiry so that we can get to the truth. I think the truth is the very least that the McCabes deserve. It also needs to be a truth that we can have trust and faith in.

I do not know how Sergeant Maurice McCabe is still standing tall after the last number of years he had go through. I do not know how he has the strength and resilience he obviously has to keep fighting for justice. It just shows what a genuinely outstanding public servant actually looks like. We all owe him a very big debt. What Sergeant Maurice McCabe and his family now need - in fact what An Garda Síochána needs as a force - is a comprehensive inquiry in

order that we will get to the truth. The sole objective of the Government as a whole in regard to these allegations is to get the truth in the public domain for all of those involved. People are rightly shocked and angered at the revelations of the last couple of days. We are turning over stones and people do not like to see the ugly, murky side of what is underneath them. Let us be very clear that the turning over of those stones has not happened by accident. Over the last number of years, the Government and its predecessor took a number of positive steps to make the turning over of those stones happen. We established the independent Policing Authority to oversee the performance of An Garda Síochána. We strengthened GSOC and increased its powers. We passed a wide range of whistleblower legislation for the first time ever in this country. We published the Cook report, set up the Guerin inquiry, established the O'Higgins commission of investigation and just last month launched the new code of ethics for An Garda Síochána which was developed by the independent Policing Authority. All of these steps are designed to bring light to an area of Irish society which has been cloaked in shadow for many years. Now, we are about to establish a public tribunal to get to the bottom of the latest two protected disclosures and anything else the House sees fit to put into the terms of reference tomorrow. We also have something which has been overlooked this week in the major and chilling flaws in Tusla. We have instructed HIQA to undertake an independent statutory investigation under section 9 of the Health Act into how Tusla, an agency in which we are supposed to fundamentally have faith, manages child abuse allegations.

All of the above and the actions of the Government and its predecessor have been influenced by the Fine Gael way, by sincerity and, more particularly, our integrity. Sinn Féin mentioned earlier the Sinn Féin way. Let me be honest and reflect on the Sinn Féin way. Anybody who wants to know about how Sinn Féin treats child abuse victims need only ask my very good friend Mairía Cahill about how she has been vilified and been put through the kangaroo courts that reflect the Sinn Féin sense of justice. The persistent online harassment she has gone through for the last number of years is a shame on Sinn Féin. Anyone who wants to know about the Sinn Féin way regarding An Garda Síochána, our Defence Forces or prison officers need only ask the widows of Detective Garda Jerry McCabe, prison officer Brian Stack or Private Patrick Kelly. Sinn Féin does not do truth, integrity or sincerity. It is full of spin, rubbish and pure political games. That is all that is going on here today.

**Deputy Mary Lou McDonald:** The Deputy is right.

**Deputy Regina Doherty:** They throw in the alternative facts every now and again as it suits their purpose. We are about finding truth and justice and that is what the Government will continue to do.

**Deputy Pearse Doherty:** Eight years. Well done.

**An Ceann Comhairle:** Having been late starting, it looks like we will run over by 20 minutes or so. Is it agreed to give the additional time? Agreed.

**Deputy Timmy Dooley:** I might be able to cut my contribution somewhat short if that will help. The Taoiseach, Tánaiste and Minister for Children and Youth Affairs have succeeded in turning what should have been a fairly straightforward process into what can only be described as a shambles. The activity, claim and counterclaim, truth and mistruth, the discussions that took place and those which did not, the “Dúirt bean liom go ndúirt bean léi” over the last seven days have been nothing short of shambolic. Those of us who have studied politics in recent history will be familiar with the term “GUBU”. A friend of mine described this to me at the

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weekend as “turbo GUBU”. It is almost unbelievable. It is highly unlikely that much of what has been said can be accepted by the Irish people. It should have been a fairly straightforward process to establish an appropriate inquiry to look into the matters which were the subject of the protected disclosures, those identified in particular by Mr. Justice Iarfhlaith O’Neill and, indeed, the other information that was clearly available to the Government in the claims made and the investigation to which Sergeant McCabe was subjected. For the Government to turn something so straightforward into such a mess speaks volumes for the lack of coherence, breakdown in communication and, I suspect, lack of trust between Ministers. A number of Government colleagues said over the weekend that they had discussions on occasion and spoke about things but never really got to the nub of the matter. That is hard to take. It certainly does not speak well for a functioning democracy. Certainly, it does not speak well for a functioning Government that the Minister for Communications, Climate Action and Environment, Deputy Naughten, is going to resolve the issues throughout rural Ireland.

The irony is not lost on anyone, however, that we are here tonight discussing a motion at the behest of Sinn Féin with its crocodile tears for An Garda Síochána, due process and whistleblowers. I suspect most right-minded and right-thinking Irish people agree. I am not going to go through the gory details but the lads and ladies in Sinn Féin know how they dealt with whistleblowers and gardaí in the past. I am glad they have seen the light and are moving away from that but it is somewhat ironic that they seek to lecture those of us who have been around electoral democratic politics for quite some time.

**Deputy Mary Lou McDonald:** I thank Deputy Dooley.

**Deputy Pearse Doherty:** What about McBrearty?

**Deputy Timmy Dooley:** I welcome the fact that Deputy Pearse Doherty is coming to democratic electoral process and is prepared to turn his back on the kind of behaviour in which his colleagues were involved in the past and the way they treated gardaí and whistleblowers. Whistleblowers did not get an opportunity to have an investigation appropriately heard in Sinn Féin. They usually ended up on a lonely road with their hands tied behind their backs and a bullet in their heads as the Deputies well know. The irony is not lost on anybody that they would come before this House and try to take attention away from the efforts of those of us who want to shine a light on what has happened to Sergeant McCabe.

