



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Máirt, 21 Feabhra 2017

Tuesday, 21 February 2017

Chuaigh an Ceann Comhairle i gceannas ar 2 p.m.

Paidir.

Prayer.

Leaders' Questions

Deputy Micheál Martin: The most recent figures from Focus Ireland show an extraordinary crisis in homelessness and in the lack of housing in Ireland. They show 7,167 people are homeless in Ireland as nationally 4,760 adults and 2,704 dependants are homeless. These figures are extraordinary. The total number of people who are homeless rose by 25% from January 2016 to January 2017. This indicates a complete lethargy and lack of action in dealing with an emergency for many families throughout the State. In December, 87 families became newly homeless in Dublin. On average, 72 families became newly homeless each month over the past 12 months. Focus Ireland has stated that, strikingly, every five hours in Dublin a child became homeless in January this year. That is an appalling indictment of the last Government and particularly of the initiatives that had been announced but have not borne fruit in dealing with the homelessness issue or the numbers of families who simply cannot get a house. Most Members of this Oireachtas would know - particularly after the last two months and all the hoohah before Christmas on rent control measures - that the number of families who have been given deadlines to leave their current homes in February and March this year is growing alarmingly. All the while, there has been a lack of any meaningful impact on the supply side with an extraordinary lack of public investment in providing housing infrastructure and social housing. For example, I refer to the Juncker plan, which is the European Fund for Strategic Investments, in which the EU wanted to mobilise €500 billion in infrastructural investment but the Government decided to not partake in that apart from for a few health centres. The fund was not used for public housing infrastructure or housing provision. The Department is unwilling to use public private partnership, PPP, finance and has, in my view, fairly archaic and out-of-date provisions to prevent that. The Taoiseach might consult his former adviser, Andrew McDowell, about his views on the restrictive and conservative views of the Government in regard to mobilising and leveraging substantial investment. We have the second lowest capital spend in Europe as a result of that kind of conservatism and approach, and the housing crisis gets worse.

The Minister for Housing, Planning, Community and Local Government appeared in the media at the weekend giving the Taoiseach a deadline and a timeline in terms of when he should

leave office. I think it would have been far more focused of the Minister if he concentrated on what is an appalling emergency for thousands of families in this country, one that is going to get worse because of the lack of tangible action and effective outcomes from all of the strategies that have been announced.

Deputy Timmy Dooley: What do you think, Charlie? Do you think Simon wants out of housing?

The Taoiseach: Yesterday, the Minister for Housing, Planning, Community and Local Government published his plans for 8,500 social housing units. The figures speak for themselves but they do not show the extent of background work that has gone into preparing to deal with these situations. Some 7,167 people used State emergency accommodation nationally during a week in January, which included 4,760 adults. The first status report on social housing construction projects was published yesterday so the status of social housing construction nationwide is there for all to see. There will 47,000 new social housing units by 2021, with funding in place of €5.35 billion, as the Deputy knows.

The recent Rebuilding Ireland quarterly progress report, which is on the Rebuilding Ireland website, shows that, in 2016, over 18,300 social housing supports were provided; 5,280 new social houses were purchased, leased, remediated or built; extensive additional supports were provided under the housing assistance payment and the rental accommodation scheme; and the new Housing Delivery Office has been established within the Department of Housing, Planning, Community and Local Government. Yesterday, in publishing the status report, the Minister, Deputy Coveney, pointed out there are 504 projects, involving 8,430 homes, currently in development. Of these, 91 projects, with 1,829 homes, are already on site; 61 projects, with 652 homes, are at practical completion stage - they began 2016; a further 2,687 homes are at stage one, which is the capital appraisal stage; 1,279 homes are at stage 2, which is pre-planning; 490 homes are at stage 3, which is pre-tender; and 1,493 homes are at stage 4, which is the tender report or the final turnkey approval stage. Obviously, the Department of Housing, Planning, Community and Local Government will continue to update and publish the status report on a quarterly basis.

I am sure Deputy Micheál Martin will agree that these are significant advances on a situation where no houses at all were being built for quite a period. The figures show that for the first time in many years, the number of non-construction jobs has risen dramatically, which means a very sustainable position for the future. Of course, to have a situation where there is a figure of 6.8% unemployment as against 15.2% speaks for itself. Challenges exist and they are going to be met.

Deputy Micheál Martin: They are not challenges. They are a daily crisis for thousands of families with nowhere to go who are coming to the advice centres and clinics of every Deputy across the country. They have been given a deadline of 15 March or 30 March. I include among their number mothers with three children who have nowhere to go. This is happening as we speak. Talking about 2021 is cold comfort for such individuals. People are fed up of reports, of strategies and of 2021 or 2022. They want answers now. The vast majority of the 8,500 units the Taoiseach spoke about were approved and initiated two years ago. The timeline for execution and delivery is too long. The mechanisms for delivery and execution are not effective enough, given the scale of the crisis and the emergency the country is facing on the housing and homelessness issue. It is more than just PR. Even before Christmas, on the rent controls and all of that, the Minister admitted he did not have a comprehensive database to inform his

decision, a point that was not taken up at the time because everybody was interested in the Simon-Leo show.

An Ceann Comhairle: I thank the Deputy.

Deputy Micheál Martin: We need focus. We need the Ministers to focus on their job at hand. All we are listening to is one Minister who wants to get out of the Department of Health because it is too hot in the kitchen.

An Ceann Comhairle: The time is up.

(Interruptions).

A Deputy: Best of luck, Charlie.

Deputy Heather Humphreys: They are making it up - “Jackanory”.

Deputy Micheál Martin: There is a need on an ongoing basis-----

Deputy Finian McGrath: Deputy Martin would want to calm down now and restore flexibility here.

A Deputy: Good luck, Charlie.

(Interruptions).

An Ceann Comhairle: I am afraid the time is up.

Deputy Micheál Martin: If I could get order here, I would make the point that across the country - the Taoiseach should talk to his own Deputies - this is not getting better. This is getting worse. The Government does not have a supply solution to this on a scale that is required to deal with the emergency.

An Ceann Comhairle: The time is up.

Deputy Micheál Martin: The Government’s failure to take up the European investment plan and its own failure to put adequate public investment into this ensures that the horrific story for many families will continue unless there is a real sense of emergency around the Cabinet table to tackle this issue.

The Taoiseach: Deputy Micheál Martin is behind the curve on a few points here.

(Interruptions).

The Taoiseach: First, let me say that the young Minister, Deputy Harris, is enjoying the greatest honour of his career in dealing with the Department of Health.

(Interruptions).

The Taoiseach: Second, in fairness, Deputy Micheál Martin stated that it is not about people coming into clinics and talking to Deputies and saying they do not want to know about 2021 and 2022 but that they need to know now. Deputy Martin stated there should be answers. There are answers. The first answer is that 8,430 homes currently are under construction.

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Deputy Billy Kelleher: Solutions are what we want. None of that sort of stuff.

Deputy Barry Cowen: When were they approved first?

Deputy Micheál Martin: They were approved two years ago.

The Taoiseach: They are there now.

Deputy Barry Cowen: They are not.

The Taoiseach: If the Deputy wants me to show him where they are, I will.

Deputy Barry Cowen: I could point out to the Taoiseach where they have not even started.

Deputy Finian McGrath: Relax there.

The Taoiseach: They are currently being built. That means blocks, concrete, blocklayers, plasterers, chippies and site works.

Deputy Timmy Dooley: The Taoiseach is in cyberland with the WhatsApp land.

The Taoiseach: Second, there are 91 further projects with 1,829 answers - homes already on site being worked upon.

Deputy Mattie McGrath: We cannot find them.

Deputy Barry Cowen: There are not.

The Taoiseach: Third, there are a further 652 home that are at practical completion. These were started in 2016.

Deputy Timmy Dooley: These must be Lego homes.

The Taoiseach: That is 8,430 answers, 1,829 answers and a further 652. Let me point out to Deputy Micheál Martin, as I stated already, that there are 2,687 homes at stage one, 1,279 homes at stage two-----

(Interruptions).

The Taoiseach: One has to start somewhere.

Deputy Barry Cowen: The Government started two years ago and it has not put a digger on the site yet.

The Taoiseach: Even the Fianna Fáil Party that decimated the economy and the construction sector knows that one must get bulldozers in on those sites to ready the earthworks and start building off planning permission where we have expedited this for local authorities.

Deputy Finian McGrath: Shovel ready.

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: There are 490 at pre-tender and 1,493 at stage four, which is the tender report or final turnkey approval. These are really under way now. If Deputy Micheál Martin wants the location of each and every site, they are on the Department of Housing, Planning,

Community and Local Government's website. They are being worked on now.

Deputy Mattie McGrath: That is all they have. They are not on any other site.

The Taoiseach: They are not answers for those who say they will not get home until 2021. Deputy Cowen should tell me how it could be done differently.

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: If the Deputy wants to know about the European Investment Bank-----

(Interruptions).

An Ceann Comhairle: No, no, please.

The Taoiseach: -----we opened an office of the European Investment Bank here and it will provide long-term credit at low interest for projects in this country of major infrastructural output where there will be a stream of income coming through to pay for those loans, such as toll roads, ports or Luas light rail.

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: Over the next period, let me assure Deputy Martin, the European Investment Bank, in the words of the chief executive himself, wants to lend much more money to this country from what is the European people's bank.

Deputy Timmy Dooley: The Government will not take it from the bank.

Deputy Finian McGrath: Check out the unemployment figures, for God's sake.

An Ceann Comhairle: I note spirits are very high for whatever reason but could Members please try to curtail themselves? We are obliged, under the orders of the House, to adhere to particular time limits. I call Deputy Adams.

Deputy Gerry Adams: In October 2015, as the Taoiseach exhorted the people to keep the recovery going, he warned:

[We] are facing a fork in the road. One track points to continued stability and certainty ... along the other track lies instability and chaos.

Unfortunately, for the citizens of this State and the island, the Taoiseach stayed on the wrong track.

Good Government should be about ending the chaos in health, housing and governance. It should be about ending tax chaos, ending the chaos in the justice system and ending the chaos in industrial relations. That is what the Taoiseach should be doing. However, chaos is now the Taoiseach's middle name. The Taoiseach's ministerial colleagues have brought chaos to the Fine Gael Party. They obsess on who will lead Fine Gael and, by grace of Fianna Fáil, who will lead the Government and when. The Taoiseach's brightest and best jockey for position on WhatsApp and in the media. This is chaos, the Fine Gael way.

Little wonder that outside of the Fine Gael ranks most people do not care. What others care about is the crisis in health, the housing and homelessness emergency and the approach of Brexit. However, the Government appears oblivious to all of these as it meanders aimlessly

along the wrong track.

Let us consider the case of the Minister for Transport, Tourism and Sport, Deputy Ross, the leader of the “Endadependents”. If the Taoiseach were to appoint a minister with responsibility for chaos, this Minister would give Leo, Simon I, Simon II and the Taoiseach a run for their money. In September, the Minister, Deputy Ross, briefed the Cabinet on how Bus Éireann was at crisis point. Six months earlier, the National Bus and Rail Union voted in favour of precautionary industrial action amid justifiable fears for workers terms and conditions. What did the Minister for Transport, Tourism and Sport do? He did nothing. Last month, Bus Éireann announced proposed measures that threatened the rights of bus workers. These included cutting overtime and Sunday rates as well as pay increments. Yesterday, it was reported that the company plans to cut several routes, including the Dublin to Clonmel and Dublin to Derry services, as well as reducing frequency on several others. Of all people, the Taoiseach should know that a significant number of citizens, particularly in rural Ireland, rely on Bus Éireann services. People have the right to a public bus service. The Government’s priority should be to create that service, not destroy it. I call on the Taoiseach to get off the chaos carousel, get on the right track - just for a minute - and ask the Minister for Transport, Tourism and Sport, Deputy Ross, to do what he should have done months ago: engage with all the stakeholders, including the Department of Transport, Tourism and Sport, the NTA, Bus Éireann and the unions, to find a resolution of this issue.

The Taoiseach: That was a well-written speech. The carousel is different to the trampoline. The position is that the fundamentals of dealing with the economy and job creation, as well as tackling difficulties and issues as they arise are a fundamental part of Government. I wish to point out to Deputy Adams that since the then Minister for Jobs, Enterprise and Innovation, Deputy Bruton, launched the first Action Plan for Jobs in 2012, some 206,200 new jobs have been created. We had lost our independence to the troika, we wallowed in debt and we had a haemorrhage of emigration from so many sectors. Given the sacrifices that the people have had to put up with over those years, we have brought about a situation whereby we are in a better position. There was strong jobs growth in 2016 and a total of 65,100 new jobs. These men and women are going to work every day. The figures show that, for the first time, the number of sustainable non-construction jobs has risen beyond what it was in boom times. This means the economy is very much on the right track; it is far from chaos. Unemployment dropped by 21%, or 40,000, in 2016. By any standard, that is a significant decrease. The unemployment rate is 6.8% - down from 15.2% - and is heading in the right direction.

I have made this point to Deputy Adams before. I welcome the fact that the Workplace Relations Commission, WRC, has engaged again in respect of the difficulties between unions and Bus Éireann. The Minister for Transport, Tourism and Sport, Deputy Ross, has been very consistent in his statements, saying this issue will only be resolved through constructive and realistic dialogue. Deputy Adams knows that. Obviously, these WRC-initiated discussions are an important step forward, complex, difficult and tension-filled though they may be. The Government urges all parties to use the experience and knowledge of the WRC to assist this process. I do not wish to comment on specific elements of proposals that are the subject of negotiations, including any proposals that might arise regarding changes to Expressway services. I encourage others to respect the integrity and experience of the WRC process and to allow both sides to conclude their discussions.

I have stated on numerous occasions that the NTA will continue to use its statutory powers to ensure there will be continued public transport connectivity for local communities across

Ireland, and the Minister strongly supports that. It has been done in the past and will be done again in the future. The Deputy can take it that the Ministers to whom he refers have no intention of collapsing the Executive here, as Sinn Féin did in the North.

Deputy Gerry Adams: The Taoiseach praised Martin McGuinness a few days ago and I took that in good faith. Martin McGuinness stepped out of the Office of the First Minister and deputy First Minister because he could not abide by allegations of corruption. He did the right thing and the Taoiseach, of all people, should appreciate that. Incidentally, I send best wishes to all the Fine Gael, Labour Party and Fianna Fáil candidates in the election in the North as well.

Deputy Michael Healy-Rae: What about Independents?

Deputy Billy Kelleher: Would the Deputy include People Before Profit in that?

Deputy Gerry Adams: I asked the Taoiseach if he would ask the Minister, Deputy Ross, to engage with the key stakeholders in the Bus Éireann dispute, but he failed to answer my question. Our public transport network is in a perpetual state of chaos. The Luas and Dublin Bus workers were on strike last year, there has been a troubling review by the NTA and there are the ongoing difficulties with Bus Éireann. All of this is the result of a decade of underinvestment. Now, it is expected more routes might be cut. These connect people and communities and they connect rural Ireland with urban centres. Public transport can reduce traffic congestion. It links communities and improves local as well as larger economies.

An Ceann Comhairle: The Deputy must conclude.

Deputy Gerry Adams: It also protects the environment. It is not necessarily about making profit but about a public service. That is why it is called “public transport”. Will the Taoiseach ensure that the Minister, Deputy Ross, engages with all of the stakeholders to bring this dispute to an end and to build, develop and sustain a proper public bus service?

The Taoiseach: The Minister, Deputy Ross, is very true to his office and is supportive of everybody getting together under the experienced aegis of the WRC. It is not like situations in the past when personalities might appear late at night and say they had put in a word and the situation was sorted. This is a difficult dispute and there are some technical issues that are quite complex. However, the experience of the WRC is available to both the unions and Bus Éireann. Rumours or perceptions of the free travel scheme being taken away are false. The NTA has already confirmed that it is prepared to step in, as it has previously, to ensure the continuation of public transport to connect places in rural Ireland that might be deprived of it arising from any changes that might be introduced by Bus Éireann arising from its discussions with the unions.

I hope both sides can get together. The engagement of the WRC in the last few days has been very helpful. It is very experienced in dealing with issues such as this. The Deputy knows as well as I do that, ultimately, it will only be resolved by people sitting around a table, discussing their differences and arriving at conclusions. In that regard, the NTA is quite prepared to take up any slack that might arise from changes that take place as a result of the discussions. I hope it can be sorted very quickly.

Deputy Thomas P. Broughan: Over the last few weeks there has been much reflection on the Taoiseach’s political career and what happened under his Governments. I wish to focus on a very bad decision by his Government in the brutal budget of 2012, which I strongly opposed. In that budget the pay related social insurance, PRSI, contribution rates, which numbered four

down through the decades, were expanded to six. People with average contributions of between 20 and 47 who have become pensioners since 2012 have suffered very significantly. The Government also gratuitously cut the pensions of people who had between ten and 20 contributions. Many of my senior female constituents who suffered most from this describe these changes as petty and sneaky. Professor Alan Barrett rightly said that the rules of the game were changed in the middle of the game. I was reminded of this great injustice a few weeks ago when Age Action published its report, entitled Towards a Fair State Pension for Women Pensioners, which was researched by Ms Maureen Bassett. The report clearly demonstrates the hugely negative impact of these changes, especially on senior female workers who have retired since 2012 and on those who will retire in the coming years. A total of almost 40,000 citizens in the lower four bands were adversely affected up to June 2016. Almost two thirds of those pensioners are women. Typically, at current budget 2017 contributory pension rates, people in band three averaging 30 to 39 contributions a year lose €19 a week, people in band four averaging 20 to 29 contributions lose €30 a week, people in band five averaging 15 to 19 contributions lose €23 a week and people in band six averaging ten to 14 contributions over their working lives lose €23.50.

The pension problem for that generation of female workers born in the late 1940s - the Taoiseach's own generation - is exacerbated by the averaging method over the whole employment history from age 16 which is used to calculate contributory pensions. Many women in this cohort have interrupted contribution histories since they worked for period in the late 1960s, 1970s and 1980s and then carried out home caring duties for perhaps up to another two decades before they returned to the workforce.

The Government has also consistently refused to backdate the homemaker's scheme beyond 1994. The doubling of the necessary number of stamps to 520 - in which Fianna Fáil also was involved - has also gravely disadvantaged this cohort of women. As many of my own affected constituents note, the marriage bar was in place until 1973 and they raised families in an era of little or no help for children.

Is it not time to begin a restoration of the pension entitlements of that cohort born in the late 1940s? We have had the Haddington Road agreement, the Lansdowne Road agreement and the agreement with the junior doctors this morning. I ask the Taoiseach to ask the Chairman of the Committee on Budgetary Oversight to urgently examine the detrimental impacts of the contribution band changes, to begin to bring forward the process of restoration, to set up the interdepartmental committee for which Age Action has asked to work towards the universal state pension and for caring credits.

The Taoiseach: Deputy Broughan's question is perfectly valid. It is part of the sacrifices that people have put up with over the last number of years in order to return the economy to a safer place. I agree that this is a budgetary matter and must be reflected on over a number of budgets. Clearly the process by which the budget for 2018 will be constructed is starting now. The Minister for Public Expenditure and Reform has made a number of comments about this, as has the Minister for Finance, in terms of the financial emergency measures in the public interest, FEMPI, legislation and the successor to the Lansdowne Road agreement. The points that Deputy Broughan mentioned are valid for many people.

This morning the Government noted that the Social Insurance Fund has a surplus of over €400 million for the first time in many years and that is an issue where money in surplus will have to be dealt with. A full review of that is being carried out. Clearly with the Low Pay

Commission about to make its recommendations over the period ahead, the issue of PRSI and pensioners and those who are caught between 65 and 66 is obviously an issue as well.

This issue must be dealt with here and the Deputy has pointed out in timely fashion that this issue must be looked at as the Departments prepare their initial proposals for budget 2018. Depending on the financial position in which the Ministers find themselves, the Government will make decisions on how best to distribute that with a sense of fairness for everybody and those who have taken the punishment that Deputy Broughan has pointed out will be considered for whatever redemption is possible in the time ahead.

Deputy Thomas P. Broughan: It is little comfort to the two thirds of workers involved, the women workers and the other people who have been caught in this situation. They are bearing this burden week after week all through the years, perhaps into the next decade. I hope the Taoiseach has read or gets a chance to read the Age Action report, which gives detailed case histories of women who have suffered from this savage cut from budget 2012. A constituent of mine, Olive from Donaghmede, says that she is fuming with anger every week at how her generation is treated. She has asked for accountability and for immediate restoration of her pension.

I am due to raise the matter again with the Minister, Deputy Varadkar, this afternoon and my colleagues, Deputies Joan Collins, Clare Daly and Ó Snodaigh, have also raised it. Every time I have raised it, the Minister always says there are winners and there are losers. There should be no losers if we are to have a fair and equitable tier 1 State pension for all men and women.

An Ceann Comhairle: I thank the Deputy.

Deputy Thomas P. Broughan: I ask the Taoiseach to address the shocking losses for the thousands of pensioners involved. The lifetime loss for people with an average life expectancy of 81 years who are in band 3 is nearly €15,000.

An Ceann Comhairle: I thank the Deputy.

Deputy Thomas P. Broughan: It is €23,000 for those in band 4; it is €18,000 for those in band 5 and over €18,000 for those in band 6. This is an appalling imposition on this very vulnerable group of our fellow citizens who work so hard, not just in the workplace.

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

Deputy Thomas P. Broughan: The women pensioners were among the first to go into the workforce and also reared their families and cared for people. I urge the Taoiseach to take the steps I have outlined.

The Taoiseach: I understand that Olive from Donaghmede, who speaks for so many others, has a grievance and would like that to be addressed. The Deputy spoke about the Committee on Budgetary Oversight. I will certainly have the Chairman of that committee contacted in order to look at it from the committee's point of view and see what recommendations it might make. Obviously, the Deputy will raise the matter with the Minister for Social Protection during Question Time. Given the meagre amounts of money available in recent years and the constraints on us, the Government has looked very carefully at those in the lower brackets. Freedom from minimum wage requirements and income tax and increases in the minimum wage were recommended in the context of trying to bring about equity and fairness for so many people.

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I will have the issue referred to the Committee on Budgetary Oversight for consideration. Ministers will reflect on the preparation of the budget for 2018. I hope that Olive and so many others might be able to see some improvement in their position arising from the kind of situation to which the Deputy referred earlier.

Deputy Seamus Healy: All citizens have a right to a satisfactory and good-quality public transport service. It is the duty of the State to ensure that such a service provided. It cannot and must not be left to market forces. Members of the public in my Tipperary constituency and in rural areas generally are entitled to the same standard of public transport as the constituents of the Minister, Deputy Ross, here in Dublin. Yesterday, Bus Éireann proposed the closure of the Clonmel to Dublin bus service among others. This is absolutely unacceptable and will not be tolerated. Of course, it comes on the back of the closure of the Carrick-on-Suir to Dublin bus service in 2015. It comes on the back of the proposed closure of the Limerick to Waterford rail service and the Limerick to Ballybrophy rail service. The Limerick to Waterford rail line servicing Carrick-on-Suir, Clonmel, Cahir and Tipperary town is being undermined on a daily basis by management regularly and frequently cancelling trains on that line. In addition, the main social and economic corridor across the south of the county, the N24, has been left out of the road capital programme, which is particularly damaging to the Tipperary town and Carrick-on-Suir. Of course, the failure to build the Thurles bypass, which has been overlooked for years, resulting in chaos in the square, turning it into a car park.

County Tipperary is not getting a fair crack of the whip. A Fine Gael led Government already abolished Clonmel Borough Council and the town councils in Carrick-on-Suir, Cashel, Tipperary town, Thurles, Templemore and Nenagh. A Fine Gael led Government with the help of the Labour Party also closed the St. Michael's 50 bed psychiatric unit at South Tipperary General Hospital. Now north Tipperary patients must travel to Ennis and south Tipperary patients must travel to Kilkenny to avail of a service that is inadequate and substandard. The abandonment of County Tipperary must stop. I am asking the Taoiseach if he will give an assurance to stop any threat to the Clonmel to Dublin bus service. Will he give an assurance to re-establish the Carrick-on-Suir to Dublin bus service? After 20 years of waiting, will the Taoiseach give the go-ahead for the N24 upgrading, including the bypass of Tipperary town, Clonmel and Carrick-on-Suir? Also after 20 years, will the Taoiseach give the go-ahead for the bypass of Thurles this afternoon?

The Taoiseach: I am not in a position to do that, as the Deputy well knows. I agree with him that transport for rural Ireland should not be left to market forces only and it is not. That is why the Minister, Deputy Ross, has pointed out, as I have on many occasions, that the National Transport Authority, NTA, is quite prepared to take up any slack for public transport connectivity between areas that are affected by the dispute between Bus Éireann and the unions. The matter the Deputy mentioned of Clonmel is one of three that have been referred to but there are no decisions taken about any of this because until the dispute is settled nothing is decided. The chief executive pointed out options, hard though they are, and that is why it is important that people go back into the Workplace Relations Commission, WRC, and use that experience, capacity and facility to bring about a solution and a conclusion to this.

The Deputy asked an omnibus question about the Thurles bypass, the N24 and the south Tipperary hospital and everything else in between and he expects me to answer in the positive here today for him.

Deputy Seamus Healy: It has been 20 years.

The Taoiseach: For the sake of his constituents, the Deputy will be aware there is a capital review programme about to be carried out on major infrastructure during the course of the year which should be completed by mid-year. The Minister for Public Expenditure and Reform will look carefully at the ongoing public consultation in that regard at the moment. As I said to Deputy Martin, the European Investment Bank has opened its office here which will allow for major pieces of infrastructure where an income stream might come from them in order for those pieces of infrastructure to be dealt with separately from central Exchequer. I cannot speak for the outcome of the capital review but it is under way.

Last week, Deputy Lowry raised the question of the South Tipperary General Hospital including Our Lady's in Cashel. Those particular problems have been mentioned by the Minister, Deputy Harris. He has been there and wants to address the capacity issues as well as ensuring Our Lady's in Cashel is utilised. I understand a mini-tender will be done in the coming weeks to request proposals for temporary accommodation in Tipperary. The HSE has already been asked to make maximum use of the Cashel campus and is considering every option to support south Tipperary with community and primary care services. The Deputy does not have a definitive answer here but he has an opportunity to work, in terms of the capital review, on the issues and to advise people to go back into the WRC to see whether we can settle this dispute between Bus Éireann and the unions.

The Deputy mentioned Ballybrophy and a few other things about Iarnród Éireann. He obviously wants the entire budget to be shifted down to Tipperary.

Deputy Seamus Healy: It takes a lot of money, as the Taoiseach well knows.

The Taoiseach: It will not happen today but the Deputy has to work on his proposals to advance it piece by piece.

Deputy Seamus Healy: It sounds very much like "live horse and you'll get grass". We have been waiting for 20 years for both the N24 upgrade and the Thurles bypass. The Taoiseach's Government and the previous Government starved public transport and road budgets. The road budgets fell between 2007 and 2015 by €1.722 billion. The State subvention to CIE was slashed by €132 million, from €321 million in 2008 to €189 million in 2015. The State subvention to Bus Éireann is down €16.3 million from €49.4 million to €33.1 million. The free travel contribution from the Department of Social Protection is completely inadequate. It has been capped for years despite increased numbers and the fact that 30% of Bus Éireann's passengers are availing of free travel.

In June 2016, the Taoiseach wrote to the President of the European Commission, Jean-Claude Juncker, seeking permission to borrow money for infrastructural works. He said at the time that investment in infrastructure in Ireland was "at its lowest level for many years, and also represents the lowest level of any member state at present". He got no reply, or none that we heard of, but Italy recently told the President Juncker it will borrow money with or without his permission. I ask the Taoiseach to do likewise. Will he reassert Irish sovereignty and put the right of the Irish people to proper transport infrastructure, and other capital investment such as housing, before the EU and EU diktats?

The Taoiseach: I had a meeting this morning with Commissioner Timmermans about a range of issues that are about to come up and one of those is the investment capacity for countries throughout Europe to invest in major pieces of infrastructure to improve facilities, provide

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employment and boost output and growth. I wrote to President Juncker because there was a blockage in the system in terms of the way EUROSTAT was treating the development of and proposals for infrastructure and the European Commission, and we sorted that out. Clearly, there has been a big improvement in the capacity of countries to borrow for infrastructural projects. As I said, the European Investment Bank has opened an office in Dublin which is now open for proposals from local authorities, Government agencies and so on. I hope there will be a big improvement in that in the time ahead.

It is not true to say that the State has neglected everything here. There are some major roads projects going on around the country including the Gort-Tuam project involving €600 million and others that are currently in train.

Deputy Seamus Healy: They are not happening down in Tipperary. We have wanted them for 20 years.

The Taoiseach: The Deputy mentioned the N24 and the Thurles bypass. They are not alone in their difficulties. A man in Cork said to me at the Brexit meeting last week that he found me guilty of clogging up the roads with people going to work.

A Deputy: Is this a real man?

Deputy Micheál Martin: Did the Taoiseach see the boys of Fairhill?

An Ceann Comhairle: That concludes Leaders' Questions.

Order of Business

An Ceann Comhairle: I call the Minister of State, Deputy Regina Doherty, to announce the announce the Order of Business for the week.

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty): The arrangements for the business schedule for Tuesday to Thursday, 21 to 23 February 2017, as agreed by the Business Committee on 16 February, are as follows. Today's business shall be No. 14, National Famine Commemoration Day Bill 2017 - Second Stage; No. 15, Communications Regulation (Postal Services) (Amendment) Bill 2016 - Order for Report, Report and Final Stages; and No. 16, Disability (Miscellaneous Provisions) Bill 2016 - Second Stage (resumed). Private Members' business shall be Second Stage of No. 24, Public Services and Procurement (Social Value) Bill 2017, selected by Fianna Fáil.

Wednesday's business shall be No. 15, Communications Regulation (Postal Services) (Amendment) Bill 2016 - Report Stage (resumed) and Final Stage; No. 1, Minerals Development Bill 2015 [*Seanad*] - Second Stage; No. 16, Disability (Miscellaneous Provisions) Bill 2016 - Second Stage (resumed); and No. 5, Misuse of Drugs (Supervised Injecting Facilities) Bill 2017 - Order for Second Stage and Second Stage. Private Members' business shall be Second Stage of No. 25, Industrial Relations (Right to Access) (Amendment) Bill 2016, selected by Sinn Féin.

Thursday's business shall be No. 16, Disability (Miscellaneous Provisions) Bill 2016 - Second Stage (resumed); and No. 5, Misuse of Drugs (Supervised Injecting Facilities) Bill 2017 - Order for Second Stage and Second Stage. Second Stage of No. 26, Employment Equality

(Abolition of Mandatory Retirement Age) Bill 2016, will be debated in the evening slot.

I refer Members to the report of the Business Committee dated 16 February 2017. In relation to today's business, it is proposed that the arrangements agreed last week in relation to the National Famine Commemoration Day Bill 2017 will apply today; and the proceedings on the Second Stage of the Public Services and Procurement (Social Value) Bill 2017 shall be brought to a conclusion at 10 p.m., if not previously concluded.

In relation to Wednesday's business, it is proposed that proceedings on Second Stage of the Industrial Relations (Right to Access) (Amendment) Bill 2016 shall be brought to a conclusion after two hours, if not previously concluded.

An Ceann Comhairle: There are two proposals to put to the House today. Is the proposal for dealing with Tuesday's business agreed to?

Deputies: It is not agreed.

Deputy Ruth Coppinger: Since the Business Committee met on Thursday to agree this business, there has been a very important development at the largest private sector employer in this State, namely, Tesco. New stores have come out on strike and talks have broken down. I request that the Business Committee meet today to discuss tabling Tesco as a matter for debate in the Dáil this week. This is the largest private sector employer in the State, as I said, and the most profitable retailer, making €250 million per year in profits but willing to rip up the contracts of its longest-serving employees. This has repercussions for every single employer in the State. Other employers will copy Tesco if it gets away with it. Pay cuts of 15% for the workers affected are proposed-----

An Ceann Comhairle: We cannot have a debate on the matter now.

Deputy Ruth Coppinger: -----and Tesco has engaged in union-busting. I therefore request that the House agree that this deserves to be put on the agenda of the Dáil this week as a priority and that the Business Committee-----

An Ceann Comhairle: Is the House amenable to a meeting of the Business Committee to discuss this matter?

Deputy Brendan Howlin: I support the proposal.

Deputy David Cullinane: We support it as well.

An Ceann Comhairle: We can convene a meeting of the Business Committee to discuss the matter.

Is the proposal for dealing with Tuesday's business agreed to? Agreed. Is the proposal for dealing with Wednesday's business agreed to? Agreed.

Deputy Micheál Martin: I am sure the Taoiseach will agree that central to the implementation of the programme for Government is that a Government be in place. Deputy Enda Kenny was elected as Taoiseach last May, which is not so long ago. He then put forward a number of Ministers to the House for approval, which is how it is done, and they were approved by the House. In the past week, quite a number of the Ministers nominated by the Taoiseach have publicly set a timeline for his leaving office. I put it to the Taoiseach that if there were to be a

change, it could presage his having to come before the House again. If new Ministers were to be appointed, they would need the approval of the House. This is central to the implementation of the legislation planned under the programme for Government. I argue that if there are any plans to make such changes, perhaps the Taoiseach owes it to the House to make it aware, first and foremost, of anything that might change the position regarding the implementation of the programme for Government or the Government line-up, as opposed to that of just one political party. This matter is central to the entire Dáil, which, constitutionally, is the Chamber that approves the Government and elects a Taoiseach, who then nominates Ministers for approval. Quite a number of Ministers have publicly set out the Taoiseach's timetable for his departure from his office. I appreciate that it may not be the same as his timetable. Nonetheless, if he has any information-----

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

Deputy Micheál Martin: I appreciate that. If the Taoiseach has any information in this regard, I would appreciate it if he would relate it to the House.

The Taoiseach: I assure Deputy Micheál Martin that no change in the Government is proposed. The Government is a minority partnership Administration made up of the Fine Gael Party, the Independent Alliance and a number of other Independents and supported by our confidence-and-supply agreement with Deputy Micheál Martin's party. The Deputy has made it perfectly clear that he intends to adhere to the agreement. The Government has a serious agenda in its programme for Government regarding the work of all Ministers in their contact with their counsel in regard to Brexit, trade missions and other activities as part of the programme for Government. There is no change in this regard. One can have opinions one way or the other. The position is that Government is focused on doing the job for the people and the country, as was our remit when we were elected.

Deputy Gerry Adams: The Fianna Fáil leader is right that any new Taoiseach will have to be approved by the House. However, given that Fianna Fáil has already pledged support, it will just be a rubber-stamping exercise.

I wish to raise the issue of the treatment of cystic fibrosis and the controversy surrounding Orkambi and whether the HSE will agree to make it available to hundreds of patients. New evidence has emerged to support the case for approving Orkambi and, according to Cystic Fibrosis Ireland, this new data shows Orkambi will save the health system even more than previously estimated. Whatever decision the HSE makes, the ultimate decision will rest with the Minister and the Government. Could the Taoiseach update the Dáil on the status of negotiations with Vertex? Many families are dependent on the outcome of this. Has the Government carried out a cost analysis on the procurement of Orkambi and the money that could be saved, as it is claimed, through a reduction in hospital admissions?

An Ceann Comhairle: The Deputy's time is up. On the same issue, I call Deputy O'Dea.

Deputy Willie O'Dea: The Taoiseach will recall that it is almost three months since there was a very moving demonstration outside the front gates of Leinster House. I attended a candle-lit vigil in the rain in Limerick on Friday night with parents of children suffering from cystic fibrosis. They told us that since that demonstration outside Leinster House, several children have died for want of the drug in question. When will there be a resolution of this issue and when will this drug be made available to people who are literally fighting for their lives?

Deputy Marc MacSharry: On the same issue, many of us have attended various candle-lit vigils. There will be a briefing in the House tomorrow and I gather there will be a national protest outside the complex on Wednesday next. It would be wonderful if, as a collective, we could take a decision next week to make that protest a celebration.

As we continue to procrastinate, sick children are getting sicker and some will die. My understanding, having spoken with Vertex, is that this decision is somewhere between the board of the HSE and Cabinet. We do not have to wait for a meeting to be scheduled. Can the Taoiseach not knock heads together this week with the young Minister for Health, Deputy Harris, whom he mentioned earlier, and take a decision on this matter? Vertex has put forward a proposal which includes the provision of that drug immediately to all patients and the provision of drugs that are being developed for the same price and the same agreement. There is no excuse for continuing delays.

The Taoiseach: I met Aisling and people from Sligo-Leitrim in Sligo recently at a candle-light vigil relating to Orkambi.

Deputy Marc MacSharry: I was there.

The Taoiseach: Deputies O’Dea and MacSharry are well aware that the Minister and the Cabinet of the day do not make the clinical decision on any drug. The HSE has re-entered talks with Vertex.

Deputy Marc MacSharry: With respect, the talks are over. It is with the board of the HSE.

The Taoiseach: Reports that they were ended are not correct. The fact is that the National Centre for Pharmacoeconomics, NCPE-----

Deputy Micheál Martin: The talks are over.

The Taoiseach: -----which is completely independent in the way it judges the improvement in the quality of life for any drug to be given to any patient – and I regret of course, and sympathise with those, where the death of anybody has occurred, never mind children – undertook the assessment of Orkambi and noted that the drug was not considered cost-effective at a price of €160,000 per patient per year as submitted by the manufacturer.

Deputy Willie O’Dea: The matter has moved on since then.

The Taoiseach: It is not somewhere between the committee and the Cabinet.

Deputy Micheál Martin: It is.

Deputy Marc MacSharry: It has gone way beyond that. It is with the board.

Deputy Micheál Martin: It has been three months.

The Taoiseach: If the recommendation of the NCPE is that it accepts that the price being offered or mooted by Vertex is in the interests of the patients to improve the quality of their lives-----

Deputy Willie O’Dea: We understand the system.

The Taoiseach: -----and that comes to the Minister for Health and the Cabinet with a rec-

ommendation that is positive, that is what we will act on. We do not make the decisions.

Deputy Marc MacSharry: While considering other timelines, can the Taoiseach prioritise this issue because people are dying?

The Taoiseach: We do not make the decisions about the improved quality of life for any patient. I understand this and mentioned it to the people whom I met in Sligo.

Deputy Micheál Martin: It has moved on from there. They have had their negotiations.

The Taoiseach: The NCPE has provided very clear guidance on a price that is considered fair and cost-effective to deal with the improvement in the quality of life.

Deputy Willie O’Dea: We know that.

The Taoiseach: Vertex needs to come back. I do not know where it is now with its offer.

Deputy Marc MacSharry: It is waiting for an answer.

Deputy Sean Fleming: The Taoiseach does not know anything about the matter. He does not know where it stands.

The Taoiseach: The NCPE is the independent body that will make the clinical decisions-----

Deputy Micheál Martin: This is the old conversation from three months ago.

The Taoiseach: -----about this or any drug and it is not in the hands of the politicians to say whether this is a fair price.

Deputy Willie O’Dea: The Taoiseach is sitting on it. When is he going to make a decision?

The Taoiseach: The NCPE makes the assessment on the basis of the cost being put forward by the company-----

Deputy Willie O’Dea: When?

Deputy Micheál Martin: The Taoiseach should check it out

The Taoiseach: -----in terms of the improvement of the quality of life of the children or patients as the case might be.

Deputy Brendan Howlin: The Women in Work Index has found a 14.8% difference in median pay between men and women. In other words, a woman working a 40 hour week effectively works the final six hours for free. The time is long past, and I think everybody in this House would agree, when men should automatically be paid more than women. Will the Taoiseach support yesterday’s call by the trade union IMPACT for legislation requiring employers to publish details of the gender pay gap within their companies? Will he indicate that if we produce such legislation he will support it? In its programme for Government, this Administration promised to strengthen the role of the Low Pay Commission in respect of the gender pay gap. When specifically is it doing to implement that commitment?

The Taoiseach: I would like to study the report. I think the point made by Deputy Howlin is self-evident. I understand that the Low Pay Commission has to bring forward recommendations in the not too distant future based on its assessment of where we should be now. I am

quite sure it has taken the Deputy's point into account. Clearly, the day when women, as against men, were expected to work six hours for nothing has long since passed. I would like to study the report. It will be discussed by the Cabinet. We look forward to hearing what the Low Pay Commission's next recommendation is and what it is based on.

An Ceann Comhairle: I call Deputy Coppinger.

Deputy Ruth Coppinger: I did not indicate but I was planning to do so.

Deputy Willie O'Dea: I wonder why the Ceann Comhairle assumed the Deputy had done so.

An Ceann Comhairle: Deputy Coppinger did indicate.

Deputy Ruth Coppinger: Nevertheless, I would like to know when the Government intends to introduce the legislation that is clearly needed to deal with what is happening in Tesco. I welcome the Sinn Féin Bill on the right to representation, which is to be proposed in this House later in the week. When will the Government bring forward legislation on the rights of workers in this country? Is the Government planning to do anything about Project Black, which involves the hiring by Tesco of an international union-busting legal firm? Apparently, the stated intention of Tesco, which is the biggest private sector employer in the State, in pursuing this project is to increase the profit it makes in Ireland from €250 million to €500 million by doing away with the union in the company and with the workers' pay and conditions. What legislation does the Government have in mind to deal with this matter? Is it proposing to sit back obliviously and do nothing?

The Taoiseach: No more than in any other dispute-----

Deputy David Cullinane: On the same issue-----

An Ceann Comhairle: I call Deputy Cullinane on the same issue.

Deputy David Cullinane: As Deputy Coppinger mentioned, Sinn Féin is proposing a Bill that would, in part, deal with what is happening with Tesco and many other companies that are refusing to allow trade union access in the workplace. It is important for the Taoiseach to know that trade unions such as Mandate, Unite and the Financial Services Union and the Irish Congress of Trade Unions have given their full support to our Bill. When we have proposed Bills on workers' rights in the past, they have been rejected by Fianna Fáil and Fine Gael for political reasons. I appeal to the Taoiseach and to Fianna Fáil to support the Bill we are introducing this week and to do what is right. Can the Taoiseach provide an indication on whether the Government will support the Bill in question, which has been tabled, in part, to deal with what is happening in many workplaces across the State?

The Taoiseach: I hope the issue of the workers in Tesco can be sorted out by people continuing to engage in discussions and negotiations on their differences of opinion. I understand that the stores are open. This issue needs to be resolved and the capacity is there to do that. I do not support the Sinn Féin Bill because it would seriously undermine the voluntary concept of industrial relations we have in this country. A variety of other reasons for not supporting it will be spelled out by the Minister when the matter is discussed in the House.

Deputy Ruth Coppinger: The Taoiseach is saying that people can be in a union but that it does not mean anything.

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The Taoiseach: Deputy Cullinane is quite entitled to bring forward the Bill. I think that when the arguments are put forth here-----

Deputy David Cullinane: The Taoiseach supports the employers. He is siding with the employers again.

The Taoiseach: The Deputy is talking about a serious change in the volunteer concept of industrial relations-----

The Taoiseach: It is clear that the Deputy is talking about a serious change in so far as the volunteer concept of industrial relations is concerned.

Deputy Ruth Coppinger: It is not a serious change.

The Taoiseach: -----and in the scale of activity of multiple unions in any business. It is worthy of a good discussion, but I do not support it.

Deputy Ruth Coppinger: Shock horror.

Deputy Mattie McGrath: My colleague, Deputy Danny Healy-Rae, and many other Deputies raised the delays in GLAS payments in the House a few weeks ago. Huge fines, penalties and levies are imposed on people who cannot pay their taxes. It was not good enough for the Minister, Deputy Creed, to say in this week's *Irish Farmers Journal* that these delays have been caused by technical hitches. He told Deputy Healy-Rae a few weeks ago that there was a computer glitch. It is not acceptable. Farmers are decent people who pay their bills. They like to pay the people they hire in to do work. Now those people cannot get paid.
3 o'clock Farmers are embarrassed out of their minds because they need the grant money, to which they are entitled for environmental reasons, to pay the bills of people they have employed. They are in the invidious situation of waiting for money from the Department of Agriculture, Food and the Marine. Computer glitches and technical hitches are no good to them. They want the money to which they are entitled. Everything was approved before they started. This is a nonsense. Revenue imposes penalties and penal rates of interest on people who fail to pay their taxes, but farmers and others who are waiting for money from the State cannot get anything. It is totally unacceptable.

An Ceann Comhairle: I call Deputy Murphy O'Mahony on the same matter.

Deputy Margaret Murphy O'Mahony: The programme for Government contains a commitment to secure farm incomes. How can the Taoiseach stand over the delays in the payment of compensation to tillage farmers in the constituency of Cork South-West? Like other farmers throughout the country, they are also waiting on their GLAS payments.

An Ceann Comhairle: I call Deputy McConalogue on the same matter.

Deputy Charlie McConalogue: I would like to ask the Taoiseach about the GLAS payments that were mentioned by Deputy Mattie McGrath and the tillage compensation that was mentioned by Deputy Murphy O'Mahony.

The Minister, Deputy Creed, is in danger of getting a slot or a call-up by Mr. Joe Schmidt for this weekend's match because of his considerable talent at kicking to touch the issue of a tillage fund. We had a vote in the Dáil and he committed to a tillage forum to examine how a fund could be put in place. From that last week we still have not got any further progress. Further

to Deputy Murphy O'Mahony's comments, will there definitely be a tillage fund and will the Taoiseach and the Minister, Deputy Creed, ensure the fund is put in place as soon as possible?

The Taoiseach: I am sure the Minister will follow through in his comments about a tillage fund. I say to Deputy Murphy O'Mahony and any other Deputies raising the question of GLAS payments that payments of any grants from any Department depend on two factors: availability of money and eligibility or conformity with the conditions.

Deputy Robert Troy: They are eligible.

Deputy Danny Healy-Rae: These people are eligible.

The Taoiseach: I am sure the Minister for Agriculture, Food and the Marine is not saying some payments cannot be made because of some technical hitch. There must be a reason for this. The money is in place and the applications have come in. Do they conform with the requirements for release of the money? These payments have been made in the vast majority of cases and I am quite sure the Minister for Agriculture, Food and the Marine and his staff are working very hard to see that the remaining payments are made. They were put in place in the first place in order that the farmers could apply for and draw down assistance from the State, which was very hard-won in the first instance. We want that to be able to continue to guarantee incomes. That is why in the budget the Minister for Finance introduced the position that when there are exceptional years, such as that seen by tillage farmers in 2016, a gap year would be allowed for recovery. The farmers were not able to get crops from the fields in the first place.

Deputy Eoin Ó Broin: The programme for Government and the housing action plan of the Minister, Deputy Coveney, include commitments to strengthen tenants' rights. As the Taoiseach knows, the Residential Tenancies Act 2004 created what is now the Residential Tenancies Board which mediates in disputes between landlords and tenants when either side is not adhering to legal obligations. Local authority tenants are not included under this legislation, unlike tenants from private rentals and approved housing bodies. Will the Taoiseach bring forward legislation to give local authority tenants exactly the same legal protections as those living in the private rental and approved housing body sector to ensure they have access to the Residential Tenancies Board?

The Taoiseach: That was enacted in 2004. If those people are to be included in its remit, an amending Bill would have to be introduced. I will have the matter examined and I will advise the Deputy on that.

Deputy Bernard J. Durkan: There is the issue of expensive drugs for deserving patients. To what extent, if any, is there application of the Single Market in this regard right across the European Union? Has it been done already or can it be done? Have comparisons been made of the difference between servicing the costs and needs of individual patients in this country and patients in other European countries? The Single Market should apply but could it be applied in this regard?

The Taoiseach: Ireland is often used as a reference point. The House is aware that the Minister for Health has been working with a number of other health Ministries in different countries to deal with the pharmaceutical companies in terms of getting best value for taxpayers' money for patients suffering from particular conditions or who must contend with particular challenges. He is working within that sphere. With regard to particular drugs, the National Centre for Pharmacoeconomics is working with Vertex and I hope this matter can be agreed and resolved

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in order that the children and patients with cystic fibrosis may have the benefit of improving quality of life arising from distribution of the drug involved.

Deputy Eamon Ryan: A Programme for a Partnership Government has indicated that a key reform in delivering its actions is the establishment of a fully resourced independent budget office within the Oireachtas, available to all Members. It is indicated that this is a key reform to making the working of the Government more effective and transparent, giving Members a greater say in the development of budgets. I am on the Committee on Budgetary Oversight and we are deeply concerned that we have no sight of the office being set up. It was recommended in the early autumn and nothing is happening.

I understand the Department of Public Expenditure and Reform has done the classic hatchet “Yes Minister” job in saying it will not agree any position above a principal officer level, whereas most of the committee and this House believe this must go to assistant secretary level. I am interested to hear the Taoiseach’s view. We need an office with real authority, skills and knowledge. Does the Taoiseach agree we require this sort of level? Does the Taoiseach agree it is a disgrace that, as we start the new budget cycle, the budget oversight office is not in place? What could the Taoiseach’s office do to convince the Department of Public Expenditure and Reform to stop acting in this “Yes Minister” mode by stalling this critical piece of Oireachtas reform and to let us see it happen? We have not even advertised it. We are starting the new budget process and we do not have the offices in place which we need to do our job properly.

The Taoiseach: The Ceann Comhairle and his office are working on it. It is part of the programme for Government and, therefore, should be attended to. There is no point in setting up an ineffective office. In discussions, the appropriate level of status, remuneration and facilities should be made available. From my Department, we will see what we can do to expedite it in accordance with the work and discussions the Ceann Comhairle has had.

Deputy Robert Troy: There is a crisis in our health service regarding hospital bed shortages. Today, a young lady in her 40s has been discharged from Mullingar hospital because there is no bed for her in the Mater hospital. Her consultant at Mullingar hospital said her heart was failing at an alarming rate. If she does not get access to a bed for a life-saving procedure in the Mater hospital, she is going to die. This is a damning indictment of the health services policies the Government is pursuing. What can the Taoiseach do for this lady whose life will be saved if she gets the necessary procedure, but for whom there is no bed in the Mater hospital today?

The Taoiseach: I do not know the details of the case the Deputy mentioned. It is obviously a stressful time for the person involved. I am not aware whether any other specialist cardiac unit could do the same operation and has a bed available. These decisions are made by consultants and clinical people as to the priorities. I hope the matter can be dealt with, that a bed can be found for the young woman and that she can receive her life-saving treatment. If the Deputy gives me the details later, we can have them assessed.

Deputy Sean Fleming: A while ago, the Government announced a mid-term review of its capital investment plan. Since that announcement, Members all have become aware of possible overruns of €600 million regarding the national children’s hospital at St. James’s and €200 million regarding moving the National Maternity Hospital to St. Vincent’s. This is in addition to the plan stating that the Rotunda Hospital is to be moved to Blanchardstown and the Coombe to St. James’s. In Limerick, the maternity hospitals are to go to the University of Limerick. This morning, the HSE chief executive was quoted as saying he needed €9 billion to renew old

equipment. In addition, there are priorities for mental health, cancer care and community services. In view of the overruns, one can only conclude that the current plan bears no relation to reality and the funding available. When will we see a new plan, will it be an honest document and when will it be published?

The Taoiseach: The process has begun. The Deputy mentioned the national children's hospital. Permission was granted in April 2016 and €650 million of Exchequer funding was approved for it in 2014. This was for the core construction of the new national children's hospital with the two paediatric outpatient units and the urgent care satellite centres on the campuses of Tallaght and Connolly hospitals. This funding was approved following a cost estimate which began in 2013, four years ago, and completed in early 2014. At that time, construction inflation was estimated to be approximately 3%. The pricing proposed by the tenderer took account of construction inflation which is now running at more than 9%, the extended project timeline, now scheduled to be completed in 2021, and the final market cost of the build. The final proposed cost is within 5% of projections and the successful party was the one with the most competitive tender. There is a monitoring committee to deal with the cost, which will be a contract cost, for the national children's hospital.

The review will be ready by the middle of the year so as we approach the 2018 budget, the analysis of the capital expenditure programme should be available to the Minister. Beyond that, we must examine where we are for the next ten, 15 or 20 years, to an Ireland which will have 1 million more people and a requirement for 500,000 jobs and 500,000 houses. Where are they going to live and work and how are they going to travel? It is about communications facilities, schools and hospitals. People say that we need six new hospitals and that a new one has not been built since 1998. Clearly the National Children's Hospital and the National Maternity Hospital are part of this. If the HSE says it needs €9 billion, we could probably double that figure and we would still need more. We need facilities for our people for the next 20 to 50 years and this is part of the immediate review and in the longer term.