**Deputy Pearse Doherty:** Seriously. Come on, Timmy.

**Deputy Timmy Dooley:** Sinn Féin prefers to highjack air time and playtime for its best interests.

**Deputy Aengus Ó Snodaigh:** On whose watch did this start to happen?

**Deputy Timmy Dooley:** You know a little bit about tyre racks and blindfolds in the backs of vans. We will not be getting into all of that here. We clearly need-----

**Deputy Aengus Ó Snodaigh:** I ask the Deputy to withdraw the inference in that remark. It is not an inference or a comment he would repeat outside the House.

**An Ceann Comhairle:** What inference?

**Deputy Timmy Dooley:** I meant nothing by it. I said he would know full well the procedures by which whistleblowers were dealt with in Sinn Féin.

**Deputy Aengus Ó Snodaigh:** That was not the inference.

**Deputy Gerry Adams:** I ask the Deputy to withdraw the remarks he made in relation to Teachta Pearse Doherty. Apart from anything else, what age is the Deputy?

**Deputy Pearse Doherty:** I am 40 now.

**Deputy Pat Deering:** He hit a sore spot.

**Deputy Regina Doherty:** There are stones being turned which they do not like.

**An Ceann Comhairle:** I ask the Deputy not to make inferences against Members.

**Deputy Timmy Dooley:** No offence was intended and I am surprised that some members of Sinn Féin are so thin-skinned on matters like this.

**Deputy Pearse Doherty:** The irony is that we are talking about a smear campaign against Sergeant McCabe.

**Deputy Timmy Dooley:** I am sure Deputy Adams will ask the same of those members of his party who I am sure are saying far worse about me if I were to check my Twitter account.

**Deputy Gerry Adams:** Do not be sure of anything.

**Deputy Timmy Dooley:** However, I am not thin-skinned. I do not block them. I just ignore it and get on with it.

**Deputy Pearse Doherty:** There are many reasons not to have confidence in the Government and I could start by talking about the children waiting in agony for months with scoliosis or the fact that there were more than 300 patients on hospital trolleys today. We could talk about the handling by the Government of NAMA, the flawed sale of Project Eagle and the report that the PAC will make an adverse finding against the Minister for Finance which would be the second committee in two jurisdictions to be critical of the Minister in relation to NAMA. We could talk about the reason to lack confidence in the Government on foot of the housing and homelessness crisis and the fact that in January 2016, over 7,000 people were in emergency accommodation. All of those issues on their own are reason to have no confidence in the Government, but the events of the past week have taken us to dizzying new heights.

*10 o'clock*

It is a Government that could not get its story right. Ministers contradicted each other and threw each other under the bus. There was a meeting that did not exist and a conversation and advice offered that did not take place. There was a Taoiseach giving contradictory evidence about himself, with multiple versions of the same story, including his version of the truth with his alternative facts.

Is it any wonder that the public has lost confidence in this Government or that Sinn Féin has tabled a motion of no confidence in the Government? Is it any wonder that one part of the Government, the Independent Alliance, considered withdrawing its support from the Government? The only people who have confidence in the Government outside of its members are Deputy Micheál Martin and his brave soldiers of destiny.

The Fianna Fáil benches are angry at the Government one minute and support it the next -

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some are even able to do so in the same minute. One Fine Gael Deputy told the nation earlier that this has not been the Taoiseach's best week. That is the understatement of the year. The Taoiseach, following a week of answers, now faces more questions than ever that need to be answered.

One of those questions was how he was able to reassure the Minister for Children and Youth Affairs that the false allegations levelled against Sergeant McCabe would be captured by the commission of investigation's terms of reference. Based on what we can piece together from the many versions available, there are only two plausible scenarios that explain his behaviour in this regard. I will not and cannot say which one is true.

The first scenario is that he was aware of the content of the protected disclosure of David Taylor. That would explain why he knew the terms of reference covered what the Minister, Deputy Zappone, had raised with him. That would explain how he knew that the criminal misconduct referred to in the terms of reference of the commission of investigation was indeed an allegation of sexual abuse. It could also mean that he broke the law. If that is the case, it is also deeply concerning that that would be the way that protected disclosures would be dealt with by the Minister in charge of that protected disclosure.

The second scenario is that the Taoiseach did not break the law and was not briefed on the protected disclosure by the Minister for Justice and Equality. In that scenario, he was simply arrogant and shockingly casual in dismissing the Minister, Deputy Zappone, by telling her that her concerns would be included when he had absolutely no idea whether the terms of reference would cover those issues. The terms of reference are explicit. We all have them; they have been published and anybody can see them. They only cover the allegations of criminal misconduct regarding the protected disclosure made by David Taylor.

In either scenario, this week has proved that the Government needs to go. It has faced allegations that senior members of the police force in this country embarked on a vicious campaign involving the smearing of a serving sergeant and failed to do the right thing. Why was Sergeant McCabe targeted? What was the great treason about which he spoke? It was speeding penalties. However, when push came to shove, the Government could not act swiftly and fairly to protect a good man. Instead, it floundered. It was supported every step of the way for eight years by the Fianna Fáil Party.