Deputy Imelda Munster: I wish to raise the issue of social and health care services for people who have an intellectual disability, particularly in light of the financial misappropriations at St. John of God's in Drumcar where residents had money taken from their personal bank accounts to purchase medical supplies that St. John of God's should have purchased. One resident also had his own personal bank account raided to purchase cutlery, soft furnishings and a fireplace for St. John of God's. Given the apparent lack of oversight, or any scrutiny at all by the HSE, despite the fact that millions upon millions of euro in public money is paid into this service, will the Taoiseach give a commitment to publish the audit of St. John of God's that is currently being carried out in the interests of transparency and because it is funded with public money?

The Taoiseach: It appears to be more than borrowing from patients' personal bank accounts if what Deputy Munster is saying is true. Obviously, the Minister for Health will deal with this matter. If he has not had the report by now, he will deal with it when he has had time to reflect on it. Clearly we cannot have a situation where patients' private bank accounts are raided to pay for public property in any facility. That is a crime. I will ask the Minister for Health to respond to Deputy Munster in this regard.

Deputy James Browne: Under the programme for Government commitments were made to mental health matters and, similarly, in the confidence and supply arrangement, implementation of A Vision for Change for mental health was a condition of support for the Government.

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In a letter released over the weekend to Deputy Howlin and me from the Mental health Commission, it is clear that the imminent closure of somewhere between all and the majority of the mental health beds in the acute unit in University Hospital Waterford will leave a population of almost 300,000 people with potentially not one single acute unit bed in the south-east. What is the Taoiseach going to do about meeting these commitments to support people in the south-east and mental health?

The Taoiseach: I am not aware of the letter received by Deputies Howlin and Browne, but obviously Deputy Browne is in discussion with the Minister for Health directly and the Minister of State with responsibility for mental health. I will have the matter raised with the Minister and I will respond to Deputies Browne and Howlin.

An Ceann Comhairle: That concludes Questions on Promised Legislation. My apologies to the ten Deputies whose questions were not reached.

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 Michael Healy-Rae - resources for the national park in Kerry; (2) Deputy Declan Breathnach - provision of a passport office in the Border region; (3) Deputy Thomas Pringle - China's ban on Irish live brown crab exports; (4) Deputy Fergus O'Dowd - the addition of Drogheda and the greater Louth area to the rent pressure zones; (5) Deputy Catherine Murphy - Tusla's need for access to rape crisis centre information; (6) Deputy Bernard J. Durkan - funding to the Moat Club, Naas, County Kildare; (7) Deputy Tom Neville - litter problems in rural Ireland; (8) Deputy Joan Burton - the implementation of the Cush report; (9) Deputy Thomas Byrne - a safety review of the N2 road as a national route; (10) Deputy Brendan Griffin - job losses in Irish unlimited companies; (11) Deputy Dessie Ellis - the impact of rising motor insurance especially in the taxi industry; (12) Deputy Sean Fleming - the stabbing to death of a person (details supplied) in Kilkenny City in 2012; (13) Deputies Mary Butler, James Lawless and James Browne - bed closures and provision of acute psychiatric care in counties Wexford and Waterford; (14) Deputy Niamh Smyth - the CLÁR programme 2017 and the roads improvement scheme; (15) Deputy Imelda Munster - collated data of council owned land banks zoned for housing; (16) Deputy Jonathan O'Brien - questionnaires deadline for implementing the International Protection Bill 2015; (17) Deputies Michael Fitzmaurice, Tony McLoughlin and Marc MacSharry - the threatened closure of veterinary labs; (18) Deputy Michael D'Arcy - IDA Ireland provision of a property for foreign direct investment for Wexford town; (19) Deputies John Curran, Alan Kelly, Kevin O'Keeffe - the closure of Harold's Cross greyhound racing track; (20) Deputy Brian Stanley - to raise with the Minister for Justice and Equality the case of the death of Kieran Monahan, Durrow, County Laois on 15 February 2013 and to have this case reviewed; (21) Deputy Pat Buckley - the ambulance service in east Cork; (22) Deputy John Brassil - the proposed respite care facility at Kilmorna, Listowel, County Kerry; (23) Deputy Michael Moynihan - the NCPE decision on the Respreeza medication; (24) Deputy Gino Kenny - the school construction programme and the delay in Lucan community college's extension; (25) Deputy Donnchadh Ó Laoghaire - the site of the Magdalene Laundry at Sean McDermott Street; (26) Deputy Billy Kelleher - the impact of construction inflation on health capital spending projects; (27) Deputy Bríd Smith - the crisis at Bus Éireann; (28) Deputy Richard Boyd Barrett - orthodontics at Loughlinstown hospital; (29) Deputy Mattie McGrath - the future of the

Clonmel-Dublin Bus Éireann service; (30) Deputy Eamon Scanlon - respite service facilities in Sligo-Leitrim; (31) Deputy Barry Cowen - the need for the Minister for Housing, Planning, Community and Local Government to address the latest figures showing that family homelessness was at record highs in January and to discuss what actions he is taking to try to stem the rise in homeless; (32) Deputy Martin Ferris - mental health services in Kerry; (33) Deputy Jack Chambers - the cost of developing the new national children's hospital at the St. James's Hospital site in Dublin; (34) Deputy Eamon Ryan - that the Minister for Foreign Affairs and Trade provide an urgent update on any information he has sought or received from the Egyptian Government in reference to the case of Ibrahim Halawa in light of the further delay of his trial, the 19th such delay, last week. This is following on from a Dáil delegation which visited Egypt in January of this year; and (35) Deputy Mick Barry - the additional funds being sought from the taxpayer for the event centre in Cork.

The matters raised by Deputies Michael Healy-Rae, Declan Breathnach, Michael Fitzmaurice, Tony McLoughlin, Marc MacSharry, John Curran, Alan Kelly and Kevin O'Keeffe have been selected for discussion.

Ceisteanna - Questions

Gaeltacht Policy

1. **Deputy Gerry Adams** asked the Taoiseach when the Cabinet Committee on Arts, Irish and the Gaeltacht last met. [5893/17]

2. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet Committee on Arts, Irish and the Gaeltacht last met. [7035/17]

3. **Deputy Brendan Howlin** asked the Taoiseach if the Cabinet Committee on Arts, Irish and the Gaeltacht has met since October 2016; and when it is planned to meet next. [7047/17]

4. **Deputy Micheál Martin** asked the Taoiseach if he will report on the Cabinet Committee on Arts, Irish and the Gaeltacht. [8464/17]

The Taoiseach: I propose to take Questions Nos. 1 to 4, inclusive, together. The Cabinet Committee on Arts, Irish, the Gaeltacht and the Islands last met on 13 October 2016. The next meeting is scheduled for Monday, 27 February.

Deputy Gerry Adams: Last October the Taoiseach launched the Government's policy, *po-lasaí don oideachas Gaeltachta*. This claims to be focused on the provision of Irish medium education and to support the use of Irish as a living, indigenous language in Gaeltacht areas. Under this new strategy, schools will only be given Gaeltacht school recognition if they teach entirely through the medium of Irish. In order to improve the supply and quality of teachers, the policy includes the provision of a new Irish medium initial teacher education programme. The Department of Education and Skills, however, has yet to commence the drafting of a tender process for this. When that is done the successful provider has to turn the programme into action. This will mean that the additional teachers will not be available before September 2018. Is the Taoiseach satisfied with this timeframe? I have a real concern that the delay will undermine the ability of schools to meet the targets set by the Gaeltacht education policy. Will the

Taoiseach indicate the current status of the tender process and will he update the Dáil on the overall policy?

Perhaps the Taoiseach will also update the Dáil on the ferry service to Inis Mór. Have the difficulties that arose before last Christmas been resolved? Will the Taoiseach also update the Dáil on what the Government is doing to ensure that gaeilgeoirí in the North have the protection of Acht na Gaeilge as promised in the St. Andrews Agreement in 2006?

The Taoiseach: The publication of the education policy in respect of Gaeltacht schools was the first since the foundation of the State. The policy was brought about by the realisation that there is a serious drop in the numbers of children especially who speak Irish on a full-time basis in the Gaeltacht. This was due to population trends, demographics and shifts in population and so on. For this reason the change was brought about to have a recognition, capacity and policy for Gaeltacht schools which will compete for that title. The method of teaching and full-time education through Irish is one of particular importance in building confidence and competence in the language, which in many ways is the reason why we have failure in other areas. This was welcomed by groups all over the country. It is a radical change from where we were, that schools that happen to be in the Gaeltacht should be getting their own Gaeltacht policy. Obviously, there will be situations where this will cause some difficulty, but the policy has been well accepted since it was launched in An Cheathrú Rua by myself, the Minister for Education and Skills, Deputy Richard Bruton, and the Minister of State with responsibility for Gaeltacht affairs, Deputy Seán Kyne. The schools will be recognised through a set of criteria such as teaching wholly through the medium of Irish in Gaeltacht areas, the comprehension and integrated range of additional supports that will be made available to schools that gain recognition as Gaeltacht schools and so on. The Department is working through the Straitéis 20 Bliain don Ghaeilge.

Deputy Richard Boyd Barrett: I asked the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Deputy Humphreys, a number of questions about Creative Ireland which the Taoiseach and the Minister announced to a great deal of fanfare before Christmas. The answers were distinctly lacking in detail about what exactly Creative Ireland is going to mean and what is the long-term commitment. I understand that €5 million is allocated to Creative Ireland, which does not seem to be a very large amount. Some €1 million allocated to local authorities for community programmes and spread out among all our local authorities seems like a fairly derisory amount. The arts community has a question. Is that additional €5 million a long-term, ongoing commitment or is it a once-off €5 million? How is that money to be spent and what will it be spent on?

I also asked the Minister, and did not get clarity, about social welfare entitlements for artists. There was a specific request that artists, who often work intermittently but who do not get paid when they are not directly employed or employed in the business of creating work, would need specific recognition in regard to jobseeker's allowance. I seek clarity on what the Government is going to do to assist our artists and not have them chased up.

I have no doubt about the Taoiseach's creative talents and his talent for storytelling and so on but I was a little surprised that Creative Ireland is going to be directed by himself and a number of senior Ministers with no advice from actual artists themselves. Will he explain why it is the Taoiseach and Ministers who will direct Creative Ireland, rather than having advice from actual artists, if we are to have a grassroots approach to developing the arts?

The Taoiseach: We brought in the artistic community to the Cabinet committee and they were very appreciative of the consideration of a programme for Creative Ireland. The fact it will be monitored from the Department of the Taoiseach means it has particular clout in terms of co-ordination, such as applied during the centenary celebratory events for 1916. It was obvious during those commemorative centenary events that communities all over the country displayed outstanding leadership and creativity in so many ways, from the children doing their little poems, plays and pictures and so on, to receiving the national flag in every school, to older children writing their proclamations and their version of the Constitution, to their elders and seniors, parents and grandparents, talking about their involvement in 1916. It is that creative force, that imaginative force, that will prevent communities from fracturing once they are allowed to participate.

Deputy Richard Boyd Barrett: The Government took away the €50 million it gave them.

The Taoiseach: The money is not a once-off and it is going to continue and the base of €18 million is there for the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs for the future. There will also be what is called Cruinniú na Cásca, whereby Easter Monday every year will be allocated for artistic and imaginative endeavour. I notice there is now public art on the major roads throughout the country, which provides opportunities for artists to be creative in particular locations and to reflect geography and history in what they produce. The programme is there for the Deputy to see.

Deputy Richard Boyd Barrett: It is lacking in detail.

The Taoiseach: We all know about the STEM subjects - science, technology, engineering and mathematics - but, as has been pointed out on many occasions, the aim is to put artistic, imaginative and creative endeavour at the centre of public policy. If we inserted that into STEM, we would get STEAM, which would show the two sides of the use of people's imaginative qualities, whether it be music or physics, mathematics or architecture, or whatever. All of these things provide a real opportunity. Cruinniú na Cásca will be an important element every year.

The Creative Ireland programme was launched in the National Gallery. Extraordinary work has been done on the presentation of the gallery and it is going to be an outstanding edifice for the next 100 years. I look forward to that. Creative Ireland is an important element which, I must say to Deputy Boyd Barrett, was welcomed unanimously by all of the artistic groups, which said it is the first time there has been a realistic attempt to centralise art, artistic work, creative work and imaginative work as part of public policy. It is being monitored by the Department of the Taoiseach so we can publish and timeline the actions that are to be undertaken.

Deputy Brendan Howlin: To pick up on a point raised in the Taoiseach's previous reply, he will recall we put in significant funding on the capital side for the 1916 centenary commemorations. The argument was very strongly made by my colleague, Deputy Burton, that this should be embedded in capital funding for the arts because it is an area that has been lacking in capital funding, although we put in a rolling €5 million per annum for arts centres and so on. Is it intended to keep that €50 million? The Taoiseach indicated it was being left in place. What specifically will it be paid out for?

With regard to the next phase of commemorations, given we are coming up to the commemoration of the War of Independence and the end of the First World War, is it planned to

have specific commemorations of those events and others? Will the Taoiseach indicate exactly what is envisaged?

With regard to the Irish language and the Gaeltacht, under Acht na Gaeltachta 2012 it was envisaged we would have a different look at what constitutes a Gaeltacht and that it would not necessarily be a geographical area but a nexus of Irish speakers. While it may sound fanciful to some, my former colleague Robert Dowds had proposed, for example, that there was a sufficient number of people in Clondalkin who could have the designation of being in a Gaeltacht. Is there any out-of-the-box thinking to promote the Irish language in a new way in areas, including urban areas, where there is a high regard for the spoken language?

The Taoiseach: It is an interesting concept. In 2016, a once-off €49 million was made available for the centenary programme under the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, which included €18 million in current funding and €31 million in capital funding. As the Deputy is aware, some of the once-off projects that were finished included the visitor centre at the GPO, Richmond Barracks, the Kevin Barry rooms at the National Concert Hall, the Athenaeum in Wexford and others in Dublin that will stand the test of time. The Department retained the majority of the €18 million in current funding for 2017 and it is now part of the base for the arts division of the Department, meaning this will be available in future years. As Deputy Howlin is aware, 2016 was a particular year given it was the centenary year.

We do not have the details worked out for each of the years up to 2022 and 2023. I have made the point before that, as was reflected in the 1916 centenary year, we now have time to plan what we are going to have to do as a nation, and as a people, for 2020, 2021 and 2022, and for the War of Independence and the Civil War. As a mature country, given people went to extraordinary lengths to show a different mentality and a different Ireland during the centenary year, it is a question of how we can bridge the gap across the sensitivities of the Civil War. We have the time and the opportunity to plan imaginatively as to how that might be reflected in a centenary commemoration.

Deputy Brendan Howlin: Who is working on that?

The Taoiseach: We do not have the details worked out but, obviously, it is a matter for communities all over the country to put forward suggestions as to how this might be commemorated. As Deputy Howlin is aware, many of those events are much more sensitive and raw than those of 1916. I would think that, given how we have reflected a maturity about the centenary commemorative year, we can do the same for 2018 and 2021.

I acknowledge there are locations here in Dublin where there is more Irish spoken than in many Gaeltacht areas. This is an issue that is being looked at in the context of what constitutes the spoken language and where it is spoken, as distinct from just having a geographical boundary. The former Minister, Patrick Lindsay, when he was asked at the Cabinet table why he had not put Bangor Erris into the Gaeltacht, given he had responsibility for the breac-Ghaeltacht, said, "Surely, you are not telling me that Bangor Erris is an Irish-speaking area", and he only lived three or four miles from there himself.

Deputy Micheál Martin: I believe the arts portfolio is in the wrong Department. It was a makey-up type of creation at the formation of the Government and the artistic community rightly rebelled against it. The one good dividend from it was that it led to a reconsideration by the Government as a whole on the arts front. While the Creative Ireland document is positive in

itself, there is a lack of beef, a lack of capacity, in terms of the funding behind it. Overall, there has been a lack of vision regarding the arts and a lack of a national policy towards the arts in the last five or six years that fully embraces and utilises the energies of local authorities and the Department of Education and Skills, along with the Arts Council and others, to support artists and to develop strong support of arts and culture throughout the country.

When the Taoiseach says a majority of the €18 million in current funding was used in the 1916 spending programme, how much was retained for current arts funding in 2017? How much of the capital funding of €31 million was retained, or has it been classed as once-off and, hence, dramatically reduced? Around the country there are a lot of art centre schemes that could be upgraded and that need development.

Maidir leis na Gaeltachtaí agus leis an nGaeilge, is léir go bhfuil feabhas mór tagtha ar labhairt agus ar chruinneas na Gaeilge ar fud na tíre de bharr an réabhlóid sa Ghaelscolaíocht. Tá i bhfad níos mó daoine óga anois in ann an teanga a labhairt go líofa agus go nádúrtha de bharr na Gaelscoileanna. Ach ní hé sin fáth nó réasún chun tacaíocht a tharraingt siar ós na Gaeltachtaí. Tá níos mó ná an Ghaeilge amháin ag baint leis na Gaeltachtaí. Tá cultúr ann agus, de ghnáth, is áiteanna iargúlta iad. Ba chóir an infheistíocht atá ann a choiméad sna Gaeltachtaí.

An Ceann Comhairle: Tá an t-am istigh.

Deputy Catherine Martin: Tá deacracht agam faoi cad tá faoi chaibidil ag an Rialtas mar léiríonn sé, b'fhéidir, go mbainfear tacaíocht ós na Gaeltachtaí diaidh ar ndiaidh. Caithfimid níos mó cabhair a thabhairt dóibh. Go háirithe, ba chóir ionad a chur ar fáil chun níos mó cabhair agus tacaíocht a thabhairt do dhaoine chun an Ghaeilge a mhúineadh go héifeachtúil ar fud na tíre.

The Taoiseach: As the document points out, one is dealing here with the issue of the five pillars enabling the creative potential of every child, enabling creativity in every community, investing in our creative and cultural infrastructure, Ireland as a centre of excellence in media production, and unifying our global reputation. When one goes through all of those, the different headings point out that there is scope here for every person, who has got a proposition that is in any way creative or imaginative, to participate in this. The education centres around the country, the little artistic centres around the country, the arts officers in the local authorities and the schools themselves, in arts and crafts, creativity and play have played an extraordinary part in boosting the understanding and the importance of the arts. We hope that Cruinniú na Cásca, which will be on Easter Monday of each year, will bring about something like what happened in September where 1,400 events took place around the country involving children and young people in some artistic endeavour. That is what this is about.

Clearly, the following funding was provided: €2 million for the opening of the newly restored historic wings of the National Gallery, the opening of Killarney House on foot of significant investment by the State, an increase of €2 million for the Irish Film Board and €1 million for Culture Ireland; and funding of €5 million for the implementation of Creative Ireland. Obviously, we would love to have had funding for so many other events but we did not have it. We are building on that, as the economy improves.

Ó thaobh chúrsaí mhúineadh na Gaeilge de, ba chóir go mbeadh athbhreithniú ar na modhanna múinteoireachta Gaeilge. Ó thaobh na Gaeltachta féin de, cuireadh fáilte mhór roimh an straitéis nua agus tá súil agam go láidreoidh sé sin as seo amach. Nuair a bheidh na teidil

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agus na freagraí tugtha, ag éirí as na coinníollacha a bheith comhlínte, tá súil agam go mbeidh tacaíocht le fáil taobh istigh de na Gaeltachtaí agus do na Gaeltachtaí agus ní hamháin ó Údarás na Gaeltachta agus nithe eile ach ó thaobh cúrsaí oideachais freisin agus go mbeidh an togha den líofacht agus taithí sin le fáil ag gasúir, cibé as a dtagann siad, a bheidh ag freastal ar scoileanna Gaeltachta sna Gaeltachtaí.

An Leas-Cheann Comhairle: Bogfaimid ar aghaidh anois go dtí an chéad grúpa eile.

Deputy Joan Burton: Tá ceist agam agus tá mé sa ghrúpa seo.

An Leas-Cheann Comhairle: An raibh ceist ag an Teachta roimhe seo?

Deputy Joan Burton: Ní raibh.

An Leas-Cheann Comhairle: Táimid thar am.

Deputy Joan Burton: Ceist ghearr atá agam don Taoiseach faoi Log an Lá i gContae Chill Mhantáin.

An Leas-Cheann Comhairle: Táimid thar am.

Deputy Joan Burton: Luggala, in County Wicklow, an estate of 5,000 acres which is currently open to the public, is owned by the Guinness family trust and has been in the care and guardianship of Garech Browne, whom the Taoiseach possibly knows and who has been very involved in the promotion of Irish music and the arts over a long period of time.

An Leas-Cheann Comhairle: Tá sé thar am.

Deputy Joan Burton: I would like to know whether the Cabinet Committee on Arts, Irish and the Gaeltacht has had an opportunity to discuss this. The estate may be bought by a private buyer and access to the public is a vital part of the facilities for walking which are available to the public.

Deputy Richard Boyd Barrett: Denis O'Brien, God forbid.

An Leas-Cheann Comhairle: Tá an Teachta thar ama.

Deputy Joan Burton: It is one of the most iconic beautiful spots in Ireland.

An Leas-Cheann Comhairle: Tá an Teachta thar ama.

Deputy Joan Burton: Has this been discussed, either by the Cabinet or by the Cabinet committee?

An Leas-Cheann Comhairle: Deputy Burton normally observes the time.

The Taoiseach: It has not been discussed by the Cabinet and it is not been discussed by the Cabinet committee.

Deputy Richard Boyd Barrett: The Taoiseach would want to get on with that.

The Taoiseach: I heard reports of the Minister of State with responsibility for regional economic development, Deputy Ring, saying he would be quite prepared to negotiate or discuss with the owners of Luggala. I point out to Deputy Burton that Westport House, a magnificent

building there for so many years, was bought by a local family and will be kept open to the public. It is wonderful to see a situation where, after so many years, a local family is in a position to buy something like Westport House and keep it for the people of Westport in public view and for those who will travel there. Obviously, the Minister is looking at the question of Luggala but it has not been discussed by Cabinet and it has not been raised or discussed at the Cabinet Committee because the Minister of State is looking at it at present.

Cabinet Committee Meetings

5. **Deputy Ruth Coppinger** asked the Taoiseach if the Cabinet Committee on Housing has met recently. [7028/17]

6. **Deputy Gerry Adams** asked the Taoiseach when the Cabinet Committee on Housing last met and when it is scheduled to meet again. [8366/17]

7. **Deputy Brendan Howlin** asked the Taoiseach when the Cabinet Committee on Housing last met; and when it will meet again. [8421/17]

8. **Deputy Richard Boyd Barrett** asked the Taoiseach if the Cabinet Committee on Housing has met recently. [8467/17]

The Taoiseach: I propose to take Questions Nos. 5 to 8, inclusive, together. The Cabinet committee on housing last met on 6 February 2017. It is scheduled to meet again on 27 February 2017.

It will continue to meet regularly and consider progress in implementing Rebuilding Ireland: Action Plan for Housing and Homelessness, which is a priority issue for the Government.

Deputy Ruth Coppinger: I wonder would the Taoiseach go to the Cabinet with a proposal to change the name of Rebuilding Ireland because it is not rebuilding Ireland. The lowest figures for public sector house building were released last week. They were buried under the other problems the Government had last week but I wish to bring them to the Taoiseach's attention in case he missed them.

We thought we were doing badly under the former Minister, Deputy Kelly, with 476 public sector houses built in 2015 but, lo and behold, under the Minister, Deputy Coveney, we got 448 public sector houses in 2016. The rate actually slowed in the last quarter and I wonder whether the Taoiseach has any room for worry there.

Obviously, there were record numbers of homeless people at Christmas and the new year. Yesterday, according to *The Irish Times*, 700 patients were discharged from hospitals last year into homelessness. Some 8% of those who attended the Mater accident and emergency department were of homeless families. Does the Taoiseach feel a bit of a failure? The Taoiseach's legacy surely matters to him as he draws towards the end. On the issue of housing, one of the most fundamental issues in anybody's life, clearly the Government is not working.

Rents also were shown to be the highest on record since *daft.ie* began recording figures. Focus Ireland has stated one-in-three tenants struggle to pay their rent, one-in-nine fears losing their home and 88% want the Government to regulate rents. On the limited measures the Government took in relation to the rent pressure zones, I have a serious question. How will they be

enforced? If a tenant who wants to rent out a property walks up to a landlord, he or she has no way of proving whether or not that landlord has abided by the measure.

An Leas-Cheann Comhairle: Cuir do ceist.

Deputy Ruth Coppinger: My ceist is this. The single issue that is the problem here is the Government is wedded to private housing. The Government has a distaste for public sector housing, as evidenced by the fact it will not build any. That is the real problem we have in this country.

An Leas-Cheann Comhairle: Tá an Teachta thar ama.

Deputy Ruth Coppinger: Those reliant on social and affordable housing have no prospect, based on the figures I have seen.

An Leas-Cheann Comhairle: Tá an Teachta thar ama.

Deputy Gerry Adams: The January homeless figures, published by the Department of Housing, Planning, Community and Local Government yesterday, reveal an increase in the number of people in emergency accommodation. There is an all-time high of 7,167 citizens who are homeless and the number of households in emergency accommodation has increased by 84. In January, 4,760 adults were in emergency accommodation, which is an increase of 117 persons. The number of families in emergency accommodation has dropped by 33 and the number of children has dropped by 98. However, a total of 2,407 children are still homeless. The Minister has claimed these figures show the success of his policy. On the contrary, they are evidence of a policy that does not have ambition and that is not working. How can a 91% increase in homelessness in two years be labelled a success? One child becomes homeless every five hours in Dublin. This is evidence of a crisis that is deepening.

Once again, the Minister for Housing, Planning, Community and Local Government, Deputy Coveney, released the figures late. We need an aggressive purchase programme for vacant homes. It needs to include 1,000 new housing first tenancies this year. The Taoiseach is always claiming that the only way to tackle the housing crisis is to increase supply, in other words, to build houses. When does he expect that to happen?

Deputy Brendan Howlin: I listened with some care to the Taoiseach's replies to Deputy Micheál Martin during Leaders' Questions. I had thought we had an all-party approach to dealing with this issue, because it is the compelling social issue right now.

It is a fact that the last Government allocated €3 billion, an unprecedented sum. However, that was almost three years ago and, for some reason, the social housing that we expected is not being delivered. I know some of the reasons. We had to reconstitute local authority housing departments and so on. Some 430 individuals had to be employed because sufficient staff were not available in local authorities. Is it time now to look at a different delivery system? Patently, money is available and political will seems to be present across the House, but the delivery is not happening.

Let us consider the shocking delay in delivering modular housing. Under the plan 200 homes were meant to have been built by the end of last year with a further 800 by the end of this year. Thus far, 22 have been built and they were all under projects started by the then Minister, Deputy Alan Kelly. It seems to me that some impediment exists in translating the clear policy

directions from the Department of Housing, Planning, Community and Local Government to concrete solutions.

Deputy Richard Boyd Barrett: The soap opera of the leadership struggle within Fine Gael seems to be preoccupying media debate during the past week. Frankly, it is lost on me and I imagine it is lost on large numbers of people who are concerned about having a roof, or not having a roof, over their heads. It is part of the long litany of people coming in to my clinic in dire circumstances day in, day out and week in, week out. I want an answer from the Taoiseach about what I should say to these people. I am fed up talking about this for the past five years.

This week a mother of two children came to me. She is trying to overcome addiction issues and she is clean. Yet the emergency services tried to shove her back into emergency accommodation in town where there are active drug users. Instead of going in to that environment, she is now elsewhere. We mentioned Luggala earlier. I will not say exactly where the woman is, but she is camping in a national park in the Wicklow Mountains rather than going into the hostels in town provided by the emergency services and the local authorities. That is the position. This mother is separated from her children because she has nowhere to go and she is up in the Wicklow Mountains rather than going to hostels.

I do not have time to enumerate some of the other abominable cases that come to me. What do I say to that woman? I appeal to the Taoiseach to tell me. Nothing has changed and I am running out of any hope that there is light at the end of the tunnel for these people.

Deputy Micheál Martin: There are 4,000 vacant units in Dublin city alone and approximately 15% of housing stock is classified as vacant. That is nearly three times the level that is considered natural. This is one emergency issue that could be dealt with. We are in an emergency but one does not get the sense that it is being treated as an emergency. I agree with the comments of Deputy Howlin to the effect that there is a problem with execution and delivery. Only 22 modular homes have been built. It is a scandal. They were heralded as the great white hope two years ago and it was going to be a great thing. However, we have seen no delivery on the ground.

Earlier, the Taoiseach referred to the European Fund for Strategic Investments, known as the Juncker plan. The Department of Finance has a policy not to avail of that facility.

Deputy Brendan Howlin: The Stability and Growth Pact prohibits it.

Deputy Micheál Martin: It does not.

Deputy Brendan Howlin: It does.

Deputy Micheál Martin: No, it does not. It is a public private partnership facility. Andrew McDowell, who advised the Government, has now gone over.

Deputy Brendan Howlin: Six months-----

Deputy Micheál Martin: Deputy Howlin is no longer-----

Deputy Brendan Howlin: I am looking for solutions.

Deputy Micheál Martin: I am too. We use it for health centres but not for housing. We have a strategic investment fund but we are not building council houses at the level we should

be.

Deputy Richard Boyd Barrett: The credit unions are offering €5 billion.

Deputy Micheál Martin: The credit unions are offering money. We have gone to the Government with the issue of credit unions.

Deputy Ruth Coppinger: What about NAMA?

Deputy Micheál Martin: Instead of getting a loan at a lousy rate from the main banks, into which they must make all their deposits, the credit unions are willing to invest that money in the provision of housing. However, those in government simply do not want to get up and get it sorted. Meanwhile, we have this thing going on about leadership. Those Ministers ought to show some leadership in their portfolios given the crisis at hand.

An Leas-Cheann Comhairle: We are eating into the next slot.

The Taoiseach: I am unsure whether people actually hear me. Reference was made to social housing. It is not true to say that the Government is opposed to social housing. I have before me a figure of 8,430 homes currently being built. If Deputy Coppinger wants to know where they are, the Minister will send her the exact details of the sites, locations and so on.

Deputy Ruth Coppinger: I know where they are.

The Taoiseach: Some 1,829 homes are already on-site with a further 91 projects throughout the country. These figures are available to Deputies.

Deputy Ruth Coppinger: Only 440 were built last year.

The Taoiseach: Some 61 projects are at practical completion stage. They were begun in 2016. The Department of Housing, Planning, Community and Local Government as well as the Minister and a Minister of State are dealing with this. They are working hard. There is a housing delivery unit in the Department. They have changed all the processes and expedited the opportunity for local authorities not only to get money but to get back building houses. There is evidence of this in the various stages, including capital appraisal, pre-planning, pre-tender and tender reports. Some 2,687 social homes are at stage one, 1,279 are at stage two, 490 are at stage three and 1,493 are at stage four. This is real progress, given that we started from a position where nothing was happening. It is not a question of provision of money. It is a question of having the processes and the mechanics actually working.

Deputy Howlin raised a point about rapid build and suggested only 22 had been built. By the end of this year, a total of 1,000 rapid-build houses will be finished.

Deputy Brendan Howlin: Is the Taoiseach referring to modular houses?

The Taoiseach: The housing assistance payment scheme dealt with 18,000 solutions last year.

Deputy Richard Boyd Barrett: That is simply re-categorising rent allowance.

The Taoiseach: A total of 2,800 people left homelessness completely.

Deputy Martin raised a question about the credit unions and the money they have. The Min-

ister of State met representatives from the credit unions yesterday and today. We are waiting for a decision from the Central Bank, which is the regulator of the credit unions, as Deputies are aware. The Government is happy to take and use the money from the credit unions, but it requires the *imprimatur* or approval of the Central Bank. We are keen for this to happen. Of course, as Deputies are aware, we cannot magic these houses into existence. We must have a process that works. That is why €200 million was put up for access to sites that were inaccessible. This is to be used to cross a river, provide a bridge, open a thoroughfare or whatever else. We are catching up from a base where nothing was happening.

Taoiseach's Meetings and Engagements

9. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his meeting with Prime Minister Beata Szydło in Warsaw, Poland. [7046/17]

10. **Deputy Gerry Adams** asked the Taoiseach if he will report on his recent visit to Poland, his meeting with Prime Minister Beata Szydło and any other engagements he had while there. [8365/17]

11. **Deputy Ruth Coppinger** asked the Taoiseach if he will report on his visit to Poland and his meeting with the Polish Prime Minister. [8459/17]

12. **Deputy Joan Burton** asked the Taoiseach if he will report on his meeting with Prime Minister Beata Szydło of Poland. [8524/17]

The Taoiseach: I propose to take Questions Nos. 9 to 12, inclusive, together.

I had a very fruitful meeting with Prime Minister Szydło in Warsaw on Thursday, 9 February, which covered a range of European, global and bilateral issues, with Brexit top of the agenda.

I outlined to the Prime Minister Ireland's concerns about the impact of Brexit on our economy, Northern Ireland, the common travel area and the future of the EU.

Poland shares many of our concerns on Brexit. The UK is its second largest export market after Germany. We agreed that the EU 27 should speak strongly with one voice and we share the hope that the future EU-UK relationship will be as close and as positive as possible post-Brexit. The issue of rights of EU citizens, including Poles, living in the UK is a very important one.

We agreed on the need for the reciprocal rights issue to be addressed early in Brexit negotiations while also defending the indivisibility of the four freedoms, that is, free movement of people, goods, capital and services.

Mrs. Szydło and I exchanged views on key issues on the European agenda. In particular we discussed the future of Europe and the preparations for the forthcoming summit meeting in Rome. We agreed that the EU will remain an indispensable source of stability and core democratic values in the world. Our focus should be on delivering concrete results of importance to the lives of our citizens, including jobs, growth, and investment. We discussed the importance of completing the Single Market and the digital single market, of which both countries are strong advocates, and which bring huge benefits in terms of jobs and growth to our citizens.

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We also discussed the external challenges facing the EU in a changed global landscape, in particular Russia-EU relations and the escalating conflict in Ukraine. We agreed on the need to maintain sanctions against Russia until the Minsk agreements are fully implemented.

We discussed the excellent bilateral relations between our countries. Since Poland joined the EU in 2004, ties between our two countries have grown very strong, thanks to the Polish community of approximately 150,000 people living in Ireland and the resulting deep personal, cultural, and economic ties that connect us. Trade between our two countries is growing at a rate of over 15% a year. I thanked the Prime Minister for the very positive contribution of Polish people living here to Irish society.

Prime Minister Szydło raised the teaching of Polish in Irish schools and the good work under way by the Minister, Deputy Bruton, in this regard. The forthcoming foreign languages in education strategy from the Department of Education and Skills will contain a number of projects to support children who speak Polish in the home. We agreed that our Ministers with responsibility for education would engage on this matter, and I invited the Prime Minister to send her Minister for Education to Ireland to discuss it with the Minister, Deputy Bruton.

I invited PM Szydło to visit Ireland next year and she accepted my invitation.

During my visit to Warsaw I had the opportunity to observe the great work under way by our agencies, Enterprise Ireland and Bord Bia, and by our embassy in supporting trade and promoting Ireland. I officially opened the new Polish office of Bord Bia, which will serve the central and eastern European market and which demonstrates ongoing efforts to diversify Irish food exports, especially in the context of Brexit. I spoke at the Irish-Polish Innovation Forum organised by Enterprise Ireland, at which it was clear that there is excellent collaboration between Irish and Polish start-ups. Finally, I had the opportunity to meet with business people and the Irish community at an embassy event.

Deputy Brendan Howlin: I thank the Taoiseach for his comprehensive reply. The Taoiseach will be aware that the so-called Visegrád Group of countries - Poland, Hungary, the Czech Republic and Slovakia - have announced that they will veto any Brexit deal that does not accommodate their citizens currently living in the United Kingdom. Did the Taoiseach have any discussion with the Polish Prime Minister about that assertion? Did he make any commitments relating to that demand? What is the Taoiseach's view of the Polish Prime Minister's understanding of the unique Irish position? Is there a comprehension of how uniquely the exit of the United Kingdom from the European Union will impact on us? Finally, with regard to the potential of Polish citizens finding it more comfortable to live in a European Union country after Brexit, was there any discussion about the possible migration of Polish citizens currently in the United Kingdom to Ireland post-Brexit?

Deputy Gerry Adams: I wish to raise three matters. The Taoiseach quite correctly stresses the importance of the peace process when he is discussing the implications of Brexit with our European partners. In the context of the peace process, the High Court in Belfast dismissed the appeal of Geraldine Finucane earlier today. That was done on the basis that Ministers are entitled to depart from the policies of previous governments. I bring this to the Taoiseach's attention because the decision has serious implications far beyond the case of Pat Finucane. It is one to which he should give his attention.

The second matter is the Taoiseach's refusal - and he only became clear about this in recent

times - to support the proposition that the North be afforded a special designated status in the European Union. The decision by Fine Gael to vote against the Sinn Féin-Fianna Fáil motion on Brexit last week was a grave mistake and exposes the deep flaw at the heart of the Government's approach. Will the Taoiseach explain the rationale for that?

Third, when I asked the Taoiseach recently whether there was contingency planning for customs posts along the Border, he said he hoped nobody was looking for sites along the Border and that he did not know anything about it. However, when Deputy Pearse Doherty asked the Minister for Finance about this, the Minister said there was such contingency planning. There is much talk about it being a friction-free soft Border yet, at the same time, there is contingency planning and officials are looking at where customs posts will be erected. That is causing huge concern from Louth to Donegal and Derry. Will the Taoiseach clarify that? In addition, and I have asked this question a number of times but the Taoiseach has not given an answer, will he publish a White Paper on Brexit? If not, he should tell the House he does not intend to do it. The Taoiseach should not ignore the question.

Deputy Ruth Coppinger: The Taoiseach mentioned the wide range of issues he discussed with the Polish Prime Minister. Did he have time to discuss an issue that is common to both of their hearts, namely, the fact that Poland and Ireland have the most restrictive abortion laws in Europe? Both the Taoiseach and the Polish Prime Minister are faced with a growing demand for change on this issue. Did they have any tips to give each other? For example, there was a strike by women and men in Poland due to an attack that was taking place on the very limited abortion rights in Poland. The Polish Government wanted to introduce an eighth amendment, like the Taoiseach's beloved amendment, but it was forced back by a massive movement. International Women's Day is on 8 March, two weeks hence. There have been calls for a global women's strike on that day. We saw the marches that took place following the election of President Trump, in which 4 million people around the world took part. The Strike 4 Repeal will be held in Dublin and the march for repeal, organised by the Coalition to Repeal the Eighth Amendment, will take place at 5.30 p.m. on International Women's Day. The Bus 4 Repeal, organised by Reproductive rights against Oppression, Sexism & Austerity, ROSA, will be travelling the country to organise for those events and to bring news and information for women who are barred from leaving this country, as they do not have the means and the wherewithal to access abortion, about abortion pills which are perfectly safe.

This is one issue the Taoiseach did not mention. This might be his last month in office, although I do not know what is happening in Fine Gael-----

The Taoiseach: Nor should the Deputy.

Deputy Brendan Howlin: Unless she is on the WhatsApp.

Deputy Ruth Coppinger: No, I am not on the WhatsApp. Will the Taoiseach see fit to recognise that this is a serious issue, not a joke? Thousands of young people in particular will not tolerate delays on this any longer. Were there any tips from Poland about listening to the popular movement for change?

Deputy Joan Burton: Was there any discussion about the matter of child benefit being paid in respect of children of Polish workers who are here in Ireland but whose children are living in Poland? This is an area that the Commission has not wished to change, but it was offered as a reform to David Cameron before the Brexit referendum. Mrs. Merkel has now indicated that

she wishes to proceed with a German reform.

In the context of Poland being part of the so-called Visegrád Group, did the Taoiseach discuss the idea of there being different clubs in the European Union post Brexit, for example, the original core founding countries in a high-speed club or inner circle and then other countries like the Visegrad countries which are vehemently not federalist and which are opposed to any further extensive integration? Were either of those two issues discussed with the Polish Prime Minister?

Deputy Micheál Martin: The Polish Government has taken an aggressive attitude towards the reappointment of Donald Tusk as President of the European Council. He has been a very good President so far. He has shown important moral leadership, helped smaller and medium-sized countries to have a reasonable voice and ensured they are heard. Did the Taoiseach discuss that matter in Warsaw when he was there? Will he confirm that Ireland is supporting the reappointment of Donald Tusk in this critical position?

Reports from the meeting suggest that Poland was not particularly supportive of the Irish position on the common travel area which was outlined to the Polish Prime Minister. They are concerned about the implications of restricted movement on Polish citizens. Will the Taoiseach confirm that he stated Ireland's absolute commitment to maintaining freedom of movement post Brexit and that we would not allow the common travel area to cause new restrictions on travel between here and other EU member states? We could become trapped between the UK and others in terms of this issue which both might try to exploit to maintain pressure. Has the Taoiseach discussed that issue with the negotiating team?

The Taoiseach: There are many issues to deal with in a short time. The Polish Prime Minister did raise the question of the rights of Polish citizens who have acquired benefits in Britain since Poland joined. I pointed out that in our case, with a common travel area since 1922, our citizens have acquired rights over all of those years which are far more traditional and extensive than what applied in the case of other countries where people have come to Britain since they joined the European Union. I did say that we would maintain our common travel area with Britain and we would maintain the opportunity of freedom of travel as one of the four freedoms in the Single Market.

I did not discuss abortion with the Polish Prime Minister, nor did we share any tips, nor indeed should any amendment be called one's beloved amendment. All amendments to the Constitution belong to the people, as well the Deputy is aware.

The question that Deputy Burton raised about the children of Polish workers who work here and who live in Poland was not discussed, but we did discuss the part played by Polish citizens here in integrating with Irish people and the fact that Polish is now the second most common language spoken in the country. For that reason I invited the Prime Minister herself to come to Ireland. I also extended an invitation to her Minister for Education to come and talk to the Minister, Deputy Bruton, who is drafting changes for the curriculum in respect of languages and a number of issues that can be raised about Polish being part of our curriculum here where Polish is spoken in homes in Ireland.

We will publish a paper in respect of Brexit. I waited until the forum in Dublin Castle last weekend was completed. I think it was valuable, and while Deputy Adams made a particular type of contribution, I was glad to see him there with the leader of the Sinn Féin Party in North-

ern Ireland. I take the Deputy's point about the Finucane case. I have asked for a report of the judgment of that. If the Fresh Start agreement is anything to go by, that holds the potential of dealing with this, but the testing is the proof, and I will study the judgment.

With respect to the special status, we have special circumstances, we have a special arrangement, a special peace process, special PEACE funds and special INTERREG funds. These all equate to special status for Northern Ireland. As I said in the Mansion House, across the spectrum there is an opportunity to have all-island solutions in a number of areas. I do not want to single out any one issue, but the issues of water, electricity and animal health all cross borders without physical restriction. There is an opportunity to look at a number of those areas where an all-island solution can be achieved. The real issue here is what the issue is going to be like between the United Kingdom and the European Union, and if Britain wants to have as close a relationship with the EU as possible, that will benefit us and we support that. I made the point to Commissioner Timmermans this morning that I do not think that it is feasible to proceed on the basis of the divorce discussions without having parallel discussions about the reality of the future framework and the future relationship between the United Kingdom and Europe.

Priority Questions

Poverty Data

Deputy Willie O'Dea: Deputy Brady would like to raise a point of order.

Deputy John Brady: Are Questions Nos. 26 and 29 being grouped together?

An Leas-Cheann Comhairle: You are quite right. There will be only one introduction.

26. **Deputy Willie O'Dea** asked the Minister for Social Protection his views on the recently published survey on income and living conditions, SILC, data; and if he will make a statement on the matter. [8532/17]

29. **Deputy John Brady** asked the Minister for Social Protection the action he is taking in response to recently released figures on poverty rates in the survey on income and living conditions, SILC; and if he will make a statement on the matter. [8704/17]

Deputy Willie O'Dea: The introduction will be very short. I raised the question to ascertain the Government's response to the survey on income and living conditions, SILC, figures, which give details of poverty levels across various strands of society for the year 2015.

Minister for Social Protection (Deputy Leo Varadkar): I propose to take Questions Nos. 26 and 29 together.

I welcome the latest Central Statistics Office, CSO, survey on income and living conditions results for 2015 which show improvements in living conditions and reductions in poverty overall. In 2015, incomes rose by 6.2%, mainly due to rising employment, the deprivation rate fell for the second year running, and 13,000 children were lifted out of consistent poverty. Ireland was more equal in 2015 in terms of the income distribution than at any time this decade.

Social transfers continued to perform strongly in reducing the at risk of poverty rate from

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35% to 17%, representing a poverty reduction effect of 52%. Ireland remains the best performing EU member state in this regard.

However, the results also show that we have a long way to go to achieve the national social target for poverty reduction. While consistent poverty fell in 2014 and stabilised at 8.7% in 2015, a reduction of almost five percentage points would be required to meet the 2016 interim poverty target.

Given the continuing economic recovery throughout 2016 and measures introduced in budgets 2016 and 2017, I expect the figures for those years, when they become available, to show further progress. I will continue my work with my Government colleagues to ensure the economic recovery is experienced in all regions and by all families, households and individuals in the years to come.

The Government's strategy for tackling poverty and social exclusion is set out in the National Action Plan for Social Inclusion. The plan identifies a wide range of targeted actions and interventions to achieve the overall objective of reducing consistent poverty. My Department will review the plan this year in consultation with relevant stakeholders.

Deputy Willie O'Dea: I thank the Minister for his response. The problem is that when we have raised the issue of poverty, the Minister has said on a number of occasions that our figures were outdated. These figures are for the year before last, from a time when employment had increased quite significantly. Despite that significant increase in employment, is the Minister disappointed that consistent poverty seems to have hardly moved between 2014 and 2015 from 8.85% down to 8.7%? The at-risk-of-poverty figure went from just over 17% to just under 17%. There was a marginal improvement in consistent child poverty from 12.7% to 11.5%. However, the at-risk-of-poverty figure for children showed very small movement from 20.3% to 19.5%.

The figures for consistent poverty for lone parents rose and the consistent poverty figure for people who were out of work due to disability or illness increased quite dramatically. Would the Minister agree with me that the increases in employment that we have seen have not given rise to a concomitant reduction in poverty figures, which says something about the quality of many of the jobs created?

Deputy Leo Varadkar: I suppose I am disappointed to one extent that things are not improving faster than they are, but I am encouraged that there can be no doubt now that in 2015, living standards improved, poverty fell and the country became more equal. We have heard from other parties - parties of the left and the parties opposite - that that was not the truth. We have been fed the story that the recovery is not real, that poverty is not falling and that the country is becoming more unequal. Of course, we know from these independent CSO statistics that this narrative is false and not supported by the numbers, which show that in 2015, using the Gini coefficient, Ireland was more equal than at any time this decade. They show that consistent poverty is falling and incomes are rising. Even though the reduction in child poverty might only have lifted 13,000 children out of child poverty, if we continue on this course over the next five years we will have reduced child poverty by more than half - by 65,000 children.

It is good to see that we are making real progress and the Deputy will see even better results in the SILC report for 2016 and particularly for 2017 because of the budget that I was involved in helping to frame, which, as the Deputy will be aware, benefitted people in the lowest quintile

the most. They are not just or particularly pensioners but people of working age who will receive an increase - albeit a modest one - in their incomes in a few weeks' time.

Just to put it into context, as well as the 13,000 children who were lifted out of poverty in 2015, the combined rate, that is, the number of people in consistent poverty and people at risk of poverty, who were lifted out of that category in 2015 was 162,000 people. Taking 162,000 people out of the broadest measure of poverty that is used is a step in the right direction. We might have taken 200,000 out last year - we do not have the numbers yet. It is definitely going in the right direction and it is good to see that the Government's economic policies are working, that we are creating jobs, making Ireland more equal in terms of income distribution and reducing poverty.

Deputy John Brady: I note the Minister welcomes the findings of the SILC report. He referred to the overall increase in living conditions. However, he completely brushed over and failed to acknowledge that there is a serious problem with consistent poverty for lone parents, which has increased from 25% in 2014 to 26.2% in 2015. This has to be down to the disastrous changes that were introduced under the previous Fine Gael-Labour Government's watch, under the stewardship of the then Tánaiste and Minister for Social Protection, Deputy Burton.

We have had poverty statistics after poverty statistics and no action. In the Minister's contribution he said a number of times that we should wait for next year's statistics. We have the current statistics which show that poverty levels among lone-parent families are on the rise. I put a straight question to the Minister and expect a straight answer. Does he agree with me that the increase in poverty levels facing lone-parent families is a direct result of the changes introduced by the previous Fine Gael-Labour Party Government? Does he believe it is acceptable that children in lone-parent families should be 3.5 times more likely to live in consistent poverty than a child in a two-parent family?

Deputy Leo Varadkar: The straight question I would like to ask the Deputy is whether he would like to take back and stand corrected when it comes to the Sinn Féin narrative for the past two or three years that incomes are not improving, that living conditions are not improving and that poverty is not going down. If he wants to use these statistics against me, he cannot be selective about them. He cannot just use them when it suits him; he has to be consistent.

The statistics show consistent poverty down and deprivation down significantly from 29% to 25.5%. The at-risk-of-poverty rate is down. The number of children in poverty is down. Income inequality as measured by the Gini coefficient at 30.8% is the lowest since 2009. The whole argument Sinn Féin has made for the past few years is not supported by the facts.

The Deputy particularly zeroed in on the issue of lone parents as opposed to child poverty because, of course, that is down. When it comes to the statistics for lone parents, there is an increase in consistent poverty but there is a fall in the deprivation rate and a fall in the at-risk-of-poverty rate for this category. Of most interest is that the consistent poverty rate for lone parents who are in work falls by three quarters to 6.7%. The clear message there is that the best way to ensure that lone parents escape from poverty is not by reversing the reforms made by Deputy Burton when she was Minister, but rather by ensuring people are in work because when they are in work, the chances of them being in poverty goes down by three quarters. It disappoints me that Sinn Féin opposes encouraging lone parents to get into work when it is so obvious that that is what makes the most difference.

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An Leas-Cheann Comhairle: I call Deputy O’Dea for a short supplementary question.

Deputy Willie O’Dea: Leaving the politics aside, is it not disappointing that the poverty figures are reducing so marginally? I obviously welcome any improvement, but is it not a major disappointment that they are reducing at such a slow rate?

The Minister mentioned that deprivation and at-risk-of-poverty rates for lone parents had fallen. Those figures have only fallen marginally - by 0.1% or 0.2%, that is, by one or two decimal points of 1%. Consistent poverty has increased, which is a cause for concern. Would the Minister not agree that there must be a connection between that and the changes introduced by the former Minister, Deputy Burton? The net effect of the changes introduced by her was to make it less attractive for lone parents to go to work, in other words, they would be less well off at work.

The rate of consistent poverty among people out of work due to illness or disability increased dramatically from 14.4% to 22.49%. The at-risk-of-poverty rates within that cohort increased from 25.2% to 34.81%. What are the reasons for that and what steps will the Minister take to alleviate it?

An Leas-Cheann Comhairle: I ask Deputy Brady to be brief.

Deputy John Brady: The Minister talked about statistics. I will select statistics that jump out at me and that raise serious concerns. Obviously, the Minister wants to talk about smashing the unemployment figures and the type of language he is good at. However, I will stick to the real statistics here - the statistics for which we are constantly told we must wait until the subsequent year. While the Minister talks about smashing the long-term unemployment rates, the statistics speak volumes. A total of 105,051 people in employment are living in poverty. More than 750,000 people are living on less than €230 a week. The Minister talks about Ireland being more equal now than at any point previously. The only thing that says to me is that people are equal in poverty.

The Minister uses the term “smashing”. I cringe when I hear that type of language coming from him because the statistics in the SILC report are clear evidence that the type of jobs the Government is creating are of the low-paid variety. Many employees in these jobs have to rely on family income supplement to allow them to go out to work. They are in precarious, part-time employment with zero-hour contracts. They are the figures and statistics over which the Minister is proud to stand.