Could it be that one of the reasons the Government has not handled the scandal as it should have done was because it was affected by the campaign against Maurice McCabe and others? The Government does not need to pull up its socks. Rather, it needs to go. This week has been reminiscent of the last days of the Brian Cowen and Deputy Micheál Martin Government that destroyed the country. The Taoiseach knows how that ended - with Deputy Micheál Martin sticking the knife into Brian Cowen. The Taoiseach should be wary. Time will tell whether history will repeat itself.

The level of chaos we have had to endure is not what this country needs. I have no confidence in the Government to deal with the health crisis or housing crisis, or to do the right thing by whistleblowers who have demanded that it do the right thing for over eight years.

**Minister of State at the Department of Health (Deputy Finian McGrath):** Let me be very clear from the start that we in the Independent Alliance have always supported Sergeant Maurice McCabe, his family and all of the whistleblowers. What happened to Maurice and

his family was appalling, chilling and sordid. The vile stories against him were absolutely disgraceful. I commend his determination to uphold the law and expose wrongdoing. He has raised serious questions about the integrity and competence of some senior gardaí. We all need to get to the truth in a fair and balanced manner, and that is why we need a public tribunal of inquiry and why the Independent Alliance is staying in government.

We will introduce the change and reform that is urgently needed. This is not the time for an election. Everyone wants decisive action, truth and justice. We are all at one in our belief that government is not about having power. Rather, it is about using power to effect the kind of change, opportunity and compassion we need and desire in our society.

The Independent Alliance welcomes in principle the decision of the Government to establish an independent tribunal of inquiry into the Maurice McCabe controversy. Sergeant McCabe's good reputation is paramount and must be vindicated as swiftly and effectively as possible. We kept our counsel on this issue until now. We have had the opportunity to speak with the McCabe family and are in full agreement with them that an independent public tribunal is needed to establish the full facts of the matter.

We are particularly disturbed by the revelations which have emerged concerning the State agency, Tusla. The welfare and protection of our children is dependent on public confidence in our child care agencies. Should facts emerge suggesting criminal activity, a full criminal investigation should immediately follow.

We have been dismayed and, frankly, disturbed by the contradictory versions of events which have emerged this week. This is not how we wish to do business. We went into government in good faith to implement the commitments we secured in the programme for Government after protracted negotiations.

We in the Independent Alliance have, therefore, secured a commitment from the Minister for Justice and Equality to appoint without delay an independent international policing expert to carry out a thorough investigation into wider and more fundamental issues of public concern which have emerged regarding the administration, ethos and culture of An Garda Síochána. Finally, should facts emerge suggesting criminal activity by any member of An Garda Síochána a full criminal investigation should immediately follow.

**Minister of State at the Department of Health (Deputy Catherine Byrne):** There is only one Army and one An Garda Síochána in this country. I am very proud, as a mother of a serving member of An Garda Síochána. On a daily basis my son wears his uniform with pride and works to keep communities safe. That is why we must all protect those who serve our communities with dignity.

In 2011, Fine Gael and the Labour Party took on an unbelievable task. Citizens were leaving the country in their droves and our country was in crisis. However, by working together we led the way for the many changes that have happened: 194,000 jobs have been created; unemployment has been reduced to 7%; the universal social charge is being phased out; there has been an increase in the minimum wage and social welfare payments; the Christmas bonus has been reinstated; two free preschool years have been rolled out; two weeks paternity leave have been introduced; there are 2,500 extra teachers and 900 resource teachers; 79 schools will be added to the DEIS programme; and 30 schools in the programme will receive additional resources.

We appointed the first ever Minister for Children and Youth Affairs, provided €14.6 million

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for health and finally started the new national children's hospital project for very sick children across the country. GP medical cards for those aged under six have been rolled out and there is a network of primary care. We also have a new Minister for Housing, Planning, Community and Local Government, the Rebuilding Ireland plan and an action plan for housing with a budget of €5.35 billion to 2021.

The Luas cross-city project is in place. We passed the marriage equality and children's rights referendums. In the past number of months many people have returned to live and work in the country. We all know the difficulties with recruiting doctors, nurses and many other professionals. However, on a daily basis we hear calls in the Chamber from Sinn Féin to tax the rich. Who are the rich? They are the doctors and nurses who have dedicated their lives to serving the many sick people in this country. God help us all if Sinn Féin-----

**Deputy Bríd Smith:** One word - Apple.

**Deputy Catherine Byrne:** We would be back to the old games again, of judge, jury and executioner.

**An Ceann Comhairle:** I call Deputy Eugene Murphy.

**Deputy Eugene Murphy:** I can be of some help to the Ceann Comhairle.

**An Ceann Comhairle:** Good.

**Deputy Eugene Murphy:** I will cut the length of my speech a little such that a few minutes will suffice.

**An Ceann Comhairle:** Brilliant.

**Deputy Eugene Murphy:** As a new Deputy, I never thought I would see such a crisis just one year into my time in the House. Like many other Deputies, I have been shocked by the goings-on and the allegations and revelations in recent times.

**Deputy John Deasy:** The Deputy should have been here six or seven years ago.

**Deputy Eugene Murphy:** The integrity of State agencies-----

**Deputy Colm Brophy:** He should have seen Fianna Fáil do it.

**Deputy Eugene Murphy:** By the way, every Minister has been rolled out this evening to tell us about the importance of keeping the Government together-----

**Deputy Mattie McGrath:** They need EVO-STIK..

**Deputy Eugene Murphy:** -----in terms of broadband provision, job creation and finance, but I want to say one thing to them.

**Deputy Mattie McGrath:** Get some EVO-STIK.

**Deputy Eugene Murphy:** That is fine, but if the people lose faith in the agencies of the State-----

**Deputy John Brady:** As they have.

**Deputy Eugene Murphy:** -----that is a serious crisis for every one of us. When Deputies interrupt, I ask them to remember that this is a very serious issue. That is what members of the public have been saying tonight and in recent times. The people are losing belief in State agencies. There is the issue with Tusla. I note that throughout the crisis the Minister, Deputy Katherine Zappone, has not been in the House. She has not been here.

**A Deputy:** Come on - she was in the Seanad.

**Deputy Regina Doherty:** She was here last night.

**Deputy Eugene Murphy:** There are serious questions to be asked and everyone has to acknowledge that there are serious questions to be answered.

**Deputy Finian McGrath:** She answered them.

**Deputy Eugene Murphy:** Let us be honest. Serious questions about Tusla have to be answered. We all welcomed and acknowledged the importance of Tusla when it was set up. We know the important job it does, but now there are serious matters that have to be referred to and dealt with.

Do I think the Taoiseach is dishonest? No, I do not. Do I think the Tánaiste is dishonest? No, I do not. By the way, I must say both of them look very shaken by this crisis, but it is absolute and total incompetence that has caused it and, as a Deputy stated earlier, it is of their own making. This side of the House has been totally responsible in its agreement with and facilitation of the Government. As stated, we sat here for ten weeks when no one was prepared to come on side to ensure the State would not face another general election. We did the right thing and, as I stated, facilitated the Government. This evening Deputy Róisín Shortall has been critical of us and our role, but she did not make much of an effort at the time to offer support and Deputy Stephen Donnelly obviously does not agree with her seeing as he has joined us.

**Deputy Mattie McGrath:** Welcome to the party.

*(Interruptions).*

**Deputy Mattie McGrath:** Last week I told them they had growing pains.

**An Ceann Comhairle:** Ciúnas. May we, please, have order for Deputy Eugene Murphy?

**Deputy Eugene Murphy:** This party has made a major contribution to the pensions Bill, the flood Bill and other legislation and ensured the Fine Gael-Independents Government has taken on board our policies. We must ensure stability. That is what the electorate of Roscommon-Galway and throughout the country is saying to me. People want stability, but they also want to be able to believe in the agencies of the State.

**An Ceann Comhairle:** For the record, the Minister for Children and Youth Affairs, Deputy Katherine Zappone, joined the Minister for Health, Deputy Simon Harris, the Tánaiste and the Taoiseach last night for several hours - I think three hours - to answer questions.

**Deputy Mattie McGrath:** She has not been seen since.

**Deputy Eugene Murphy:** She has been missing-----

**Deputy Heather Humphreys:** She was in the Seanad.

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**Deputy Patrick O'Donovan:** She has been in the Seanad all day.

**An Ceann Comhairle:** May we proceed? I call the Minister of State at the Department of Transport, Tourism and Sport, Deputy Patrick O'Donovan, who will be followed by Deputy Peter Fitzpatrick.

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** Gabhaim mo bhuíochas leis an gCeann Comhairle.

*(Interruptions).*

**Deputy Richard Boyd Barrett:** No lashes on the left-----

**Deputy Patrick O'Donovan:** I will wait, a Cheann Comhairle, until Opposition Members quieten down.

The motion of no confidence was tabled by a party on two issues related to An Garda Síochána. One relates to the Garda, while the other relates to whistleblowers. In his opening remarks Deputy Gerry Adams had an anecdote about someone saying, "Give me another pint ... or go to Achill island." As he knows, the lucky gardaí might have made it to Achill Island but thanks to an organisation - Sinn Féin's sister organisation - six gardaí were put in early graves. One of them, Seamus Quaid who was from my constituency, was murdered by the IRA in Wexford. A woman was left widowed with a young family to be brought up. In my constituency Detective Garda Jerry McCabe was murdered by the IRA. For doing what? He was escorting social welfare payments to a post office in my constituency.

**Deputy Noel Grealish:** Sinn Féin Deputies never mentioned it in any of their contributions - not one of them.

**Deputy Patrick O'Donovan:** Sinn Féin Deputies are on their high moral ground tonight, but I know that its younger members are shifting in their seats-----

**Deputy Eugene Murphy:** They are.

**Deputy Patrick O'Donovan:** -----when they think of to what Deputy Gerry Adams has led them. However, when he gets back to the high moral ground tonight - some of his commandants are also still knocking around - he might take the opportunity in the stillness of the night, when the light is switched off, to remember the faces of the dead gardaí in whose graves he put them, with his organisation, earlier than their time.