I will ask one more question. What is the Minister doing, in tangible terms, for lone parents or for the 105,051 individuals who are employed but who are living on less than €230 a week? What is the Minister actually doing for those people?

Deputy Leo Varadkar: I do not recall ever using the term “smashing” about any target. Perhaps it is in a Government press release or something but it is not a term I have used. Sooner or later, Sinn Féin will have to face up to the fact that the story it has been telling Irish people for the past couple of years is just not true and does not stand up to the statistical facts. What also came out today was the quarterly national household survey. What does the survey say about employment? It says that the rate of long-term unemployment is down to 3.6%. That is an extraordinarily positive result for the country. The Deputy’s claim is that they are all part-time jobs. Here are the facts: full-time employment is up by 71,000 and part-time employment is down by 6,800. The Deputy says there is casualisation and that all these people are self-

employed. However, the number of employees is up by 67,000. The number of self-employed people is barely up at all - it is only up by 200. The Deputy says they are all low-paid jobs but the Central Statistics Office says today that employment increased across all 14 sectors so the jobs are being created at all levels. There is a 9% increase in work in construction, which is reasonably well paid and there is a 5.7% increase in professional, scientific and technical activities, which is generally very well paid. Sooner or later, Sinn Féin will have to face up to the fact that the spin and nonsense it has been telling Irish people for the past couple of years are just not true.

School Meals Programme

27. **Deputy John Brady** asked the Minister for Social Protection the amount his Department spends annually on the school meals programme; and if he will make a statement on the matter. [8703/17]

Deputy John Brady: How much will the Minister's Department spend this year on the school meals programme in light of the cuts he has made to the programme for this school term?

Deputy Leo Varadkar: The school meals programme provides funding towards the provision of food to schools and organisations benefiting over 200,000 children at a total cost of some €47.7 million during 2017. For the current academic year, 2016-2017, a total of €44 million has been allocated to schools under the scheme.

Funding for the scheme was increased this year, as part of budget 2017, by an additional €5.7 million, which is a 14% increase on the previous year's allocation. It will benefit approximately 50,000 children. The allocation for the scheme has significantly increased over a series of budgets from €35 million in 2012 to the current allocation of €47.7 million, which is an increase of 35% since 2012.

During this period, priority for new applications for funding has been given to schools that are part of the DEIS programme. From September 2016 additional funding is being provided to DEIS schools already participating in the scheme to provide breakfast and lunch to a majority of pupils. In addition, a further 21 DEIS schools have joined the scheme this academic year.

Budget 2017 also provides for the inclusion in the scheme, from September 2017, of another 80 schools that are not currently part of DEIS but have recently been deemed as requiring support in the recently launched DEIS plan, which was launched by the Minister for Education and Skills, Deputy Bruton, in recent days. There is also some provision towards the extension of the scheme to breakfast clubs in non-DEIS schools. That will kick in from September 2017, which will be the first time in many years that increased payments are provided to schools outside of DEIS. I have particular interest in doing that because the majority of children who suffer disadvantage do not actually attend DEIS schools but attend other schools. Priority will be provided to those schools where there is most need.

Deputy John Brady: I have been contacted by a primary school principal at a DEIS school who accidentally discovered that the school meals programme has been cut and that by May there will not be enough funding to carry the school through to the end of the year. That principal only found out that the funding had been cut on contacting the Department when a number of additional pupils were taken into the school. The principal contacted the Department to see

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if additional funding could be obtained and was told there will be no such funding and that the school will only get 90% of the funding it received the previous year. It is alarming that the Department did not notify the school that the school meals programme was going to be cut. On foot of that, I contacted a number of other principals in DEIS schools who subsequently contacted the Department to be told they also will only get 90% of the funding they got last year. What are principals in those schools supposed to do when the funding dries up in May? Will the Minister go into the schools and select the 10% of kids in the schools who will not get fed? What will the Minister do?

Deputy Leo Varadkar: I do not know why that is the case. If the Deputy wants to give me the names of the schools now, that is fine. If not, he can give them to me afterwards. Overall, the funding provided for the scheme was increased substantially by the former Minister, Deputy Burton, and was increased again for this year so I do not understand why that is the case. I am not saying it is not the case but if the Deputy wants to give me the details of the schools, I will have the matter examined.

Deputy John Brady: I appreciate that and I will pass on the details but it is not an isolated incident. Principals are only now being informed of this. They are not being notified, they only find out when they contact the Department and are informed that they will only get 90% of the funding they received in previous years. Schools are facing into serious difficulties. I refer to the DEIS schools in this regard. Funding for schoolchildren in some of the most deprived areas in the State will run out at the end of May. There will be at least a month when there will be no funding whatsoever in place. I welcome the fact that the Minister has taken 21 additional DEIS schools into the programme. Is there sufficient funding in place to ensure that each of those schools will get 100% funding as they did in the previous year? The crux of the problem is that the Minister or the Department has extended this but has not ensured that all schools are getting 100% funding. If this is clarified and a problem is identified, will the Minister ensure that every school will get 100% funding so that no schoolchild will go hungry when the funding runs out at the end of May?

Deputy Leo Varadkar: We do not anticipate an underspend or an overspend in this area so the funding is there. When it comes to the additional funding being provided to the DEIS schools participating in the scheme, the provision is for breakfast and lunch for up to 90% of children. That has been the case for quite some time. It is not a change or cutback in any way. That has been the case, as far as I can see, regarding to the additional funding but also prior to that.

Deputy John Brady: Will the Minister ensure that there is 100% funding? That is the question I asked.

Labour Activation Projects

28. **Deputy Willie O’Dea** asked the Minister for Social Protection if he will clarify recent media reports which suggested that a number of activation programmes will close; and if he will make a statement on the matter. [8533/17]

Deputy Willie O’Dea: I tabled this question because of recent media reports that certain labour market activation programmes were due to close down. First, I want to ascertain if this is true. Second, what are the programmes in question? Third, has there been an evaluation carried

out in advance of this decision?

Deputy Leo Varadkar: As Deputies in the House will be aware, my colleague, the Minister for Public Expenditure and Reform, Deputy Paschal Donohoe, recently announced a new approach that will be taken to reviewing current departmental expenditure in advance of budget 2018. The purpose of this review is to ensure the best value for money for the taxpayer. It is quite distinct from the savings reviews in departmental funding levels that took place over the economic crisis. They were about cutting spending and this review is not about that.

Almost €1 billion was spent on employment supports provided by my Department in 2016. Funding has increased significantly over the past six years. Given the improved economic and labour market conditions, it is entirely appropriate that we examine this area of expenditure to ensure policy objectives are being delivered in an efficient manner that will deliver best value for the taxpayer and ensure best use is being made of funding in each area.

It is recognised by Government that activation schemes are positive initiatives that enable the long-term unemployed to make a contribution to their communities while upskilling themselves for prospective future employment. I have seen this first-hand when visiting schemes throughout the country in recent months. It is also recognised that long-term unemployment and joblessness remain critical issues. The removal of barriers to employment for those furthest from the labour market continues to be a challenge, even in periods of economic growth.

With the ongoing welcome reductions in the live register, it is necessary to ensure the number and nature of activation schemes such as community employment schemes, Tús, Gateway and others and the conditions governing participation on these schemes continues to be appropriate. I will be bringing a memorandum to Government on the operation of these programmes in the coming weeks. If there are changes to be made, consultations with stakeholders will be facilitated at that point.

Deputy Willie O’Dea: I understand the Minister is saying that this is not the same as when similar types of programmes were terminated in the past for the purpose of reducing expenditure and that this is a matter of getting the best result possible for the money being expended. I basically agree with that approach. If some of the programmes are to be discontinued, I suggest that the money saved should be reinvested in the programmes as they are currently operating. For example, such money could be used to increase the capacity and the ability of the Intreo staff to interact better with their clients. It could also be used to provide more appropriate matching of people to the skills available. It could also be used for the development of employability skills. Many employers say that employability skills, namely, soft skills, having the right attitude and a willingness to learn, are much more important than hard knowledge and qualifications. The Minister will be aware that there is a need to place an emphasis on people in the older age groups who are unemployed, some of whom have been unemployed for a long time. Many developments can take place in those areas. If having studied the matter the Minister decides to terminate some programmes, I suggest the money should be reinvested in this way.

Deputy Leo Varadkar: The Deputy makes a very valid suggestion. As we get down to very low levels of unemployment, with long-term unemployment now under 4%, people will need a different type of support because the profile of these people is different from what it was when unemployment was very high.

To answer the Deputy’s previous question, one of the programmes is already closed. Job-

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Bridge is closed for new applications and the Gateway scheme is very much in the process of being phased out. There used to be thousands of people participating in it and the number is now down to hundreds. We should be back to a position where local authorities are taking people on in the normal way, which perhaps they could have not afforded to do during the financial crisis.

The number of people participating in schemes, including community employment schemes, Tús, Gateway and the rural social scheme, RSS, grew from 25,000 in 2010 to 37,000 in 2016. If we add JobPath to that, we are talking about 97,000 people on schemes and with services. We have seen an almost fourfold increase in schemes and services at a time when unemployment has halved. It is time to examine all that.

Deputy Willie O’Dea: Is it still the Minister’s intention to replace the JobBridge scheme with a different type of JobBridge scheme, as he has announced? Will he agree that from here on the element of compulsion will have to be examined regarding labour market schemes in that a labour market scheme should be viewed as a stepping stone to decent and sustainable employment rather than an extension of the social welfare sanction system?

Deputy Leo Varadkar: The answer to the Deputy’s first question is “Yes”. It is still intended that we will have a new scheme in the latter half of the year, which will provide people who do not have work experience with the work experience they need, but it is intended that there would be an employer contribution and they would be paid, at the very least, the minimum wage rate. It will be quite different from JobBridge in that sense.

I do not have any proposals to change the “genuinely seeking work” condition. People receive jobseeker’s allowance and jobseeker’s benefit on the basis they are genuinely seeking work. If they are not genuinely seeking work, they should either be on a different benefit that is perhaps more appropriate to their circumstances such as disability benefit or they should be signing off. We will continue to have sanctions in those spaces. When it comes to community employment schemes in particular and other schemes, they are and always have been about much more than being an extension of the social welfare system. They provide people with useful training and useful work experience and for many people, particularly in a period of low unemployment, they will be increasingly about social inclusion and less about activating people into the labour market.

Question No. 29 answered with Question No. 26.

Legislative Programme

30. **Deputy Willie Penrose** asked the Minister for Social Protection when the heads of the proposed social welfare and pensions Bill will be published; and if it will include measures to protect defined benefit pension schemes, the pension rights of workers and those already retired. [8531/17]

Deputy Willie Penrose: Deputy Brady, Deputy O’Dea and I met representatives of the Irish Congress of Trade Unions, ICTU, and it is concerned that the Government is guided by financial experts who made the rules as to how defined benefit schemes were to operate. Costly legislative changes were introduced to revalue deferred pensions, the cost of which has added to the burden of active members, and the regulator enforced these to the letter. The workers paid

their contributions and paid for the regulation system but their pensions were not protected. The workers were not given any say in what was happening to their pension assets, neither were they given any choices as to what might be done when things went wrong. This has all contributed to the effective demise of defined benefit, DB, schemes. We must now tackle this and the lacuna in the law with comprehensive and appropriate legislation.

Deputy Leo Varadkar: As the Deputy will be aware, the usual practice is that a social welfare Bill is brought before the Oireachtas each year, in spring or early summer, to provide a legal basis within the social welfare code for policy, administrative and operational changes that may be required.

My Department is developing the heads of a Bill which will address legislative needs in a number of operational areas within the Department. When this work is completed, I will seek the approval of Government to publish the general scheme of the Bill and to proceed to drafting the legislation with the Office of the Parliamentary Counsel. At this stage, I envisage that the general scheme of the Bill will be published and sent for pre-legislative scrutiny to the Joint Committee on Social Protection some time in April.

While I cannot comment at this stage if the Bill will contain measures to change the law governing defined benefit schemes, I will in the near future bring forward some of my own proposals, carefully thought out and fully analysed, to help alleviate some of the difficulties currently being experienced by defined benefit schemes and their members.

This year, I have confirmed an intention to develop, publish and commence the implementation of an action plan for the reform of pensions. Over the coming months, I intend to set out a roadmap which will include the rationalisation and reform of the pension landscape, the transposition of the EU directive IORP 2, institutions for occupational retirement provision, and the design of a universal retirement savings platform for all working people.

I hope this clarifies the matter for the Deputy.

Deputy Willie Penrose: I have no doubt the Minister is trying to reform the system and he is committed to that but time is of the essence. The current minimum standard overstates schemes' liabilities and acts as an incentive for employers to waltz on their responsibilities. That is basically it. It is clear that fund liabilities are calculated on the basis of annuity prices, as we stated in the House on the previous occasion. Is the Minister aware that the UK pensions regulator has stated that calculating DB pension deficits on a buy-out basis is misleading, reflecting exceptionally low bond yields and the cost of capital buffers and a profit margin for insurance companies? The same is happening in New Brunswick in Canada, which we read in an ICTU document. It is clear that it is not in the interests of members of DB schemes to force them into a dysfunctional annuity market which will not provide a stable pension. Does the Minister agree that as long as his Department clings to the bond and annuity-based liability calculations, most DB schemes will be subject to damage and volatility and will continue to be driven towards unnecessary wind-up? That is what is happening.

How integrated pension schemes interact with the State pension age is another major issue. Integrated schemes are where pensioners receive benefits from both the scheme and the State at age 65 and, as it goes on for a number of years, pensioners can lose out on anything up to three years, depending on whether the State pension age is increased up to the age of 67 or 68. That is a major issue and I ask the Minister to take account of it.

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ICTU has sought a stakeholder forum involving all the relevant bodies, including the Minister, to whom I understand it has made that point. That might be a way to make an adequate and appropriate contribution in this respect and he may well find that it will be very useful in what he is trying to achieve. I applaud the Minister for what he is doing.

Deputy Leo Varadkar: I am very much open to the idea of a stakeholder forum involving employers, unions and perhaps people who represent pensioners. I would propose to start it off with the new Labour Employer Economic Forum, LEEF, which was recently established. I will bring proposals to LEEF in the spring. However, I would not be averse to a different form of stakeholder forum, perhaps similar to that which the Deputy proposes. The bridging issue is a real problem. I know some of the better-funded pension funds are making up the difference themselves for the year or two during which the person is aged between 65 and 66 but this is not happening in all cases. We therefore need to find a solution in that space. I accept that this is an issue and will get worse.

Regarding the minimum funding standard, the difficulty I have - this is just the reality I face - is that while many people express the opinion that in Ireland it is too onerous, nobody has been able to prove this. The advice I get from the Pensions Authority and the OECD is that, if anything, our minimum funding standard is too lax compared with those of other countries and I cannot just ignore this advice. It would just not be the right thing to do for people in the medium to long term to relax a standard that the independent experts and advisers say is, if anything, too lax.

Deputy Willie Penrose: This does not make sense. I know what the Minister is saying. I think he is being wrongly advised by his own Department. Let us cut to the chase. I know the Minister is aware of this matter because he is very bright. I do not say that in a patronising way. His Department is stuck in a time warp. There is a pensions regulator who just collects levies. What did he do to protect the schemes? He should be dragged in here and made accountable for his actions. I am not on the social welfare committee but I know my colleagues will shortly drag him in and see what is going on. What did he do to protect the pension rights of these people? We had a very positive meeting with the Irish Congress of Trade Unions. I might as well be honest with the Minister: we might not be able to wait for the Bill to come through but what worries me is that employers are beginning to welsh all over the place or are contemplating welshing without any need to do so. It is time we got to the bottom of this. I know the Minister is going about it, I accept his bona fides and I thank him for his offer of a stakeholder forum. It would be very important for ICTU, the pensions actuaries, the pensions representatives and everyone else to engage with the Department of Social Protection but I think that Department is stuck in a time warp. I think it gave the same advice to the Minister's predecessor and probably her predecessor, and it is time the Minister went outside this whole thing. Why is England, New Brunswick in Canada and everywhere else different from Ireland? What the heck is wrong with us?

Deputy Leo Varadkar: The difficulty I have is that it is not just my own Department.

Deputy Willie Penrose: I appreciate that.

Deputy Leo Varadkar: I am not afraid as a Minister to take a decision that my officials do not recommend. I have done so on many occasions in the past few years. The OECD, the European Insurance and Occupational Pensions Authority and our own Pensions Authority all say much the same thing, that is, that our minimum funding standard is not too onerous and I

cannot ignore that advice. It is the advice I am being given by all the independent authorities that consider these issues. I appreciate that unions may take a different view. Some employers take a different view and the pensions industry may take a different view. However, they all represent particular interests. The regulatory bodies and independent bodies do not take the view that our minimum funding standard is too onerous. They take the view that, if anything, our minimum funding standard is not onerous enough. If I change the standard now, it might be of benefit to people who are due to retire in the next few years, but I would be causing harm to people in their 30s, 40s and 50s who are paying into schemes and who may find that all the money is gone by the time they get to retire.

An Leas-Cheann Comhairle: We move on to Question No. 31. Tá Deputy Donnchadh Ó Laoghaire as láthair.

Deputy John Brady: Deputy Ó Laoghaire asked me to take the question. Is that possible?

An Leas-Cheann Comhairle: A Deputy can ask another Deputy to take his or her question but he or she must first get approval from the Ceann Comhairle. I have no note of approval from the Ceann Comhairle in respect of Question No. 31. I am sorry about that.

Deputy John Brady: That is no problem.

Other Questions

Question No. 31 replied to with Written Answers.

Departmental Staff Training

32. **Deputy James Browne** asked the Minister for Social Protection if he will ensure that all of his staff, departmental staff and all civil servants who fall under his Department undertake training with respect to mental health first aid; and if he will make a statement on the matter. [8368/17]

Deputy James Browne: I ask the Minister for Social Protection if he will ensure that all his staff, Departmental staff and all civil servants who fall under his Department undertake training in mental health first aid and to make a statement on the matter.

Deputy Leo Varadkar: My Department fully recognises the need to support staff and promote positive mental health. It has been very active in the provision of training and supports in this area in recent years with a very positive response from staff.

In conjunction with Mental Health Ireland and the Civil Service Employee Assistance Service, mental health awareness workshops have been held in a variety of locations. Since 2014, 250 staff have attended these workshops, which include presentations, discussions, case studies and group activities. The workshops provided tools and strategies to enhance mental health and well-being, increase awareness and understanding and promote the range of formal and informal supports and resources available.

In response to identified needs, stress awareness training was also delivered with the aim of giving staff confidence and control in managing stress and increasing coping strategies. The

training is provided on request, with over 1,100 staff participating since 2014.

With assistance from the National Office for Suicide Prevention, my Department also provides SafeTALK training to staff. This programme helps prepare participants to identify people with thoughts of suicide and connect them to suicide first aid resources. Over the past three years, 640 staff have participated in this programme.

The National Office for Suicide Prevention also provides access to staff from my Department to the more advanced applied suicide intervention skills training, ASIST, workshop conducted by the HSE. Thus far, 150 staff have attended this two-day programme, which trains participants to reduce the immediate risk of suicide and increase the support for a person at risk.

My Department also continues to promote awareness among staff by publicising dedicated awareness days such as World Suicide Prevention Day and World Mental Health Day.

Deputy James Browne: I acknowledge the significant moves forward by the Department in this area. I ask the Minister to encourage further advancement in the area, particularly as we know that in the area of social protection, staff members very often deal with people who have faced economic crises or are in poverty. It is in the interests of the staff to be able not only to self-identify and identify their colleagues as suffering from difficulties but also to identify people, including their clients and constituents who come to see them, as being in such positions. I know from my own experience as a Deputy that the vast majority of staff members in the Department of Social Protection are very understanding. However, I ask that, aside from the present voluntary work being done, the Minister ensure a programme be put in place similar to physical first aid programmes whereby in every section there would be somebody who has the necessary training to be able to identify that somebody is suffering a difficult situation or condition.

Deputy Leo Varadkar: I thank the Deputy for raising this very important issue. Mental health and mental well-being are important for both staff and clients. Many of the clients are very vulnerable and very stressed and can encounter staff in very difficult situations. Staff members need to be trained to deal with this and can often be subject to abuse and very bad experiences. I have heard of many such experiences while visiting Intreo offices and talking to staff members there. They also need to be trained in resilience, coping strategies how to deal with these issues. As the Deputy heard in my initial reply, much of this training is available, and thousands of staff members have participated in it already. However, I am conscious that I have 6,000 staff members and that the numbers I gave the Deputy would indicate that most have not participated. We do not have any plans to make such training compulsory at this stage, but I will talk with the HR people in my Department to see if there is more we can do in this area and if we can make sure that we have done everything reasonable to give staff members access to such training.

Deputy James Browne: I welcome the Minister's interest and appreciate his understanding in this area. Sometimes the difficulty is probably that the people who get training are probably the most understanding, compassionate people and very often the very ones who do not need it. I appreciate there are 6,000 staff members and that this will not happen overnight but I ask the Minister to consider the situation and try to speed up and catalyse the training for people both for the staff's own interest and for the interests of the clients.

Deputy Leo Varadkar: In addition, we have given consideration to training all staff mem-

bers in mental health first aid. This is costed at €350 per participant, so it would cost approximately €2 million to train all staff members in basic mental health first aid. However, perhaps it is something we could do for all new staff or all staff over a number of years. That probably would not be prohibitively costly. I am also advised that the Civil Service Employee Assistance Services makes available to staff members a range of publications on various topics. These include advice on managing stress, bereavement, suicide, good mental health in the workplace and building personal resilience.

Poverty Data

33. **Deputy Gino Kenny** asked the Minister for Social Protection if he will report on the findings of the survey on income and living conditions, SILC, report; if he will make changes to the one-parent family payment as a result of this; and if he will make a statement on the matter. [8441/17]

Deputy Gino Kenny: Will the Minister for Social Protection report on the findings of the SILC report and make changes to the one-parent family payment as a result of those findings?

Deputy Leo Varadkar: The Central Statistics Office, CSO, survey on income and living conditions, for 2015 shows that for lone-parent households, the consistent poverty rate is 26.2%, up from 25% in 2014, that the deprivation rate fell from 58.7% in 2014 to 57.9% in 2015 and that the at-risk-of-poverty rate is essentially unchanged at 36.2%, compared to 36.5% in 2014, a slight fall but not one that is statistically significant. The figures show that the consistent poverty rate for children fell by 1.2 percentage points to 11.5% in 2015. This means that 13,000 children were lifted out of poverty in 2015. The latest SILC statistics also show that being at work reduces the consistent poverty rate for lone parents by three-quarters to 6.7%. This demonstrates beyond doubt that the best way to tackle poverty among lone parents is through employment and that remains our policy.

The full impact of the recovery is not reflected in these 2015 statistics. Unemployment has now fallen to below 7% and long-term unemployment is below 4%, its lowest level in eight years. The positive impact of recent budgets on lone parents and the full impact of the increase in employment are also not reflected in these figures.

Continued economic recovery - together with these budget measures - is likely to have impacted positively on poverty rates since 2015 and this improvement is expected to continue over the coming years.

My Department's social impact assessments of budgets 2015, 2016 and 2017 are an indicator of this improvement. These showed a cumulative increase of 4% in the average household income of employed lone parents and 6.9% for unemployed lone parents, comparing favourably with an average household increase of 3.3%.

I am also committed to delivering the independent report on the one-parent family payment reforms as quickly as possible so that it can help inform budget 2018 discussions. This report will, among other things, take into account the poverty rates of those impacted by the reforms.

Deputy Gino Kenny: I have raised this issue numerous times with the Minister and I do not think he is for turning. The finding of the EU SILC report is quite explicit. One parent house-

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holds in Ireland have suffered immeasurably. Two points in particular are damning for this country and previous Governments. In 2008 consistent poverty for lone parents was 17.8%. In 2015, that shot up to 26.2%. The latter was compounded by budgets from the Minister's Government between 2012 and 2014 which took 3.5 times more from the bottom 40% of the population than from the top 30%. This is ideological warfare by the Minister's party and Fianna Fáil. I want the Minister to comment on that.

Deputy Willie O'Dea: We have not been in government for the past six years.

Deputy Gino Kenny: Fianna Fáil caused so much damage it has serious questions to answer.

Deputy Richard Boyd Barrett: It attacked single parents while in government.

Deputy Gino Kenny: It has serious questions to answer. I am asking the Minister to comment on the-----

Deputy Willie O'Dea: Like what?

An Leas-Cheann Comhairle: Deputy O'Dea should refrain.

Deputy Gino Kenny: The Deputy's party bankrupted the country. He even has a nerve to come back here.

Deputy Willie O'Dea: If we followed the Deputy's policies we would be bankrupt.

Deputy Gino Kenny: Fianna Fáil bankrupted the country.

Deputy Leo Varadkar: The Deputy quoted two years. Anyone can use statistics for two years and compare them. I will take a different year, 2006, when the boom was getting "boomier", when consistent poverty rates among lone parents were 33%. Consistent poverty rates for lone parents are lower than they were in 2006 - ten years ago - when we were in the middle of the Celtic tiger boom, when Fianna Fáil was in power and when consistent poverty among lone parents was much higher than it is now.

Deputy Gino Kenny: Fine Gael and Fianna Fáil are the same.

Deputy Leo Varadkar: The most important fact to take away from this and the quarterly national household survey is the powerful effect that employment has on poverty rates. There is a three-quarters reduction in poverty if a lone parent is at work. One can play around with the welfare system but welfare is not the answer. If employment can reduce poverty by three quarters, that should be the main part - although perhaps not the only part - of the answer.

The budget that I can take most responsibility for is the one I helped craft, namely, that for this year and, in particular, the welfare package relating thereto. As the Deputy knows, because of that package the budget benefited those on the lowest incomes the most. It was unfortunate that the Deputy could not vote for that budget.

Deputy Gino Kenny: I know the Minister likes spouting facts and he is selective but I will give him a fact that there is no denying: in 2015, two years ago, the richest 300 individuals in this country increased their wealth from €50 billion to €85 billion while lone parents suffered a cut of 18% in their very small incomes. If that is not ideological warfare, I do not know what is. The Minister and his party stand for that and the same is true of Fianna Fáil. Even today, the

Children's Rights Alliance has given the Government a D grade in respect of children's rights. This Government is failing children. It is failing working people. It is particularly failing lone parents who have been discriminated against for the past seven or eight years, particularly by Fianna Fail and the Labour Party, unfortunately. Deputy Burton has a lot to answer for.