**Deputy Pat Buckley:** They are serious accusations.

**Deputy Patrick O'Donovan:** Deputy Gerry Adams's organisation-----

**Deputy Gerry Adams:** A Cheann Comhairle-----

*(Interruptions).*

**An Ceann Comhairle:** Will the Minister of State give way? I take it that there is a point of order.

**Deputy Dessie Ellis:** It must be really getting to the Minister of State.

**A Deputy:** He hit the nerve, Gerry.

**Deputy Gerry Adams:** A Cheann Comhairle-----

**Deputy Timmy Dooley:** We have a confession.

*(Interruptions).*

**An Ceann Comhairle:** Order, please. Will the Minister of State resume his seat for one minute? If we could have order now, we might be able to-----

*(Interruptions).*

**An Ceann Comhairle:** Will Members please calm down and let us hear what Deputy Gerry Adams has to say?

**Deputy Timmy Dooley:** An open confession.

**Deputy Gerry Adams:** The hecklers say the Minister of State has hit a nerve, but he has not. What he has said is untrue. He is accusing me of involvement in the killing of gardaí. He should withdraw those-----

*(Interruptions).*

**Deputy Patrick O'Donovan:** A Cheann Comhairle, for the benefit of the House, let me clarify.

**An Ceann Comhairle:** Just wait one minute.

**Deputy Gerry Adams:** I am sorry, a Cheann Comhairle, but I will be finished in one second. The Minister of States talks about moral high horses, but this is about a smear campaign against a decent man doing his job.

**Deputy Patrick O'Donovan:** A Cheann Comhairle, can I get in?

**Deputy Gerry Adams:** The Minister of State is engaging in exactly the same tactics-----

**An Ceann Comhairle:** The Minister of State should withdraw any suggestion or insinuation that Deputy Gerry Adams was responsible for killing anyone.

**Deputy Patrick O'Donovan:** Absolutely, a Cheann Comhairle. If it helps the House, I will do so, but I want to continue. The organisation Deputy Gerry Adams has said he was never a member of was responsible for six gardaí being put in early graves. When Sinn Féin Deputies are on their high moral ground tonight, especially the younger Sinn Féin Deputies, they should ask themselves about the darkened vans in which people were brought to so-called kangaroo courts on the Border. They should ask themselves about the whistleblower Máiría Cahill, a brave woman who was placed in the Seanad by the Labour Party and who was vilified by Sinn Féin. They should ask themselves about Paudie McGahon. We know what was done to him. They should also ask themselves about the memory of Brian Stack, whose family have begged Sinn Féin for answers about what happened to their father. However, Sinn Féin Deputies will not come forward and tell us what they know because they say there is a journey to truth and reconciliation. They are right, but let the journey begin here tonight. When the country goes through what undoubtedly will be a difficult period with the tribunal that has to be set up - it is right that it has to be set up - Sinn Féin Deputies will need to play their part once and for all and come clean on what happened to the six dead members of An Garda Síochána, the dead

members of the Defence Forces and the dead members of the Irish Prison Service-----

**Deputy Mattie McGrath:** And those who were maimed and knee-capped.

**Deputy Patrick O'Donovan:** -----who were put into early graves by an organisation the sole motive of which was to subvert the State and which never recognised the legitimacy of the Dáil or the State. When they cast their votes tonight, especially the younger Sinn Féin Members, they should ask themselves who has led them to this and if they have confidence in him and his equals to lead them further. He has questions to answer with that generation of leaders of so-called republicanism.

*(Interruptions).*

**Deputy Patrick O'Donovan:** The true republicans in this House are the ones who stand by the Constitution, the Defence Forces and the Garda. The Deputy may well laugh at the memory of dead gardaí, prison officers and members of the Defence Forces, but Sinn Féin's hypocrisy does not wash with the people of Ireland. Sinn Féin has a belated and new found interest in the Garda, but, then again, it always had an interest in it. Some of its people wanted to know where gardaí lived and worked and about their movements. We and the people know this and will not wear Sinn Féin's new found interest in the Garda.

**Deputy Dessie Ellis:** In case you do not know, your collaboration with the RUC led to deaths on the Border.

**Deputy Patrick O'Donovan:** The Deputy may very well roar and shout at me but people inside and outside this House are entitled to answers. Sergeant Maurice McCabe, Jerry McCabe's widow and Seamus Quaid's widow are entitled to answers and when those answers are being given, let everybody get theirs.

**Deputy Dessie Ellis:** The information you gave to the RUC led to deaths.

**Deputy Michael Fitzmaurice:** It is a sad reflection on all politicians that Katie Hannon and RTE had to bring this matter to light when so many people knew and did nothing about it for years. Some good people kept silent but if we stay silent, evil will remain. What the whistleblowers endured should never be endured by any individual or his or her family and children. Sergeant McCabe and the other whistleblowers in whose cases Tusla got involved deserve the truth and should be included in the tribunal of inquiry. The tribunal of inquiry must not become a place for fat-cat lawyers and must not create another 15 or 16 millionaires, as the previous tribunal did.

Tusla has lost all credibility as a result of what we have heard in recent days. Root-and-branch reform of the organisation is needed. We meet ordinary people who do not appear on television and have problems with Tusla. The organisation has an awful lot to answer for. Is the Government proud of the Health Service Executive, which is a monster? Last week, we were discussing people who could not get operations. Unfortunately, we have not heard a word about that today. Is the Government proud that if a nurse working on a hospital ward who wants to do the right thing and speaks up, he or she will be threatened with fitness to practise inquiries and taken out? Is it proud that farmers who have been refused payments are receiving letters from their banks? Is it proud that the after two years, people still cannot get answers from the appeals office, which is allegedly independent? Is it proud that in the past ten or 12 years, nothing has been done about a scam that has been highlighted in the chicken industry? The Government has

not acted in the way it should have acted.