Deputy Leo Varadkar: I do not know how the Deputy can say that is a fact.

Deputy Gino Kenny: These are facts.

Deputy Leo Varadkar: We do not actually have-----

Deputy Gino Kenny: Facts.

An Leas-Cheann Comhairle: The Minister should be allowed to speak without interruption.

Deputy Leo Varadkar: Yes, they like to interrupt the facts.

Deputy Gino Kenny: They are facts.

Deputy Leo Varadkar: We do not have a register of wealth in Ireland so I am not quite sure how the Deputy can know that as an absolute fact. There may be a survey or an opinion on it but that is a different matter. More importantly, we do not have a register of debt in Ireland and it is quite facile to calculate somebody's wealth and not deduct the debts from that. There are some very wealthy people in Ireland who-----

Deputy Richard Boyd Barrett: Central Bank reports take out debts.

Deputy Leo Varadkar: There are some very wealthy people in Ireland who people think are wealthy but when their debts are deducted, they are not wealthy at all.

Deputy Gino Kenny: They are poor.

Deputy Leo Varadkar: They are in negative wealth. One thing I hope the Deputy would welcome from the SILC report - I did not hear him mention it although I know he has an interest in economic equality, particularly in income inequality - is the most interesting fact that our Gini coefficient has gone down and that income inequality in Ireland is at its lowest since 2009. Ireland is becoming more equal and I hope the Deputy will accept that and include it in his speeches because that is what the survey says. Using the Gini coefficient, we are the most equal English-speaking country in the world bar, perhaps, a few small islands somewhere.

Jobseeker's Allowance

34. **Deputy Catherine Connolly** asked the Minister for Social Protection the number of persons of 65 years of age who are in receipt of jobseeker's allowance and jobseeker's benefit; the steps being taken to resolve the issue of these persons who, on retirement, are required to sign up for jobseeker's allowance or jobseeker's benefit before they receive the State pension; and if he will make a statement on the matter. [8453/17]

Deputy Catherine Connolly: Could the Minister clarify how many men and women have been forced onto jobseeker's benefit having been forced out of employment at age 65? The

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question is very specific but it has more general implications regarding circumstances where these individuals have worked all their lives and are forced to retire at 65, go down to what is known as the dole office and sign on for jobseeker's benefit. Can the Minister clarify the steps he is taking to rectify that situation?

Deputy Leo Varadkar: The total number of 65 year olds currently in receipt of jobseeker's allowance is 2,583, a further 2,635 are in receipt of jobseeker's benefit and 3,193 were signing on for jobseeker's credits at the end of January 2017.

There is no statutory retirement age in the State, and the age at which employees retire is a matter for the contract of employment between them and their employers. There is no legal requirement that people cease working. They are free to work into their 70s and many do. The core answer to the Deputy's question is zero. Some, however, are required by their contracts to retire from that particular employment. Where people exit the workforce before reaching State pension age they may apply for either the jobseeker's benefit or jobseeker's allowance. Jobseeker's payments are paid to eligible jobseekers aged between 18 and 66 years and all recipients of a jobseeker's payment are subject to the rules of the scheme.

People in receipt of a jobseeker's payment must engage with my Department's activation measures and can face sanctions if they fail to do so.

However, from January 2014 these criteria were eased for people aged 62 and over. They are still able to voluntarily avail of an array of supports, which are available from my Department if they wish to return to work, training or education. Furthermore, the majority of these individuals will have to register with their local office only once a year and their payments will be paid directly into their bank accounts.

People claiming jobseeker's benefit from a date after their 65th birthday continue to be eligible for that payment until reaching State pension age. While the State pension age is currently 66, this approach will continue to extend their entitlement when the pension age rises to 67, and indeed a further year when it rises to 68 in 2028.

These provisions have enabled these individuals to ease their transition into one of the jobseeker's schemes until they become eligible for a State pension on turning 66.

Deputy Catherine Connolly: I thank the Minister for clarifying the matter. I can see from his previous replies that he has been consistent in his clarifications. I ask him to comment on the treatment of men and women who have worked all their lives in private and public bodies and are being forced to retire even though they do not want to do so. They have to go down to the dole office to sign on. While I welcome the Minister's statement that they will have to sign on just once and will not face any sanction, he is ignoring the contradiction in this respect. These people do not want to leave work. The Government has a role in introducing policy and legislation. Many countries, including the United States and New Zealand, have decided to ban mandatory retirement. The Government is asking workers who do not want to leave their jobs to do so. In an earlier response, the Minister referred to work as the way out of poverty, but in this case he is forcing people into jobseeker's allowance or jobseeker's benefit with reduced payments. If they worked, they would have more money and would pay more back into the economy. Instead, they are being forced into jobseeker's payments. This is the complete opposite of what the Minister spoke about in response to a previous question.

5 o'clock

Deputy Leo Varadkar: I reiterate that there is no mandatory retirement age in Ireland. Other countries have had a mandatory retirement age and have abolished it. Some people are required to retire from particular jobs at a certain age. The Deputy is right when she says that some of them do not want to do so. Quite frankly, I do not think they should have to. Many people in their 60s who have lots of skills and experience would be happy to work until they are in their 70s. They should be allowed to do so.

What is happening about it? This is one of the matters being discussed by the Government and the trade unions. The retirement rules that are in place for public sector employment can be changed by statute. This is one of the items under discussion between the Minister, Deputy Donohoe, and the public sector unions as part of the review of the Lansdowne Road agreement. The Workplace Relations Commission is developing a code of conduct for people who are in this situation in the private sector. Essentially, it is moving towards a position in which employers would have to justify a retirement age. It could not be an arbitrary age; it would have to be justified. That code of conduct would be statutory and therefore legally binding.

Deputy Catherine Connolly: I welcome the Minister's clarification. Some progress is being made by looking at the retirement provisions in both categories. The current position makes an absolute nonsense of the Government's policies on positive ageing, smarter ageing and the employment of older people. Age Action Ireland has responded to all of this in a very rational document, in which it points out the total incoherence between one Government policy and another. I welcome the progress that is being made in this regard, according to the Minister. I would like to know what timeframe is envisaged for a change to be made. Some of the workers at Galway-Mayo Institute of Technology, which is a public body, have to leave their jobs at the age of 65 and go down to the dole office. It is not acceptable. It encourages the use of deceitful language by Government bodies. Like all jobseekers who receive State assistance, people in this category have to be actively seeking work. However, the Minister has said the State will not go too heavy on this cohort. There is no legal basis for doing that. This means the treatment of one cohort of people in receipt of jobseeker's assistance differs from the treatment of another cohort receiving the same payment. The Minister needs to look at the matter on this basis.

Deputy Leo Varadkar: Neither issue is directly under my remit. Public sector employment is a matter for the Minister, Deputy Donohoe. Employment law and employment equality law are matters for the Minister, Deputy Mitchell O'Connor, and the Tánaiste, Deputy Fitzgerald. We are all part of the same Government. We need to join this up better. I think this matter should have been dealt with when the State pension age was increased to 66. We are changing the rules of public sector employment law now, after previously having changed the social welfare rules. I accept the criticism that they should have been changed at the same time. I am told that the Workplace Relations Commission will have completed the code of conduct in a matter of weeks or months. I do not know when the public sector unions and the Government will come to an agreement on the public sector side. I imagine it will be done when the Lansdowne Road agreement is up for renegotiation later this year. It is subject to agreement. Other knock-on effects need to be borne in mind. If people work later and longer, there will be fewer job opportunities for new entrants and younger people and there will be fewer promotional opportunities.

Deputy Catherine Connolly: That is not accurate.

Deputy John Brady: That is not factually correct.

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Deputy Leo Varadkar: Obviously, it is correct. The Deputies should think about it logically.

Deputy Catherine Connolly: I have thought about it logically.

Deputy Leo Varadkar: If somebody stays in a senior post in a school or a hospital for an additional five years, somebody else will have to wait longer to replace him or her. I do not think that matters. We do not disagree on this. I do not think people should be required by contract or by law to retire at 65. The age of 65 is not old any more and it is a long time since it was. We need to get to grips with this issue this year.

State Pensions Payments

35. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection if he will provide a detailed report on the impact of the changes to contribution requirements for the State contributory pension made over the austerity years, including the numbers of men and women who are no longer eligible for the full contributory pension in each of the years since the changes; and if he will make a statement on the matter. [8443/17]

Deputy Richard Boyd Barrett: I want to warn the Minister that he is sitting on a ticking timebomb of anger among pensioners. The changes in entitlement to the contributory State pension that were introduced by Deputy Burton in 2012 represented one of the most sneaky, nasty and covert cuts of the Fine Gael-Labour Party Government. Some 36,000 pensioners have already been affected by these cuts and changes. As this number grows exponentially every year, thousands more will find to their shock and horror that their entitlement to the contributory State pension has been cut significantly. Will the Minister rectify this nasty cut?

Deputy Leo Varadkar: The overall concern in recent years has been to protect the value of weekly social welfare pension rates. Annual expenditure on pensions is approximately €7 billion and is increasing at an approximate rate of €200 million, or €1 billion every five years. Maintaining the rate of the State pension and other payments is critical in protecting people from poverty in old age. A number of changes in recent years had an impact on whether a person could qualify for a contributory pension, based on his or her paid contributions, and on the rate bands for new pensioners with a yearly average of less than 40 contributions. The changes to the rate bands have had no impact on the position of people who would have qualified for a full-rate contributory pension prior to the introduction of these changes, as long as they meet the minimum number of 520 contributions required. Such people continue to qualify for the full-rate pension. The changes to the rate bands affected the rate of pension payable to some new pensioners who qualify for a reduced rate contributory pension. It is important to note that no pensioners have had their pensions reduced, but some new pensioners receive pensions at rates less than they would have received prior to the changes.

Deputy Bríd Smith: That is a reduction.

Deputy Leo Varadkar: According to the most recent figures available to me, 43,609 recipients of the State contributory pension are in the rate bands affected by the changes introduced in 2012, 57.8% of whom are women and 42.2% of whom are men. I do not have data on how many people are on alternative payments as a result of these changes. It would be difficult to estimate such a number with accuracy. More detailed data will be made available in the context

of the consultation phase of the total contributions approach reform later this year. Someone who does not qualify for a full-rate contributory pension might qualify for an alternative payment. If his or her spouse has a contributory pension, he or she might qualify for an increase for a qualified adult amounting up to 90% of a full-rate pension. Alternatively, he or she might qualify for the means-tested non-contributory State pension, which can amount to 95% of the maximum contributory rate.

Deputy Richard Boyd Barrett: In the spirit of the sneaky, clandestine and disgraceful cut that was imposed by Deputy Burton, the Minister has answered this question by attempting to baffle people with figures. He has sought to obscure the nastiness of the pension apartheid that was introduced by Deputy Burton in 2012. As a result of the changes that were made at that time, people who are now coming into their pension entitlements in the expectation of getting all or at least 98% of those entitlements could lose 15%, 35% or even 60% of the pensions to which they would have believed they were entitled before these cuts were made.

The Minister mentioned the requirement to have made 520 contributions, but I remind him that this number used to be much lower. As a result, some people who believed they were entitled to the contributory State pension because they made contributions at the level that would previously have given them such an entitlement will not get a pension at all. I do not have enough time to go through the cases of this type with which I am familiar. A person in these circumstances might be entitled to apply for the means-tested pension, but the means test means they might not even get the non-contributory pension.

Deputy Leo Varadkar: I apologise if I baffled the Deputy with my answer but I thought it entirely clear and factual.

Deputy Richard Boyd Barrett: It was misleading as to the impact of the 2012 cuts.

Deputy Leo Varadkar: The way we calculate the contributory State pension is very odd. If a person has 520 contributions, or approximately ten years of contributions, he or she could potentially get a full pension. If a person works for nine years and 11 months, he or she could get nothing. There is an averaging system that is very odd because it works particularly against people who started work early but who have a big gap in contribution records. We should move to a new system with an approach taking in total contributions. That would be similar to how the Deputy's pension or a public service pension is calculated, with a link to the number of years contributed. If a person works for 20 years, he or she would get 20 fortieths and if a person works for 40 years, he or she would get 40 fortieths. It is something like that and it is the way every other contributory pension is calculated. The way we have done the State contributory pension has been very odd for a long period.

Deputy Richard Boyd Barrett: Yes, but all this was made very considerably worse as a result of what was done in 2012. The average and number of contributions that had to be made for the entitlement were changed in 2012. Huge numbers of people who would have been entitled to most or all of the contributory pension before 2012 now find themselves getting considerably less. The Minister has acknowledged there is a problem and he should have acknowledged that there was a dramatic change because of cuts imposed by the Government in 2012. What is he going to do about it and when will he do it? Pensioners are getting letters from the Minister's Department when they reach 66 and they are shocked to discover they will either not get the contributory pension when they have worked for many years and believed themselves entitled to it or they are getting significantly less than people who have made fewer

contributions or worked for fewer years but happened to get their pension entitlement before the Government's cuts were made. That is the point so what will the Minister do about it?

Deputy Leo Varadkar: There are a couple of issues. Anybody who has made 520 contributions or worked ten years from a working life of 40, 45 or 50 years is entitled to a State contributory pension. Those who did not work for that time may not be. What we had previously and we still have is a position where there is very little correlation between the contributions made and the pension that one gets at the end. That is the problem and it must be changed. We must introduce a new system involving total contributions that gives a person a State pension based on the amount of contributions made. If a person makes many contributions in a working life, that person would get a higher pension than those who made very few. Within that we must make provision for a homemaker's credit to recognise the fact that people take absence from work.

Deputy Richard Boyd Barrett: It should be made retrospective.

Deputy Leo Varadkar: If we do so, we must cost the option. All of these issues have a cost but that is the approach we are taking.

State Pensions Reform

36. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the measures he is taking to gender-proof any changes to the State pension schemes; his views on a universal state pension; and if he will make a statement on the matter. [8371/17]

Deputy Thomas P. Broughan: I asked the Taoiseach about this earlier but I still find the answers supplied to my colleague, Deputy Boyd Barrett, a bit dispiriting. The 43,000 pensioners referenced will still be at a loss as the months and years go on. Has the Minister made any attempt to begin costing and ensuring we can have a gender-proofed universal pensions with a move to a system of caring credits?

Deputy Leo Varadkar: The State pension system is very effective in ensuring that pensioners have a decent standard of living and results in more gender-equal outcomes in Ireland than in most European countries. The gender poverty gap for those over 65 in Ireland, using European Union, EU, figures, is 2.1%, compared with 4.2% across the EU as a whole. There are a number of reasons for this. First, other EU state pension systems generally relate the pension to lifetime earnings and ours does not. Second, our non-contributory pension is paid at 95% of our contributory pension rate. Finally, we have better provisions for widows in Ireland than in most EU countries. These factors result in the average payment to men over 66 being 2% higher than for women, despite lower average contributions into the Social Insurance Fund. This, combined with the targeted nature of the non-contributory pension, means Central Statistics Office poverty rates for men and women over 65 are both low and effectively at parity.

A universal State pension, paid at full rate to everyone over 66, regardless of their contributions or their means, would either be very expensive - costing an estimated extra €1 billion per year - or, if introduced on a cost-neutral basis, require a 14% reduction in the current rate of the State pension. This would be difficult to justify given that those with significant additional incomes would benefit most from the Deputy's proposal. Work is under way to replace the "yearly average" system, as I mentioned earlier, with a total contributions approach. The

impact of this reform on gender is being considered very carefully and it will be assessed on its respective impact upon men and women.

Deputy Thomas P. Broughan: In the summer of 2011, the Minister's Department gave a strong warning on this, according to the *Irish Examiner*, which did some research in the area. It indicated the Department should not have proceeded with these effectively massive cuts to the cohort of pensioners born from the late 1940s onwards and who had irregular and incomplete contributions. They are now suffering year after year. At the time, Deputy Burton stated there was a choice between €475 million in cuts or €665 million in cuts. If one considers the cumulative effect of the change that took place, it may well run into hundreds of millions of euro in terms of the cost to the people themselves. The figure for those affected has been put at 43,000.

Does the Minister agree a universal tier one pension should be his first priority as a Minister before we start thinking about tiers two and three? There are massive tax expenditures on private pensions, amounting to approximately €2.5 billion that far outweigh the €1 billion mentioned by the Minister. Should we be trying to get justice at long last, particularly for the cohort of women pensioners?

Deputy Leo Varadkar: I do not have a principled problem with there being a universal tier one pension paid to everyone in the way child benefit is, with a tier two pension - a top-up, if one likes - based totally on contributions made by a worker. Were one to design a pension system from scratch, one might very well do that and it would be a very good approach. As I mentioned, the difficulty is we estimate it would cost €1 billion to do this or, if we did it on a cost-neutral basis, we would have to reduce existing State pensions by 14%, which is not viable.

Deputy Richard Boyd Barrett: Has the Minister considered the tax breaks for private pensions?

Deputy Thomas P. Broughan: Professor Alan Barrett of the Economic and Social Research Institute, to whom I referred earlier, has argued that in 2011, the rules of the game were changed in the middle of the game for the people born from the late 1940s onwards. That was a fundamental and grave injustice and the Minister should make it his business, while he is in the Department, to address that. I also referred earlier today to the important Age Action Ireland study by Ms Maureen Bassett, which clearly attempted to estimate the kind of losses that those 43,000 pensioners - the majority of them women - have suffered. Has the Minister read the report and case studies and does he believe it should be a policy initiative to be addressed?

Deputy Leo Varadkar: I have read the Age Action Ireland report but I cannot recall the author. I intend to deal with this by moving from a system of calculating a contributory pension that is unfair to a system that is simple and fair and based on contributions. Pretty much anybody with a contributory or occupational pension has it calculated based on the number of years at work or in which contributions were made. It is a simple and understandable way of doing things but it is not what we have now. That is the approach I want to go for. I will bear in mind there will need to be provision for home carers' credits to recognise the fact that some people must take time out of work to look after children or disabled relatives. That must be integrated into any change.

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Rural Social Scheme

37. **Deputy Willie Penrose** asked the Minister for Social Protection the uptake to date on the new rural social scheme, RSS, places announced in budget 2017; and his plans to amend the terms of the scheme to open it to other areas. [8423/17]

Deputy Willie Penrose: Could the Minister provide an update on the uptake in respect of the expanded RSS, which he recently announced, and indicate if there are plans to amend the scheme so as to widen the category of people who might be in a position to participate?

Deputy Leo Varadkar: I have allocated an additional 500 places on the RSS as part of the social welfare budget package for 2017. This is the first increase in places since 2006 and will expand the overall number of participants from 2,600 to 3,100. I also announced a €5 increase in the weekly personal rate of payment for RSS participants from March this year.

The 500 additional RSS places have been allocated with effect from 1 February 2017 to the 35 local development companies and Údarás na Gaeltachta, which deliver and administer the scheme on behalf of my Department. The additional places were allocated taking into account a number of factors including the number of places already allocated, the demand for places in particular areas and the numbers of farmers and fishermen in receipt of income support.

As the Deputy will appreciate, the phasing in of these additional places only commenced in the past two weeks but it is worth noting that, by the start of this week, there have already been 11 new entrants to the scheme. The remaining places will be filled as quickly as possible in the weeks and months ahead.

The objective of the RSS is to provide income support for farmers and fishermen, and all participants must be actively engaged in farming or fishing. In allocating the additional places, the Government recognises the benefits the RSS provides for participants and their families, as well as the valuable contribution the scheme is making to the provision of services in communities across Ireland. I have seen this at first hand when visiting schemes around the country, including in Galway and Roscommon.

The question of further additional places will be considered in the context of future budgets.

Deputy Willie Penrose: I thank the Minister for his reply. It is very encouraging to see the increase in the numbers that he has allocated. There could be a requirement for another 500 to 1,000 in those areas. It is less restrictive than some of the other schemes. Could the Minister extend the same broad eligibility criteria into the community employment, CE, schemes? Other community groups are finding it extremely difficult to recruit participants so as to ensure that schemes continue. Significant work they have been doing in communities may suffer and the whole system may collapse if they are unable to operate due to the significant constriction in eligibility. Thankfully, given that unemployment is below 7%, the cohort of people available is smaller. However, the CE schemes are vital for many people from a rehabilitation viewpoint. They give people somewhere to go and an opportunity to contribute to the community and feel the satisfaction and vindication of being in a position to work for their communities.

Deputy Leo Varadkar: The RSS is very different from the CE schemes. People on CE schemes are supposed to be looking for regular employment. People on the RSS already have regular employment as farmers or fishermen. Given that they cannot derive an adequate income from their regular employment, RSS is an additional top up to the income they make from

farming or fishing. They are very different schemes for very different purposes.

Many CE supervisors are having difficulty filling their schemes and I am considering a number of measures to widen the pool of people from whom they can choose. There are people timed out due to a rule in 2000, and I am considering lifting it. Although I cannot afford to do it now, in the next budget I would like to increase the amount of additional money a person on a CE scheme receives. It is only approximately €20, and some people, particularly in rural areas, are almost worse off as a result of participating.

Deputy Willie Penrose: Yes, worse off.

Deputy Leo Varadkar: More lone parents and people with disabilities would be more likely to take up a CE scheme if they received €30, €40 or €50. That is my opening pitch for the budget.

Deputy Willie Penrose: That is extremely positive and encouraging. The Minister has hit the nail on the head. Particularly in rural areas people may have to travel five miles to the schemes and €20 is eaten up in a day or two. The Minister must examine the three-year and five-year rules. A person who is aged 60 or 61 may not be able to return to full-time employment and this would be an opportunity for such people to see out their working lives. The Department would not be losing anything, given that these people would otherwise be in receipt of jobseeker's allowance or disability benefit. The Minister is bang on. Hopefully, unemployment rates will continue to decrease to allow the Minister to reinvest in this important area. Communities, individuals and families are gaining, as are groups such as GAA and hockey clubs. There is also great satisfaction for the individual participants and many of them are learning and progressing to work. However, there is a cohort of people for whom it is very essential.

Deputy Leo Varadkar: I have an open mind on it and the issue of older workers arises frequently in this context. It is also an issue for younger people. I always get Tús and CE mixed up on the minimum age criteria. The minimum age is 25 for one of the schemes and 21 for the other. We have young people who have spent a year on JobPath and have not got a job. It would make more sense for them to move to CE after this than to return to JobPath. I am considering this as a possible change. Perhaps this is not true, but I am sometimes told in some parts of the country that people who would have had small businesses fixing locks, doing odd jobs around houses or cutting grass have lost some of their business to RSS and CE. I have no numbers to quantify the extent to which this is a real problem. However, if we massively expanded these schemes, we would have to bear it in mind.

JobPath Implementation

38. **Deputy Brid Smith** asked the Minister for Social Protection his views on whether the best interests of jobseekers are advanced by allowing JobPath operators the right to stop jobseekers from accepting placements with, for example, the Tús initiative and other schemes, even in circumstances where they applied for such placements in advance of being selected for JobPath; and if he will make a statement on the matter. [8458/17]

43. **Deputy Brid Smith** asked the Minister for Social Protection if he will re-examine the authority of JobPath operators that are able to overrule the placement offers to jobseekers on various community employment schemes; and if he will make a statement on the matter.

[8457/17]

Deputy Bríd Smith: I want to ask the Minister's opinion on the disadvantage to people who are applying for Tús or CE schemes who are randomly selected by JobPath at the same time they are offered a CE scheme or Tús position and who are blocked from taking up those positions by the private operators which run JobPath. Could the Minister respond with what he thinks is in the best interests of the jobseeker?

Minister for Social Protection (Deputy Leo Varadkar): I propose to take Questions Nos. 38 and 43 together.

Many CE schemes are run by private companies. I am not sure what the Deputy referred to. The activation supports and services which are available to those who are long-term unemployed include the JobPath employment activation service and work experience and training schemes such as CE and Tús.

The JobPath service procured by my Department provides additional resources to enable it to provide a high quality, case managed employment support service for people who are long-term unemployed and those most at risk of becoming long-term unemployed. The companies contracted to provide the JobPath service have no role or authority regarding referrals or placements for any other activation schemes or programmes such as CE.

The aim of the JobPath service, which is provided for jobseekers only, is to assist them in finding sustainable, full-time paid employment by providing intensive individual support and assistance. It is distinct from the CE scheme, which provides part-time employment and training opportunities in local communities as a stepping stone back to employment for people in receipt of a range of social welfare payments, including those in receipt of long-term unemployment payments. I should emphasise that CE does not, nor is it intended to, provide full-time sustainable employment.

Jobseekers can participate in only one activation scheme or service at a time. This is to ensure that the best use is made of the available places and to allow the scheme and service providers time to work with the participants. However, people who, on the date of their referral to JobPath, have a written offer with a start date within four weeks for CE or Tús will be facilitated to take up the placement rather than participating in JobPath.

The referral period for the JobPath service is typically for a year. At the end of the 52 weeks, jobseekers who have not been successful in finding suitable employment may, subject to an assessment by an Intreo case officer, apply for other activation supports such as CE or Tús.

Deputy Bríd Smith: I take issue with what the Minister said in respect of how we see employment schemes. Previously, he stated that job schemes are not necessarily proper employment. I refute that because many community employment, CE, and Tús schemes are very valuable employment in the community. Tús schemes provide short-term, quality, work opportunities. They are not just training and people are not just sitting on their hands and having a great time. People are engaged in services in the environmental, caring, community, para-education, heritage and cultural areas, to describe what Tús stands for.

I have a letter about a constituent of mine. It is from an official in the Department of Social Protection in Intreo. The constituent was randomly selected for a Tús initiative in November and interviewed for a Tús placement for January, at which point he went onto a panel. He was

interviewed again in January for a placement with a host company and was Garda vetted. Prior to taking up the Tús placement he was then randomly selected for JobPath. I contacted Intreo and the official got in touch with the JobPath centre to inquire if the selection for JobPath for this person could be deferred to allow the individual to take up the Tús offer. He was told “No”, that this could not happen and that JobPath would not defer the offer. This is not the only case. I have had many situations like this. It needs to be investigated because it is a private company interfering with the services delivered by the Minister’s Department and the advice given by the Department.