A few weeks ago, I was contacted by a young man who entered the Prison Service in good faith. The Government is aware of the case. When an incident took place in a hospital, the prison officer told the truth. Unfortunately, good people who tell the truth are tarred and feathered among their own and work is made impossible for them. They will be segregated and people will talk about them. Are we, as politicians, proud that this is happening? Should Deputies know the outcome of a case that is before the courts before the person who took the case or that the State tells the person that it will not cost anything if the case is withdrawn but it may cost a few hundred thousand euro if it is not? That is the type of country in which we are living.

In this country, one will be looked after if one is involved with the fat cats in sectors such as that relating to wind turbines. There seems to be cronyism at every single point. It is my belief that there are lies and corruption in all Departments. While there are some good civil servants, there are some ferociously poisoned sections in every Department. That is a sad thing to say but it is the reality.

The Government has no vision of where we are going. It has lost the mandate to govern. The so-called Opposition that says it will hold the Government to account has failed to stand up and be counted. Instead, it will wait for a better day on which it might get more Deputies elected. We owe it to the people of Ireland to change what is going on. We owe it to ourselves to be honest and straightforward. If there is a problem or someone who needs help, we must not dump the e-mail but get out and talk about it.

I ask that these people be treated with respect and dignity and that changes be made in Departments. Funnily enough, in this country people are promoted for not being great at their jobs but if one is good at one's job, it is down the ladder one goes. There were great gardaí who never took out a notebook and who may have had a good harsh chat with youngsters who may have got a clip round the ear. The one thing they did was hold communities together and, unfortunately, they did not get promoted.

**Deputy Peter Fitzpatrick:** When I entered politics for the first time in 2011, I did so for one reason only, namely, I wanted to make a difference. In 2011, the Fianna Fáil-led Government left the country in a mess. Its governance and policies had bankrupted the country. We must never forget that its boom-and-bust policies left generations of families trapped in long-term, unsustainable debt. I know from people who attend my weekly clinics the mess Fianna Fáil left behind. As a result of that party's time in government, we had to rely on others to bail us out, pay the wages of our public servants, including nurses, teachers and gardaí. We lost our financial independence and hundreds of thousands of jobs were lost. We lost thousands of our youngest and brightest to emigration and public services were decimated. I could go on but everybody knows exactly the mess in which Fianna Fáil left us.

I joined Fine Gael because I knew it had the policies to get the country back on track. This is exactly what the party did in the past six years. Our record in government is there for everyone to see. We have restored the public finances and we are now in a position where we can invest properly in our public services. We will have a balanced budget in 2018. We have restored all the jobs lost during the Fianna Fáil crash. Last year alone, more than 1,000 new jobs were created every week. Under the Minister for Housing, Planning, Community and Local Government, Deputy Coveney, we have a housing plan under which the houses that were lost as a result of the Fianna Fáil crash are starting to be built. We have regained our financial independence

and seen the back of the troika.

I am proud of Fine Gael's record in government since I joined the party. I am also proud to support a Government which, since last year's election, has carried on with the rebuilding of our public finances and services. We have achieved much in our time in office but we are also aware that there is more to be done. As the economy continues to improve, we are using the extra resources to invest in our public services, hospitals and schools.

I ask the Deputies opposite to compare their last six years in government with Fine Gael's last six years in government.

**Deputy Tony McLoughlin:** I wish to make a brief contribution to the debate on the motion and state my full support for the Government and Taoiseach. I highlight that achieving real justice for the McCabe family is what Fine Gael and most other parties and Independents in the House are focusing on and working for. It is clear that real answers need to be obtained for the family and real action needs to follow. However, one does not get answers by pulling the rug from under the Government and selfishly running to the people to boost one's mandate in the process, as Sinn Féin has attempted to do tonight. Not happy to pull down the Government in Northern Ireland, it wants to cause the same chaos here. Who would this suit? In Northern Ireland, Sinn Féin has deprived people of proper political representation for weeks and we should not allow it to do the same in this country.

**Deputy Aengus Ó Snodaigh:** We heard this speech earlier.

**Deputy Tony McLoughlin:** It is clear to everyone that the party is playing politics with a sensitive and personal issue for the McCabe family. It is also a bit rich of Sinn Féin to suddenly show concern for the Garda and the concept of law and order in light of its record on issues such as the murders of Brian Stack, Joseph Rafferty and Jean McConville and the treatment of Máiría Cahill, to name but a few. As the Taoiseach correctly stated, reflecting on the history of Sinn Féin's relationship with An Garda Síochána over the years and its shameful handling of sexual abuse cases within its own movement, it has some neck calling for a general election on these issues. I remind those in Sinn Féin of the murder of Detective Garda Jerry McCabe in June 1996 and that two members of the IRA are still on the run and wanted by the Garda. I presume Sinn Féin will hold its sinister silence and refuse to hand over information to the colleagues of the late Detective Jerry McCabe and Sergeant Maurice McCabe.

I believe the focus should now be on letting the tribunal get on with its work in order that it can get to the truth and deliver justice for the McCabe family.

**Deputy Alan Farrell:** I would welcome a little discretion in terms of speaking time. This motion smacks of political opportunism yet again by Sinn Féin.