Deputy Leo Varadkar: CE schemes and Tús do not constitute regular employment. It is not to say they are not valuable. They are very valuable and I have many such schemes also in my constituency. I know their value and they do involve a lot of real work. It is, however, a different thing to say the Tús scheme is real employment. It is not. It is an employment activation scheme where the State provides a form of employment for a person on a part-time basis. I know that the People Before Profit Alliance has been critical of the live register figures and the unemployment statistics produced by the Government, on the basis that it does not include people who are on CE and Tús. Even in the Deputy’s own party there must be a view that it is not regular employment.

To answer the other part of the Deputy’s question, we do not want people to chop and change between services and schemes. That does not work for us administratively and it is not the right way to approach labour activation. If a person is on a scheme or with a service, they should stick with that and not change to another one until they have completed it. If somebody has a start date within four weeks with CE or Tús, then they can take that up, even if they are referred to JobPath.

Deputy Bríd Smith: It is an extraordinary situation that an official employed in the Department of Social Protection makes a recommendation that a person be allowed to take up a scheme, a decision that is in the best interests of the individual, and the recommendation is overridden by a private company such as Seetec. This company receives remuneration for taking people onto JobPath. It has a vested interest in keeping people on JobPath because it gets a payment for it: a registration payment when it brings a person onto JobPath and four retrospective payments if they keep them in a job for a longer period. Seetec has a financial incentive to keep many people on JobPath, whereas the Minister’s Department was looking, in this and many other cases, at the best interests of the individual. In this instance I am talking about a person who is a bit older, maybe in their 50s, and it does not always suit them to sit around waiting for interviews that JobPath might send them on for God knows what kind of jobs. Here is a valuable, local community role they could fill and the Department of Social Protection is being overridden by a private company that has vested interests.

Deputy Thomas P. Broughan: The Minister has said that they do not want people to be using different services to get a job. We have noticed on the north side of Dublin that the local job service of our partnership seems to be used less and less by the Minister’s Department, which seems to prefer the route through Seetec, a much more inflexible route. The local job service would know about local job opportunities in particular in the wider economy of the north side and not just in CE or other job activation schemes. I am not sure if the Minister finds that this is also the case with the partnerships in Blanchardstown and Fingal but it is certainly the experience we have had.

Deputy Leo Varadkar: I wish to clarify that referrals are made only by my Department

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and through the Intreo centres. The rules are also made by my Department and the rules are that a person cannot move from one scheme or service to another. If a person has a start date, however, within four weeks for a Tús or CE placement, then he or she can take it up. We would like to move to a position where people who are unemployed would go through JobPath first, but this is still in transition. If they were unable to secure employment on their own or with the assistance of JobPath after that, then they would become eligible for CE and Tús schemes. That is what we are moving towards, but obviously there is a transition piece under way.

An Ceann Comhairle: Deputy Pringle is not present, so we will not address Question No. 39.

Question No. 39 replied to with Written Answers.

Homemakers Scheme

40. **Deputy Gino Kenny** asked the Minister for Social Protection when he expects to have his report on the changes to the homemaker's credit that he committed to in the course of the Social Welfare Bill 2016; and if he will make a statement on the matter. [8442/17]

44. **Deputy Robert Troy** asked the Minister for Social Protection his plans to backdate the homemaker's scheme prior to 1994; and if he will make a statement on the matter. [8412/17]

Deputy Bríd Smith: With regard to the pensions and the homemaker's scheme, when we were moving an amendment to the Social Welfare Bill, the Minister promised he would issue a report within six months on the question of social protection and the homemaker's credit. Perhaps the Minister would issue a statement on the matter. I know that the six months is not yet up, but the Minister, Deputy Varadkar, is coming under a lot of scrutiny and pressure on this issue because many people are falling into the situation, as described by other Deputies, of being deliberately discriminated against with regard to their pension.

Minister for Social Protection (Deputy Leo Varadkar): I propose to take Questions Nos. 40 and 44 together.

The State pension is a very valuable benefit and is the bedrock of the Irish State pension system as a whole. There are two State pensions. The non-contributory State pension is a means-tested pension and is funded by general taxation. The contributory State pension is not means tested and is paid from the Social Insurance Fund. Therefore, it is important to ensure those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives. To ensure the individual can maximise their entitlement to a State pension, all contributions paid or credited over their working life from when they first enter insurable employment until pension age are taken into account when assessing their entitlement and the level of that entitlement.

The current homemaker's scheme makes qualification for a higher rate of contributory State pension easier for those who take time out of the workforce for caring duties. The scheme, which was introduced in and took effect for periods from 1994, allows up to 20 years spent caring for children under 12 years of age or caring for incapacitated people over that age to be disregarded when a person's social insurance record is being averaged for pension purposes, subject to the standard qualifying conditions for the contributory State pension also being satis-

fied. This has the effect of increasing the yearly average of the pensioner, which is used to set the rate of their pension.

I believe that Deputy Gino Kenny's references in his question are to a statement I made in the course of the recent Social Welfare Bill 2016 that the issue of homemaker's credits would be considered in the context of the total contributions approach reform that we are planning. I expect a final paper to be available in the middle of the year, following receipt of data from the independent actuarial review of the Social Insurance Fund which will be used to cost options in this reform.

My Department has estimated that the cost of extending the homemaker's scheme to allow people to avail of the full 20 years currently allowed under the scheme, encompassing periods prior to 1994, could cost some €290 million in 2017, and this figure would rise at a faster rate than the overall cost of State pensions. Such funds are not currently available to implement this measure.

Where somebody does not qualify for a full rate contributory pension, they may qualify for an alternative payment. If their spouse has a contributory pension, they may qualify for an increase for a qualified adult amounting up to up to 90% of a full rate pension. Alternatively, they may qualify for a means-tested non-contributory State pension which amounts up to 95% of the maximum contributory rate.

Deputy Bríd Smith: Deputy Broughan queried the existing Taoiseach about this issue - I understand that the Minister, Deputy Varadkar, is possibly the future Taoiseach - but the current Taoiseach answered by saying that some people did suffer badly under the austerity measures and that we would hope to give them some alleviation in the future. It is my argument that this is pure, out-and-out discrimination on two grounds: gender and age. This Government is guilty on both counts of discriminating through this pension scheme. To me, it seems quite a simple question that a leader like the current Taoiseach or the Minister, as a possible future Taoiseach, needs to grab by the throat and deal with. The Minister and the Government are breaking the equality legislation. They are the law breakers, not the pensioners who are being discriminated against.

Written Answers are published on the Oireachtas website.

Topical Issue Debate

National Parks

Deputy Michael Healy-Rae: I thank the Ceann Comhairle for choosing this Topical Issue because it is very important. I want to acknowledge that the Minister of State, Deputy Ring, is a Trojan worker in his Department and I respect that very much.

Killarney National Park is being neglected and not enough resources are being put into its maintenance and care. I will be glad to give the Minister of State examples of how our national park is suffering from lack of investment. The rhododendrons are taking over completely despite programmes of work over the years to cut them. The deer population has exploded in recent years. The last survey I could find was carried out in 2008 and it showed that, in the

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previous 30 years, the red deer population had increased by 565% and the sika deer population by 353%. Have any further studies been carried out since 2008 on the deer population and, if not, is there the intention to carry one out in 2017? Despite the reinstating of the nature trails, many of the markers along the trails are missing and the trails need to be upgraded. Knockreer gardens at Knockreer House have suffered years of neglect. Dinah's cottage and the adjacent toilets need to be opened as soon as possible. Most importantly, the number of park rangers has been reduced from nine to four, with two more to retire next year. This is simply not good enough. I want to acknowledge the excellent work that has been done by the park rangers and the work of those such as the groundspersons who were there in the past.

The resource we have is the beautiful national park in Killarney. We all know Killarney is not the tourism capital of Kerry, of Ireland or of Europe; it is the tourism capital of the world. I want to put that on the record of the House. There is no place better in this world than Killarney and its national park.

I acknowledged the Minister of State at the outset. He is not a good politician; he is a Trojan worker and an excellent politician. However, I want him to become a martyr for our national park by ensuring that the resources it requires will be deployed. It is crying out for maintenance. When trees fall in the national park, they are left to rot. I have raised this issue in the Chamber and I have been told it is good for biodiversity to have them rotting on the ground and to have the snails and creepy-crawlies going through them. That is rubbish. We need that timber to be taken out and for the area to be cleaned up. We need to keep the place nice and clean, as the people long ago did before us. Great resources were put into this before but people are now inclined to think that, when it comes to the national park, we can close the gates and let it go and not maintain the deer population or aggressively attack the rhododendrons.

The rhododendron situation in Killarney National Park has become so bad that nothing short of calling in the Army is going to put it right because so many resources are needed to put it in order. The park is a magnificent resource. It is something Killarney people and other Kerry people have prided themselves on over the years. I want to compliment what I would call the conservationists who have stood up for the national park over the years, people like Kevin Tarrant and others from Killarney town who have given a lifetime of commitment to ensuring the national park is preserved for future generations. I plead with the Minister of State to put in place the necessary resources.

Minister of State at the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Michael Ring): I thank the Deputy for raising the issue. While I agree with him sometimes, I totally disagree with him about Killarney. As far as I am concerned, the No. 1 place in Ireland, in Europe and in the world is a place called Westport in County Mayo. Anytime the Deputy wants to come down on holidays, he is very welcome to do so and he will see what is really happening down there.

I must begin by strongly refuting the position as set out in the Deputy's statement. My Department spent over €2 million in Killarney National Park last year. In fact, the Killarney House project within the park, including the wonderful ornamental gardens I opened last year, will amount to a to an investment of over €8 million in the park, €5.2 million of which I provided through Fáilte Ireland when I was Minister of State with responsibility for tourism and sport. The spend in 2016 represents a large proportion of my Department's overall budget for our six national parks and 80 reserves and reflects our commitment and the value my Department places on the park. My Department continues to manage Killarney National Park in order

to abide by the strict criteria and standards for national parks as set by the International Union for the Conservation of Nature in 2015.

With regard to the issue of rhododendron, as signalled in my response to the Deputy's recent parliamentary question, my Department has invested heavily in tackling this invasive species, the control of which is difficult, costly and labour intensive. The management of the dynamic and aggressive rhododendron is a long-standing, ongoing programme in the national park. In the past, approximately 3,000 of the 10,000 hectares in the park were, to some extent, affected. My Department remains of the opinion that the existing management programme has made significant inroads into the problem and that approximately 2,000 of the 3,000 hectares are under effective control at some 40 different sites.

Our ongoing programme of works at this time is composed of four elements: the initial clearance and follow-up maintenance work by contractors, ongoing maintenance work by volunteers and students, a rhododendron management contract and ongoing work by National Parks and Wildlife Service staff, including co-ordination, research and monitoring. Since 2011, the Department has invested over €700,000 to tackle rhododendron clearance in Killarney National Park and, in 2016 alone, the Department spent some €209,611 on clearance. An updated strategic rhododendron management plan is being finalised and the Department hopes to publish this in the coming months. In 2015 my Department appointed a specialist for a two-year period to assist the ongoing rhododendron programme.

With regard to deer in Killarney National Park, as part of its regular ongoing management operations the Department may carry out localised annual deer culls on State lands, if required. There is a significant challenge in attempting to balance the demands of agriculture, forestry and conservation with the need to ensure that deer populations occupying the same land resources are managed at sustainable levels and in a responsible and ethical manner. My Department commissioned a comprehensive survey and report in the winter of 2016 on the distribution, population and population structure of red deer and sika deer in the national park. The study found that the total estimated red deer population over the entire study area of 13.64 square kilometres was some 708 deer. On foot of the recent report, staff from my Department are currently undertaking a cull of deer in the national park which will be concluded by the end of March.

In conclusion, my Department continues to manage and invest in Killarney National Park and abides by the strict criteria and standards for national parks as set by the International Union for the Conservation of Nature.

Deputy Michael Healy-Rae: With regard to Killarney House, I want to acknowledge the late Jackie Healy-Rae, who put Killarney House on the political agenda prior to 2011, when the Minister of State's Government took power. The Minister of State forgot to say that Killarney House is still closed. I was delighted to be there to welcome him when he came to Killarney on the open day when a section of the house opened last year, but it is still closed two years after it was due to open and that is simply not good enough. We want it to be fully open and we want the people to be able to appreciate the money that has been spent there. I acknowledge greatly the money that has been spent but the Minister of State is dealing with two separate issues. The Minister of State is outlining much of the funding that has been spent on Killarney House. I am talking about the fact that the national park is being neglected. The Minister of State rightly sets out the money that has been spent but we are losing the war on the rhododendron and the deer, which have taken over completely. One has to acknowledge there was great management

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there in the past. There is great management there at present but it is being starved of adequate resources and it needs more help. We need more men and women on the ground. We need more people working there every day, merely doing the ordinary maintenance. That is all I am asking the Minister of State for.

I ask the Minister of State to recognise that. He knows I am not a blackguard. I would not come in here today to tell him that the national park is being neglected unless it genuinely is. I appreciate the Minister of State's reply asking how can I say this is the case when millions of euro have been spent there. Of course, millions of euro have been spent there - they have been spent on Killarney House and rightly so - but I am talking about maintaining the national park and keeping it as a living, breathing space where parents and their children can go to enjoy the amenities.

Deputy Michael Ring: I acknowledge Deputy Michael Healy-Rae's father may have raised the issue, but we have to give the former Minister, Mr. Jimmy Deenihan, credit as well. The former Minister put a lot of work into this and put a lot of funding into it. In fact, I put more funding into Killarney House when I was in the Department of Transport, Tourism and Sport and the Deputy should not doubt that I will be down in the middle of the year to open Killarney House. Many Governments, over 30 or 40 years, were looking in the window for years and did nothing about it. In fairness, the Government and its predecessor put the funding into it. That house will be opened and it will be superb.

The Deputy must admit it was a tremendous day when we were down there to open the gardens. It was a great community day. The people turned out and they all asked when the house would be open. I went in to have a look at the house on that occasion and it will be a tremendous asset to the tourism product in Killarney. I look forward to getting down there for the official opening.

Deputy Michael Healy-Rae raised the deer issue. We commissioned a report, which has been completed and we will undertake the cull. We have to be sensitive in that regard. We accept there is a problem and that problem is now being dealt with. That is why the cull is taking place and it will be finished by the end of March.

The Deputy also raised in a previous question the shortage of rangers. When I became Minister of State, the national parks had been starved of funding for many years. I have been fighting to get extra funding and got a little additional funding at the end of last year. I also got a commitment from the Government. The Deputy is quite correct that there is a shortage of rangers. The posts have been advertised and eight positions will be filled. In addition, I got a commitment from Government that whoever retires will be replaced plus the eight new rangers. We need many more rangers. The rangers have a wide variety of work to do. They have to cover much of the countryside and it is important to have them there.

We are trying to tackle the rhododendron problem. I note there have been differences in respect of the way this has been dealt with. I am putting out a call today to the community there to talk to the Department's officials. In Britain, the communities come in to the national parks and work with the Government to keep the national parks open. I am calling on the people of Killarney to sit down with the Department to see what support and help they can give to deal with this serious problem in Killarney National Park.

Passport Services

Deputy Declan Breathnach: The number of people living in Northern Ireland seeking Irish passports has increased by more than a third over the past year. This is according to figures I obtained from the Minister's office. The figures show almost 33,000 people in the North applied last year for an Irish passport, an increase on 2015 of 34.6%. In 2015, 25,000 people living north of the Border applied for Irish passports, which was an increase of more than 12% on 2014. Last year, more than 15,000 people born in Britain applied for Irish passports, an increase of 103% on 2015, which saw an increase of only 2% on the numbers applying in 2014. In January this year, applications from the UK were up 74% compared with January last year.

I ask the Minister to open a satellite passport office in the north east or in one of the other Border counties to cope with this demand. The increase in applications is due to fears over the consequences of Brexit and the pending UK departure from the EU.

While we all are hoping and will be fighting to retain free movement of people after the UK leaves, we just do not know if that will be the case. There is still huge uncertainty about what exactly the situation will be post Brexit. I have established without any doubt that there has been a significant increase in passport applications from Northern Ireland and Britain because of Brexit and I appeal to the Minister to open a satellite passport office for the convenience of those applicants and many others who are inconvenienced by having to come to Dublin. I have been advised already, by way of reply to a parliamentary question, that the vast majority of passport applications from both sides of the Border are made through the post office networks on this island. I have been advised that this remains the most efficient and cost-effective way to apply and applications can be submitted at some 70 post offices in Northern Ireland and at more than 1,000 post offices in the State.

However, I have been dealing with ever more cases in which problems have arisen with applications for one reason or another and where there is an urgent need for a passport to be issued. It is extremely inconvenient for these applicants to have to make an appointment to attend at the passport office in Dublin. I have been advised that the Minister feels that the online service for booking such appointments works well and that he is satisfied with the overall service currently in operation. However, the numbers say otherwise.

Applications from Northern Ireland and the UK will only continue to rise and it is imperative that the situation be reviewed and the necessary improvements be made to the service to accommodate this expected significant increase. We are no longer talking about a relatively small number of applicants. The largest number of Northern Ireland passport applications last year came from County Antrim, where more than 13,000 people applied. The numbers of applications from counties Derry, Down and Armagh were almost 6,000, over 5,000 and over 3,500, respectively, while almost 2,000 applications came from County Tyrone with a not dissimilar number from County Fermanagh.

I have been told that the passport reform programme, which is well under way, will deliver further significant customer service improvements in the coming years. I ask the Minister to make it a priority that a passport office be opened either in Dundalk or elsewhere in the Border region to make it convenient for those applicants from outside the jurisdiction to attend for appointments. As the Minister will be aware, one cannot beat face-to-face service to resolve issues. Considering that there is a lack of a decent broadband service in many Border regions, forcing applicants online to make appointments is not the way to go. The best way to ensure a

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full level of service is to open a passport office in the Border region.

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I thank Deputy Breathnach for raising this important issue.

More than 733,000 passports were issued last year, which represented an increase of more than 9% on 2015 and the strong demand has continued this year. At present, my Department forecasts further growth of 7% in passport applications in 2017. Last year saw an increase of 26% in applications from Northern Ireland and almost 41% from Great Britain. I expect this trend to continue.

Even with these increases, passport applications from the UK still represent less than 20% of total applications. Our growing economy has led to many more people travelling and we witnessed strong growth in outbound travel in 2016. Indeed, the CSO statistics show that there were 7.4 million overseas trips by Irish residents in 2016 compared with 6.9 million trips in 2015 - an increase of 7%. A growing population is among the other relevant factors which have significantly contributed to the growth in demand for Irish passports in recent times. The pressures are very real but I am satisfied that the passport service continues to have the capacity to meet its service commitments. The 15 working day target for passport renewals was met in almost 90% of the cases last year and it continues to be met this year. The turnaround time for first-time applicants is 20 working days due to the additional anti-fraud measures that apply. The integrity of our passport booklet is of key importance and Members will appreciate the care taken to protect its reputation.

To address the increased demand for passports, the passport service is employing over 230 temporary clerical officers during peak season this year to assist with the processing of passports. These staff have been hired and the roles are currently being filled.

The vast majority of applications on both sides of the Border are submitted through the post office networks on this island. This includes more than 70 post offices in Northern Ireland and more than 1,000 post offices in the State.

Over 90% of passport applications from the island of Ireland last year were submitted through the postal service. No Irish citizen needs to travel any significant distance to renew a passport routinely.

We are all keenly aware of the importance of our post office network on this island and I acknowledge the valuable role it plays in administering the passport service. I also want to acknowledge the importance of the post office, especially in rural areas. Public counter services for passport applications are the exception rather than the norm. In some cases where citizens find themselves without a valid passport, the offices in either Dublin or Cork offer an appointment service. These appointments can be made online.

I have great sympathy for those who have not allowed sufficient time for their applications and we endeavour to assist where possible. I emphasise that it is fundamental for applicants to choose the correct mode of application when applying for a passport. People should also ensure their passports are in date before booking travel.

I am progressing a programme of passport reform. A new online service will be launched in the coming months for adults, whether they are based on the island of Ireland or overseas. This service will be extended to all applicants, including first-time applicants and children, by

2019. People who cannot or do not wish to apply online will continue to be able to submit application forms through a service provider with an extensive network of contact points throughout the country.

The introduction of the online service will result in reduced turnaround times and fewer demands on the passport offices in Dublin and Cork. The efficiency gains will help my Department to manage the large volume of increases. The rationale for additional passport offices is not obvious and any new office would, in any case, need to have the capacity to provide a rapid renewal service to applicants with urgent travel requirements such as the service available through the Passport Office. This would require a passport production machine on site in a specially controlled and secure environment. The cost of a new passport printing machine would amount to €1.7 million.

Deputy Declan Breathnach: I thank the Minister for his response. I acknowledge and laud the staff in the Passport Office as well as those in the Minister's office in respect of their work with difficulties with passports. I recognise the importance of the integrity of the passports.

As public representatives, we all know about the panic that gets into people when their passports go out of date. The difficulty of getting in to Dublin is increasing. The Minister is aware that were it not for the public representatives in this House and the Seanad, many people would not be in a position to avail of many of the services.

The printing of passports takes place in Balbriggan. The Minister referred to the costs involved in providing a satellite service. I believe the service could be provided in a secure environment, possibly at that location. That is why I did not indicate an exact location.

In the past, a direct helpdesk was available to Oireachtas Members. The extension of such a service to all public representatives is desirable. We are dealing with these requests daily and local authority councillors have the same difficulties. The problem is not going to go away and the numbers are going to continue.

I accept that the passport express service is ideal when circumstances are not difficult. Unfortunately, I am referring to cases where circumstances are difficult. The Minister referred to a 15-day turnaround. That is the indication for 2015 turnaround times in the Passport Office. The reality is that in November 2016 the turnaround was seven days because of the lack of pressure. The Minister indicated that there are 230 staff and some temporary staff as well. I believe the Minister is going to have to look at this sooner rather than later. I encourage him to take a further look at it.

Deputy Charles Flanagan: I wish to assure the Deputy and all Members that this issue frequently becomes the subject matter of parliamentary questions, committee discourse and Topical Issue matters, as is the case this evening. I assure Deputy Breathnach that we will continue to keep matters under review to ensure we can provide the best possible service to the citizen.

The passport express service works effectively in offering access through local post offices. I do not believe that the opening of a new passport office is an appropriate response. The future service provider network will ensure that strong outreach is available to people who need assistance with online applications. The passport reform programme will allow for online application for all renewals. I am satisfied that this will greatly improve the situation.

Reference was made to a new passport office. There would be a considerable and significant

financial outlay. I do not believe that would be the best way forward. Rather, I am confident that the changes under way in the passport services under our three year reform programme will provide far-reaching benefits for citizens in terms of access to the service, reliability and security. This will be the case regardless of whether people are based on the island of Ireland. I assure Deputy Breathnach that I will continue to keep matters under review.

Veterinary Inspection Service

Deputy Michael Fitzmaurice: There is considerable confusion at the moment. In 2015 a review of veterinary laboratories was carried out. Ongoing reviews are under way in Sligo, Athlone and other parts of the country. There is much disquiet and the relevant members of staff do not know what is happening.

The importance of these laboratories for farmers in the areas cannot be overestimated. Approximately 50% of the cattle in Ireland and 85% of the total sheep flock are based along the west coast from Donegal to Clare. This is of the utmost importance. The west has gone through a rough period over several years. It is good to see that employment figures have started to go up. We do not want to see a loss of services at this stage from Sligo, Athlone and such areas. They are of the utmost importance to the people in the area.

Deputy Tony McLoughlin: I thank the Ceann Comhairle for taking this important item. I wish to highlight the real concerns and fears of the farming community in the entire north west over the potential closure of the regional laboratory in Sligo. I understand that during 2015 and 2016, a total of 3,140 animal post mortem examinations were carried out.

In recent weeks and months I have had several meetings with staff of the laboratory as well as farmers from my area and IFA representatives. I have listened to their concerns. It is clear the service is working well in County Sligo. The service is in a key location in the region and helps farmers from the north west. It covers Donegal, Cavan, Leitrim, Sligo, Mayo and Roscommon. I put it to the Minister of State that there is no need to fix something that is not broken. We have spoken about a long-term review. The laboratory and the staff are providing a vital service to the farming community in the region. I imagine the Minister of State can appreciate the need to put this issue to bed once and for all for everyone involved.

Deputy Marc MacSharry: People could be forgiven for asking when the attack on rural Ireland is going to stop. I do not intend to have a political moan in the normal way about the issues, although I could do so.

The scientific concerns expressed by the Veterinary Officers Association of Ireland stand up to scrutiny. This laboratory is of strategic importance to the entire north west. It is of strategic importance to achieving the complete surveillance system envisaged by Food Harvest 2020. The veterinary officers association has said that our enviable animal health and food safety reputation will be put at risk and that this could have a severe impact on the many farmers throughout one third of the country. The association maintains the contingency plan for exotic disease control needs a response time of less than two hours. Reducing the number of laboratories with the closure of Sligo would seriously hamper the potential to meet this requirement. We have an issue with any proposed collection service. The Minister has indicated that it would be based on the Netherlands, which is a far smaller country with full-time intensive farmers rather than our part-time farmers. We have infrastructure that can facilitate those people. There

will be issues with regard to cross-contamination in any collection service. There will be issues in terms of a helpline filtering out animals that deserve post mortem examination. There could be zoonoses or other conditions which, if detected, could protect against a serious outbreak of disease. It defies logic from the scientific, agricultural and farming support points of view. It also adds a further nail to the coffin of rural and regional Ireland. Notwithstanding the fact that some issues in this report might have to be addressed, the best way to deal with them is not through the closure of this laboratory.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Andrew Doyle): I am a little hoarse so I hope the Members will forgive me. I thank the Deputies for raising this matter. It is obviously very important to the region they represent.

The laboratories are an integral part of the Department, providing scientific evidence and expertise which allow the Department to function effectively as a regulator to deal with new and emerging risks and to respond rapidly to disease outbreaks and food safety incidents. The laboratories also provide valued services and advisory support to the farming community, the food industry and wider society.