**Deputy Dessie Ellis:** Deputy Farrell would know all about that.

**Deputy Alan Farrell:** It is a naked attempt to go to the people to gain seats because its polling numbers suggest they will gain a few extra seats. Primarily, we are elected to this House to do something. I cannot think of any one thing that Sinn Féin could put its finger on in this country that is not chaotic or murderous, as mentioned by my colleagues over the last few minutes.

**Deputy David Cullinane:** We have heard that before.

**Deputy Alan Farrell:** Sinn Féin decries the economic progress that we have made in this

country for the past six years. It decries every economic indicator and every job created - 200,000 of them - giving people the opportunity to get off welfare and back into work. They are the reasons this Government is in office. What does Sinn Féin do when it gets an opportunity to govern in Northern Ireland? It throws it away because it might win an extra few seats. Sinn Féin does not deserve to be on this side of the House.

*(Interruptions).*

**Minister for Social Protection (Deputy Leo Varadkar):** I support this motion of confidence in the Government. In the limited time available to me I want to speak about the controversy in relation to the Garda whistleblowers because that is the issue that has given rise to this motion and it is the most important matter before us. Party political point scoring is not what the people listening in at home want to hear about.

Almost three years ago I thanked Maurice McCabe and the other whistleblowers for shining a light into a very dark place and forcing those who would turn a blind eye to face up to the truth. I want to reiterate tonight some of what I said then. I said that there was one word to describe their actions and that was “distinguished”. Given what has emerged in recent days about the sustained smear campaign against Maurice McCabe, the attempts to destroy his reputation and the torment he and his family have had to endure it is clear that his service to the state has not just been distinguished, it has been heroic.

I have no doubt in my mind, from what I know and what I have heard, that Sergeant McCabe was subject to a scurrilous whispering campaign to discredit him. What I do not know is who was involved and the extent to which it was organised. The inquiry must find that out. What is evident is that the aim was not only to intimidate him but also to scare people off from supporting his claims, and for a time that was successful. We now need to know if similar campaigns were organised against other gardaí, public figures and private citizens. Tonight, I call on all of those with information to come forward. In particular, I call on individual gardaí who spread rumours passed to them by superiors, perhaps believing them to be true, to come forward and to give evidence to the public inquiry, because they too were deceived and are not to blame.

I believe the Government owes a full and unequivocal apology to Sergeant McCabe for the appalling treatment he endured at the hands of the Garda, State agencies and Departments. We need to restore trust in these key institutions and we do so by showing a willingness to be contrite. Tonight I support the decision by the Government to hold a public inquiry but I know that in the past tribunals have not always led to the truth and can take many years. Sergeant McCabe has asked six questions, and if they can be answered, they should be answered in full before any tribunal is up and running and nobody should attempt to use the shield of legal advice, process or pending inquiries to avoid answering these questions.

Maurice McCabe’s family is the latest and, perhaps, the most grievous example of a society where so often truth, justice and accountability are denied. The very first Garda Commissioner was Michael Staines, a trusted associate of Michael Collins. He said that An Garda Síochána would succeed not by force of arms or numbers but on its moral authority as a servant of the people. If it is to be seen not as a servant but a master then it will lose its moral authority. The Government cannot and will not allow that to happen because the security of the State and the liberty of our citizens depends on it.

My party, Fine Gael, is the party of law and order and a party of integrity in public office.

These are among our core values as a political movement. Understandably, the events of the past week have shaken belief in the party and confidence in the Government but can and we will put these things right. We must now resolve to renew our vows as a republic and ensure that never again can any State body or institution be used to treat one of our citizen servants so shabbily. We need to bring an end to a culture where wrong is done but nobody is held to account. Systems failures, administrative errors, endless reviews and prevarications, lost records, putting on the green jersey and alleged lack of resources are all too often used to justify and excuse wrongdoing. This should no longer be the case. Our Republic can and must stand for something better. Let us get down to the business of doing that.

**An Ceann Comhairle:** Is the motion agreed?

**Deputies:** No.

**An Ceann Comhairle:** As this is a motion of confidence in the Government, in accordance with Standing Order 73(1), the division cannot be taken by electronic means and Members must vote through the lobbies.

Question put:

<i>The Dáil divided: Tá, 57; Staon, 44; Níl, 52.</i>		
<i>Tá</i>	<i>Staon</i>	<i>Níl</i>
<i>Bailey, Maria.</i>	<i>Aylward, Bobby.</i>	<i>Adams, Gerry.</i>
<i>Barrett, Seán.</i>	<i>Brassil, John.</i>	<i>Barry, Mick.</i>
<i>Breen, Pat.</i>	<i>Breathnach, Declan.</i>	<i>Boyd Barrett, Richard.</i>
<i>Brophy, Colm.</i>	<i>Browne, James.</i>	<i>Brady, John.</i>
<i>Bruton, Richard.</i>	<i>Butler, Mary.</i>	<i>Broughan, Thomas P.</i>
<i>Burke, Peter.</i>	<i>Byrne, Thomas.</i>	<i>Buckley, Pat.</i>
<i>Byrne, Catherine.</i>	<i>Cahill, Jackie.</i>	<i>Burton, Joan.</i>
<i>Canney, Seán.</i>	<i>Calleary, Dara.</i>	<i>Collins, Joan.</i>
<i>Cannon, Ciarán.</i>	<i>Casey, Pat.</i>	<i>Collins, Michael.</i>
<i>Carey, Joe.</i>	<i>Cassells, Shane.</i>	<i>Connolly, Catherine.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Chambers, Jack.</i>	<i>Coppinger, Ruth.</i>
<i>Coveney, Simon.</i>	<i>Chambers, Lisa.</i>	<i>Crowe, Seán.</i>
<i>Creed, Michael.</i>	<i>Collins, Niall.</i>	<i>Cullinane, David.</i>
<i>D'Arcy, Michael.</i>	<i>Cowen, Barry.</i>	<i>Daly, Clare.</i>
<i>Daly, Jim.</i>	<i>Curran, John.</i>	<i>Doherty, Pearse.</i>
<i>Deasy, John.</i>	<i>Donnelly, Stephen S.</i>	<i>Ellis, Dessie.</i>
<i>Deering, Pat.</i>	<i>Dooley, Timmy.</i>	<i>Ferris, Martin.</i>
<i>Doherty, Regina.</i>	<i>Fleming, Sean.</i>	<i>Fitzmaurice, Michael.</i>
<i>Donohoe, Paschal.</i>	<i>Gallagher, Pat The Cope.</i>	<i>Funchion, Kathleen.</i>
<i>Doyle, Andrew.</i>	<i>Grealish, Noel.</i>	<i>Healy-Rae, Danny.</i>
<i>Durkan, Bernard J.</i>	<i>Haughey, Seán.</i>	<i>Healy-Rae, Michael.</i>
<i>English, Damien.</i>	<i>Kelleher, Billy.</i>	<i>Healy, Seamus.</i>
<i>Farrell, Alan.</i>	<i>Lahart, John.</i>	<i>Howlin, Brendan.</i>

*Dáil Éireann*

<i>Fitzgerald, Frances.</i>	<i>Lawless, James.</i>	<i>Kelly, Alan.</i>
<i>Fitzpatrick, Peter.</i>	<i>MacSharry, Marc.</i>	<i>Kenny, Gino.</i>
<i>Flanagan, Charles.</i>	<i>McGrath, Michael.</i>	<i>McDonald, Mary Lou.</i>
<i>Griffin, Brendan.</i>	<i>McGuinness, John.</i>	<i>McGrath, Mattie.</i>
<i>Halligan, John.</i>	<i>Martin, Micheál.</i>	<i>Martin, Catherine.</i>
<i>Harris, Simon.</i>	<i>Moynihan, Aindrias.</i>	<i>Mitchell, Denise.</i>
<i>Harty, Michael.</i>	<i>Moynihan, Michael.</i>	<i>Munster, Imelda.</i>
<i>Heydon, Martin.</i>	<i>Murphy O'Mahony, Margaret.</i>	<i>Murphy, Catherine.</i>
<i>Humphreys, Heather.</i>	<i>Murphy, Eugene.</i>	<i>Murphy, Paul.</i>
<i>Kehoe, Paul.</i>	<i>Ó Cuív, Éamon.</i>	<i>Nolan, Carol.</i>
<i>Kenny, Enda.</i>	<i>O'Brien, Darragh.</i>	<i>Ó Broin, Eoin.</i>
<i>Kyne, Seán.</i>	<i>O'Callaghan, Jim.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Lowry, Michael.</i>	<i>O'Dea, Willie.</i>	<i>Ó Laoghaire, Donnchadh.</i>
<i>McEntee, Helen.</i>	<i>O'Keeffe, Kevin.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>McGrath, Finian.</i>	<i>O'Loughlin, Fiona.</i>	<i>O'Brien, Jonathan.</i>
<i>McHugh, Joe.</i>	<i>O'Rourke, Frank.</i>	<i>O'Reilly, Louise.</i>
<i>McLoughlin, Tony.</i>	<i>Rabbitte, Anne.</i>	<i>O'Sullivan, Jan.</i>
<i>Mitchell O'Connor, Mary.</i>	<i>Scanlon, Eamon.</i>	<i>O'Sullivan, Maureen.</i>
<i>Moran, Kevin Boxer.</i>	<i>Smith, Brendan.</i>	<i>Penrose, Willie.</i>
<i>Murphy, Dara.</i>	<i>Smyth, Niamh.</i>	<i>Pringle, Thomas.</i>
<i>Murphy, Eoghan.</i>	<i>Troy, Robert.</i>	<i>Quinlivan, Maurice.</i>
<i>Naughten, Denis.</i>		<i>Ryan, Brendan.</i>
<i>Naughton, Hildegarde.</i>		<i>Ryan, Eamon.</i>
<i>Neville, Tom.</i>		<i>Sherlock, Sean.</i>
<i>Noonan, Michael.</i>		<i>Shortall, Róisín.</i>
<i>O'Connell, Kate.</i>		<i>Smith, Bríd.</i>
<i>O'Donovan, Patrick.</i>		<i>Stanley, Brian.</i>
<i>O'Dowd, Fergus.</i>		<i>Tóibín, Peadar.</i>
<i>Phelan, John Paul.</i>		<i>Wallace, Mick.</i>
<i>Ring, Michael.</i>		
<i>Rock, Noel.</i>		
<i>Ross, Shane.</i>		
<i>Varadkar, Leo.</i>		
<i>Zappone, Katherine.</i>		

Tellers: Tá, Deputies Regina Doherty and Tony McLoughlin; Níl, Deputies Aengus Ó Snodaigh and Jonathan O'Brien.

Question declared carried.

15 February 2017

The Dáil adjourned at 11 p.m. until 12 noon on Thursday, 16 February 2017.