My Department promotes and regulates an agrifood industry that has ambitious targets for growth and development over the next decade, as set out in Food Wise 2025. Sectoral expansion is already well under way, export trade is increasing year by year and new markets for Irish food are being continually accessed. The integrity of our national offering as a food island must be underpinned by robust systems that protect and enhance our reputation as a producer of safe and wholesome food and we must respond to this challenge by developing and enhancing our capabilities, safeguarding the food chain and public health and ensuring that our food production systems are both economically and environmentally sustainable.

In this context it is essential that we develop a long-term strategy for our laboratories that builds on existing capability and expertise in animal health, food safety and plant sciences and ensures we achieve both operational and scientific excellence. This was the primary reason for tasking a working group led by Professor Alan Reilly with undertaking a comprehensive review of our laboratories. Having considered the current and future needs of the Department and its external stakeholders, this working group presented a report to my Department late last year which makes recommendations on oversight and co-ordination of the laboratories' activities, reorganisation of structures and functions within the central laboratory complex, options for the future development of the regional laboratories with a view to improving disease investigative and surveillance capability but with the overriding imperative of maintaining and enhancing services to farmers and human resources management within the laboratories with a focus on grading structures, career development opportunities and workforce planning.

The Department's laboratory management team is now consulting with relevant stakeholders, including staff in all of the laboratories, on these recommendations. It is important to emphasise that a decision on any of the working group's recommendations will await the outcome of this consultative process. In the case of the regional veterinary laboratories, including the Sligo laboratory and its provision of laboratory diagnostic services and surveillance coverage for the north west, any decision will be informed by a cost-benefit analysis of the various options that have been proposed.

I wish to emphasise that a key objective of the strategy we are developing for the laboratories is to improve on our existing capability in surveillance of animal diseases at a national level

so as to maintain the reputation of Irish food and food production systems. While delivering on that wider good to the farming community, the Department is also exploring how access to veterinary laboratory services can be maintained and improved on a nationwide basis.

Deputy Michael Fitzmaurice: Will the Minister of State give reassurance, especially to the Deputies from Sligo, that the Sligo operation will stay as normal and be continued? It is of the utmost importance. That is also the case with the laboratory in Athlone in my constituency. The west wants to know if the Minister of State will give the assurance that it will be kept going. I will give the other Deputies time to speak.

Deputy Tony McLoughlin: When one looks at a map of this country, one can see where the other laboratories are located. Beneath a line from Galway to Dublin there is the large laboratory in Backweston in Dublin and the laboratories in Athlone, Limerick, Kilkenny and Cork. The only laboratory above the line is in Sligo and it serves that part of the country. I met some of the laboratory's staff members during the last two weeks. Sean McFadden has served for a long time in the laboratory and has worked extremely hard with Francis Gonley and J. J. Feeney. If the laboratory is closed, which they cannot even envisage, their concerns are about decreased surveillance, inadequate case histories, huge transport costs, cross-contamination, carcass quality, biosecurity and spread of disease. They say an investment in the regional veterinary laboratories is required to provide capital funding to improve and modernise the existing regional veterinary laboratory facilities, proper staffing and resources to achieve accreditation and an upgrade of the laboratory information management system, LIMS, to allow more efficient data analysis and integration with other data systems. Investment in the regional laboratories is an investment in the future of Irish agriculture.

Deputy Marc MacSharry: To continue Deputy McLoughlin's point, north of the Dublin to Galway line there has been consistent negligence by consecutive Governments in the provision of services. We did not vote to leave the EU or Ireland, but sometimes it feels like it when one considers the neglect. It is easy to write a report or criteria for closing things down. The Minister of State said it will be down to a cost-benefit analysis. What cost does he put on equality of services to the farming families of the north west and to the biosecurity of the part of the country that produces 40% of the country's weanlings? What cost do we put on correctly managing the surveillance of disease outbreak? Deputy McLoughlin and Deputy Fitzmaurice have spoken on this. This is a cross-party matter. It is not parish pump politics or looking for the Sligo Olympic bid to be successful and supported by the Government. We are seeking continuity of services and some level of geographical equality so people can get to the services. This is not the Netherlands. Ireland is not as small as the Netherlands and it does not have the road infrastructure to allow a collection system to work effectively. I appeal to the Minister of State to listen to his colleague, Deputy McLoughlin, and to Deputy Fitzmaurice and me on this issue.

Deputy Tom Neville: I wish to point out that I have received representations from people in the County Clare side of Limerick relating to the veterinary laboratory there as well. Obviously, we would strongly oppose its closure. However, I welcome the update from the Minister of State that there will be no closures in Limerick.

Deputy Andrew Doyle: I appreciate that this is a strongly-held, cross-party opinion. It is based on people's loyalty to, and concern for, their region. I cannot give Deputy Fitzmaurice a straight answer to his question. I wish I could, but that would pre-empt what will emerge from the consultative process.

At present, there are approximately 12 laboratories, including regional veterinary laboratories, dairy science laboratories and blood testing laboratories. Some of them are co-located and some of them are quite close to each other in other parts of the country. I take on board everything that has been said about the geographical distance. Each regional veterinary laboratory has an effective catchment area for voluntary carcase submission where 90% come from within a radius of 65 km. That is approximately a one hour drive with a car and trailer, which would be the typical type of presentation to a laboratory. Incidentally, I have travelled to Backweston and it has taken me longer to travel there with a carcase than an hour or an hour and a half on a bad day. We had an outbreak a few years ago. We are not even 65 km from Backweston. I probably would have been in Kilkenny quicker.

I take the points on board and the consultation will have to reflect them. Yes, a cost-benefit analysis is part of it, but only part of it. Deputy MacSharry is suspicious that it is tailored to close places but if it is a holistic cost-benefit analysis, it will take account of the cost of collection and transportation, if it is proposed, as opposed to voluntary drive-in. This is about trying to improve the service, not to take from it. It is worthwhile that the Deputies have raised this matter today because they have articulated a view. Deputy Neville also put in his oar for the mid-west. The challenge is to do the right thing and to make sure the service is maintained for all the regions of the country equally, with an improving reputation that we can maintain for the industry.

Greyhound Industry

Deputy John Curran: Earlier this month the gates of Harold's Cross greyhound stadium were locked, the traps and other equipment were removed, and after almost 90 years greyhound racing in Harold's Cross came to an end. Last week, I, Deputy Jackie Cahill and others met owners, breeders, those who had an interest in the industry and those who used the facilities at Harold's Cross. They were not consulted nor do they support this decision. The lack of support from the industry in this decision is evident in the protests at Shelbourne Park.

We are told that the Irish Greyhound Board made this decision because it has a debt and it wants to sell the lands at Harold's Cross to pay the debt. The primary cause of the debt was the overspend on the development in Limerick. Harold's Cross as a racing track is a profitable, successful venture, and in the absence of a wider plan by the Irish Greyhound Board, selling a profitable element of its organisation does not make sense and does not enjoy the support of owners, breeders and those involved in the industry. It is a historic and cultural part of life in Dublin for more than 90 years, dating back to 1928.

Deputy Alan Kelly: The decision last week to sell Harold's Cross racecourse was the last straw for many. The board of Harold's Cross were not consulted. Those who have contributed to the industry for generations are sick and tired of the way the Irish Greyhound Board is running this industry. Frankly speaking, it is running it into the toilet. It is a basket case at this stage. The level of debt is incredible, but also the decision-making process is wrong. I would urge the Minister of State to not act like his predecessors, who made the mistake of saying that it would sort itself out and that it is a separate organisation. It is now time for this board to be dismissed and time for the Department of Agriculture, Food and the Marine to take over the running for an interim period until it gets to the bottom of what the hell is going on in this organisation.

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Deputy Kevin O’Keeffe: On Monday, 13 February 2017, on the eve of St. Valentine’s Day, a most disastrous, cowardly and devious act was carried out against the greyhound industry in this country, especially in the greater Dublin area. Bulldozers have since been sent into Harold’s Cross greyhound stadium to make it unraceable. Directors at Harold’s Cross were not informed. Owners, trainers and breeders were at a loss, and continue to be in a state of shock. There were no talks between any of the stakeholders, just downright acts of scheming, lying and betrayal by those who carried this out. What makes this attack on the industry all the more astonishing is that it was carried out by those who claimed to be running the industry. It is these same people at the top level of the Irish Greyhound Board who have brought this great industry to its knees. It is clear that the closure of Harold’s Cross is as a result of the appalling decision-making of the Irish Greyhound Board over the past ten years. The closure of the Harold’s Cross greyhound track is because of the excessive overspend and the debt that was accumulated during the construction of Limerick greyhound track.

Harold’s Cross is one of only three tracks in Ireland to make a profit consistently down through the years. It has had a clear and defined customer base for many years from a defined proximity. To presume that the customers, breeders, patrons and staff will relocate their livelihoods to Shelbourne Park is based on speculation and poor judgment. Shelbourne Park is more associated with the bigger trainer and the higher calibre of race. It is unlikely that they will now be able to handle or cater for the influx of extra races coming from Harold’s Cross. This results in livelihoods being destroyed.

Deputy Andrew Doyle: I do not mean to be flippant but this is one that has had me running around the track for a while.

Deputy Alan Kelly: Running away, maybe.

Deputy Andrew Doyle: I am not running away, Deputy. Do not worry. I have tried to engage with everybody as best I can.

Deputy Alan Kelly: I appreciate that.

Deputy Andrew Doyle: Bord na gCon is a commercial State agency responsible for the control, promotion and operation of greyhound racing. In this context it owns a number of commercial greyhound tracks, including Harold’s Cross. The operation of those tracks is a matter for the board and its subsidiaries. Bord na gCon also regulates the industry and provides a range of supports to the sector, including through the provision of funding for prize money and the allocation of grants to improve amenities at tracks. It is no secret, as has been articulated here already, that the board has been operating in an extremely difficult financial environment for a number of years now, with the pressures of the recessionary period, reducing tote receipts and attendances exacerbated by a very significant debt burden.

In 2014, against the background of reducing income for the organisation across a range of headings, my Department commissioned an independent report into certain matters relating to Bord na gCon, including its financial performance and prospects. That report, by Indecon economic consultants, recognised the very difficult situation in which the board found itself and provided a roadmap for the sustainable development of the greyhound sector. In particular it recommended a number of asset disposals, including Harold’s Cross stadium, to reduce the debt burden. The report was accepted by Bord na gCon. I understand that the board, having considered the matter, and having regard to the recommendations in the Indecon report, has decided

to close Harold's Cross stadium to initiate the process of putting it on the market. Its objective is to reduce the financial burden of servicing its debt, with the ultimate view of increasing its capacity to provide support and assistance to the industry. While this is very regrettable, the view of the board is that there is no other option if the burden of debt on the organisation is to be reduced in any meaningful way.

It is clear that this is a very difficult decision for the board, and of course there is significant opposition to it from greyhound people whose views are heartfelt and sincerely held, and indeed I have met them. This is to be expected and is completely understandable. There is a strong cohort of greyhound people, particularly in Dublin, who have a particular association with Harold's Cross greyhound stadium. I understand that the intention of the board is to transfer the Harold's Cross racing schedule to Shelbourne Park and that all staff at Harold's Cross will be offered redeployment.

There has already been significant Government commitment to this sector in recent years, with the contribution of the taxpayer through the horse and greyhound fund having increased from €10.8 million in 2014 to €16 million in 2017. The greyhound racing industry simply would not survive without this public funding. However, the board also has an obligation to improve its own financial standing, and I do not consider it appropriate that this should always involve further recourse to the taxpayer. This is a sector that faces many difficult challenges, not just financial but also regulatory and reputational. I believe that the board, in very difficult circumstances, is working its way through the issues identified in Indecon and other reports with a view to addressing these issues.

I should also say that my Department will very shortly be bringing forward legislation to improve the governance and regulation, and ultimately the reputation, of the sector. I very much look forward to the input of colleagues across the floor to this important exercise.

In so far as Harold's Cross is concerned - it is an important point to make, if the Ceann Comhairle will indulge me - any sale will ultimately require the consent of the Minister for Agriculture, Food and the Marine and the Minister for Public Expenditure and Reform. Any specific proposal for its sale will be considered, having regard to the Indecon recommendations, the value to be obtained, the need to avoid any further burden on the taxpayer and the need to reduce the significant debt burden.

An Ceann Comhairle: We are badly over time. I will ask the Deputies to be very brief.

Deputy John Curran: I thank the Minister for his reply, but I want to return to the Irish Greyhound Board. It is some €20 million in debt and has now made a decision to sell Harold's Cross, which will only clear a proportion of it. Harold's Cross is a profitable entity in its own right. It does not make good business sense to sell off something that is making a profit and to retain other elements that are loss making. The debt that is on the books of the Irish Greyhound Board goes back to previous decisions it made, primarily around the redevelopment of Limerick, and in that regard I would ask the Minister of State to make it known to the Irish Greyhound Board that the prospects of ministerial approval for this disposal are nil. The Irish Greyhound Board needs to wake up and come up with a much more viable and proactive business plan rather than saying the only way out of this is to sell assets. It is a lazy way and does not address the issues. If it continues running the same business model without developing the business, then the sale of this will be futile. I am absolutely opposed to it. I ask the Minister of State and his colleagues to make that known to the Irish Greyhound Board at an early stage.

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Deputy Alan Kelly: I thank the Minister of State for his reply. He is one of the most honourable people in here, but the reply supplied by his Department is the same garbage that departmental officials supplied to me, Deputy Burke and others at last week's Committee of Public Accounts meeting. It does not get to the nub of the issue. It is washing its hands of it. It is letting down the owners, breeders, trainers and patrons. There is a fundamental problem with this organisation, its board and the executive that is running it. It needs to be rooted out and dealt with. The Department simply cannot wash its hands of its responsibility. There has been no representative of the Department on the board of the Irish Greyhound Board for some time. There is no accountability.

I very rarely come in here and speak like this. The people I reference here will not stop until they get accountability. The Minister of State has an opportunity to ensure that happens. It starts now by taking over this organisation, taking over the board on an interim basis, finding out what has been going on and putting in place a plan for the future. The Indecon report is nearly four years old.

Deputy Kevin O'Keeffe: With all due respect, I hope the Minister of State is not going down the same road as the Minister, Deputy Ross. The Minister of State is the major shareholder of Bord na gCon and has a big say. The industry is in a crisis. The prize money has sharply reduced in recent years. If the prize money goes down, attendances go down and that is where we have a problem. The board needs to be held accountable. There must be some mismanagement there if the prize money has been reduced by half over the past five or six years.

Deputy Jackie Cahill: I am a greyhound owner and the director of a greyhound track. Our industry is in serious bother. There has been a dispute for the past three weeks and as far as I can see the Department is washing its hands of it. Our premier track has had no racing for the past three Saturday nights. Last Friday only six dogs turned up to race at Shelbourne Park. This dispute is doing our industry irreparable damage. We need to get all sides at the table and get discussions going. We need to get racing resumed. The closure of the Harold's Cross track and how it was handled must be addressed.

Deputy Andrew Doyle: I appreciate all this. I am as anxious as anybody to let this new legislation get into the committee so that every stakeholder including those representing the Harold's Cross track will get the opportunity to have their say. Timing is critical here. I hope this can be put into the committee's schedule in the next couple of weeks. I have notified it so that the members can plan to have it on their work programme. In my previous role as Chairman of the Joint Committee on Agriculture, Food and the Marine we had the same process for the horseracing legislation.

This is a legacy debt that precedes my time and that of my two predecessors over two Governments. It was decided in 2014 that proper due diligence was not carried out over the development of the Limerick track. However, that is water under the bridge, unfortunately, and the debt continues.

I agree with what Deputies Curran and Kelly said about a business plan. That has to be the main focus of the organisation. I ask people to bear in mind that I answered parliamentary questions a couple of weeks ago asking if it was fair to put €16 million of taxpayers' money into a declining industry, which is a fair question. However, the background to that was a different agenda. Some Members of this House have a completely different opinion and they are not all from the city, as one might expect.

At the outset I specifically requested to meet the representatives of the Harold's Cross track on their own. If there was any way we could prevent this from happening, I would be happy to hear it. To go back to Deputy Kelly's point about the makeup of the board, how they will be filled and how their terms will operate, over the course of the discussions on pre-legislative scrutiny it will be important to stress having ministerial and departmental presence on that board all the time.

It provides regular budgetary updates on its trading position, which is actually quite healthy. However, to deal with the legacy debt will take a very ambitious plan. At the moment the only one seems to be the recommendations of the Indecon report.

National Famine Commemoration Day Bill 2017: Second Stage [Private Members]

Deputy Colm Brophy: I move: "That the Bill be now read a Second Time."

I propose to share time with Deputy Neville.

As Members of the House will be aware, the National Famine Commemoration Day was introduced in 2008. At the time, it was envisaged by those who fought for its introduction that this day would become embedded in the minds of the people as the day for all those in this country and in the Irish diaspora to remember the victims of Ireland's greatest tragedy. Many had hoped this day would become another day of national commemoration on a par with days such as Easter Sunday when we commemorate all those who bravely lost their lives in the fight for Irish freedom.

Unfortunately now, nine years on from the first National Famine Commemoration Day, all too few people in this country even know the day exists. Very few talk about the event and even fewer children learn about this day when they study the Famine in school. This is not the fault of the people. In particular it is not the fault of the people who have worked very hard over the years on the national Famine commemoration committee to try to make the day a success and to try to establish the day as the premier way in which we mark the tragedy of the Famine. However, it is the fault of the manner in which we established the commemoration day back in 2008.

We did not put a fixed day in the diary for the commemoration day. As a result, our commemoration of the Famine moved around the calendar from one end of the year to the other. It has made it very difficult for those wishing to organise events and for those wishing to mark this day. How can we expect people to be aware of a day which changes its date each year? Introducing a fixed day - I propose the second Sunday in May - will bring certainty to this important day where no such certainty currently exists.

A fixed day for this commemoration of the Famine will have a number of benefits. First, it will enable the commemoration of the Famine not just to take place here in Ireland, but to take place globally, to enable the diaspora to participate fully in the commemoration of this most important event. By creating that date we can ensure that not just here in Ireland, but throughout the world where Irish people have been dispersed through emigration we can have one day to mark the Famine, one day that will not just be a national commemoration but can also be a global commemoration wherever Irish people have ended up that will mark the Famine.

It will also enable people from the Irish diaspora or people of Irish descent travelling back

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to Ireland if they wish to lock their travel into that day and know that when they are back in the country on that second Sunday in May there will be an opportunity to participate in what I hope will become a major event in our annual calendar. There are other reasons I would like the Famine to have a fixed date for commemoration. It is my fervent hope that, with the creation of a fixed day, teachers and schools will be able to develop a programme of awareness which will culminate with the participation of the next generation of Irish children in the commemoration of the Famine. It is most important that this be done. The next generation of children must be made aware of the tragedy of the Famine and its importance in shaping our country.

Many historians have pointed out that the Great Famine marked a watershed in our history. It was not inevitable that Ireland would suffer this famine. A combination of circumstances brought it about. An inept Government and various other circumstances combined to turn the Famine into one of the greatest tragedies of the 19th century. It is vitally important that we recognise this by having a fixed date.

Last year, I had the privilege of attending the National Famine Commemoration day at Glasnevin Cemetery. Our President made a poignant remark at that event. I will share what he said with the House:

We now have the capacity to anticipate the threat of Famine. We have the capacity to take measures to avoid it; and yet we allow nearly a billion people across our world to live in conditions of extreme but avoidable hunger.

This week, for the first time in six years, the United Nations declared a famine. This famine in South Sudan, very much like our own, was not inevitable. It was greatly contributed to by the actions of man rather than a natural disaster. It is vitally important and ties into the reason having this programme in our schools is a necessity. It is necessary that schoolchildren in our country do not only mark a day that commemorates the Irish Famine but that they also understand the significance of famine in the world today and its impact on the 21st century.

The Famine had many impacts on Ireland but I will refer to two major ones. The first overwhelming impact was to change our country for ever. It changed this island, the population, the way we are as people and the impact we have on the world. In doing that it created the Irish diaspora, which is its second major impact. It is a diaspora that has spread throughout the world and has given huge significance to us as a country on a global basis. When we think of the benefits of an Irish diaspora and when we think of our country, we must always remember that those who comprise the diaspora came to be as a result of the deaths of a million Irish people as a result of hunger and disease and because of the millions who subsequently emigrated from our country. This is a direct result of the Great Famine.

Not only should we have this fixed day in our calendar but we must make sure that the commemoration we instigate, which will be held on that day, recognises the overwhelming significance of the Famine in our history. It should pay due respect to it and ensure the impact and knowledge of what happened to our country during the Great Famine remains at the forefront of the minds of future generations of Irish people, both on our island and around the world.

Deputy Tom Neville: I support Deputy Brophy and congratulate him on bringing this Bill before the Dáil. Thinking back to what happened to our ancestors reminds us that it is part of us. It is built into us and is what is known as a cultural memory or identity. It is something that needs to be shared with the diaspora. I was part of that diaspora for a number of years when I

emigrated as a result of the crash. It gives extra impetus to hold on to our culture and identity when we are away. It also educates the countries that welcome us about our heritage. The Irish have become synonymous with travelling and moving across the world. They say that someone will always meet an Irish person no matter where they go in the world. This is where it has come from. It seems to be built into us. It is essential that it is recognised. I welcome that a fixed date is proposed. It allows people to plan for it and it allows ceremonies to be planned. It allows for it to be given a profile across media and other networks and for us to share our identity and culture with people. I do not want to be cold about it but the spin-off of that is its commercial impact. In tourism, the education of other countries can have the effect of bringing people back here and marketing our commemoration sites. It also educates people on the island about what their predecessors had to do at that time. A fixed date is very much welcome for that. We have much to teach the world about our roots and where we come from and our history. There is a huge amount of history and heritage in this country. It is about spreading the message and connecting and not forgetting our diaspora, whether our ancestors or the people of today.

Deputy Niamh Smyth: I am pleased to have the opportunity to speak on the Bill on behalf of the Fianna Fáil Parliamentary Party and I thank Deputy Brophy for his efforts in bringing this Bill forward. While in government, Fianna Fáil took a number of important steps to commemorate and honour Ireland's history, including the Great Famine, which was one of Ireland's most significant tragedies. This Bill comes at a fitting moment in Irish history. Beginning in 1845 with the failure of the potato crop, the Famine lasted for six years and resulted in the loss of 1.1 million lives. Taking into account the 2 million people who emigrated during the Famine, the population of Ireland declined by approximately one third as a result of the Famine.

In the years preceding the Famine, the collapse of Irish manufacturing and sharp increases in our population gave rise to an intense fracturing of Irish agricultural holdings. By 1841, 45% of agricultural holdings in Ireland were under five acres. As the size of the average agricultural holding dwindled, so too did the diversity of the average Irish peasant's diet. Peasants who had previously supplemented their staple diet of potatoes with herrings, milk and meat were increasingly reliant on potatoes alone for their sustenance. Potatoes were a remarkably high-yield crop. A single acre of potato ground could produce up to 6 tonnes of food, which was enough to maintain a family of six for an entire year. The peasants' reliance on potatoes came with significant risk. While Ireland had initially rejoiced in its apparent escape from the terrible blight that had swept through much of Europe and England, by late 1845, Irish newspapers were beginning to report fears that it had reached Irish shores. With the late harvest, the main potato crop was taken out of the ground in October 1845 and the people's worst fears were confirmed. Historian John Kelly describes how the "men wept openly as half-ruined potatoes were lifted from the ground" and "shovels dropped and laborers soaked through to the skin with rain filed out of the fields like mourners." The speed with which the blight had spread astounded farmers and scientists alike. Even seemingly healthy potatoes could quickly decay in storage, further impeding Ireland's food supply.

By late 1845, the Prime Minister of the United Kingdom had initiated a poverty relief programme in Ireland. Corn maize was to be imported here, distributed to local relief committees and then sold to peasants at cost price. Public work schemes would allow peasants to earn the cash wages needed to purchase corn maize. This model of relief would not only provide minimum poverty alleviation, but it was also hoped that it would modernise Ireland. This plan hinged on a number of faulty assumptions about the nature of Ireland's history and infrastruc-

ture. In the first instance, the success of the aid plan depended on the willingness of Ireland's noble classes to administer and support it. Unfortunately, Ireland's landlords were rather indifferent to the suffering of the peasants around them and, in some cases, viewed the widespread eviction and perishing as furthering their own interests. Second, the plan relied on a modern distribution and logistical infrastructure which was unfortunately absent from Ireland. This was an unfortunate pattern which was to continue throughout the Great Famine and one which the British Government was unwilling to amend, for a variety of reasons, to better address the specific Irish context. The lessons we learn from the Famine ought to guide us in our understanding of the Bill.

At its heart, commemoration is the process through which we remind ourselves of the events and people who have gone before us. It is the recognition of the links which bind our past and our present. As we reflect on our history of the Famine, it is imperative that we reflect too on the present reality of famine across the globe. While Ireland has had the great fortune of avoiding such widespread starvation since the 19th century, other nations have not. Perhaps as a result of our experience, Ireland has a rich history of giving to those most in need. Commemorating the Famine is a moral obligation. We must mark the dead and why they suffered. We must remember the cold indifference of the removed Government which overlooked the deprivation of the people under its charge. More than a day in the year, it must be an enduring lesson, a lesson that should colour our policies and drive on our commitment to those who find themselves in the same desolation in which this island was once cast. I hope this Bill is read in that light and helps to serve as a testament to that legacy.

Deputy Eugene Murphy: I support all that has been stated by my colleague, Deputy Smyth. I pay tribute to Deputy Brophy for bringing forward this Bill. I am glad the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs is present for this debate. She chairs the National Famine Commemoration Committee, which was set up in 2008. It has special significance for me as I come from the town of Strokestown in County Roscommon where the National Famine Museum is located. One of Deputy Humphreys' first acts as Minister was to visit the town. Unfortunately, I was missing on that occasion, even though she sent me an invitation. The town has many attributes. We dispute the fact that O'Connell Street is the widest street in the country. Our town has one that is at least as wide. I know the Minister had a fantastic day in the town.

We owe a debt of gratitude to Jim Callery and his family. Mr. Callery bought Strokestown Park House, which was the estate of the Pakenham Mahon family. There was a huge cost involved in its purchase but the museum is now attracting 60,000 visitors a year to the town. I urge everybody in this Chamber not only to visit the museum at some stage but to encourage their families to do so. Many people tend to forget what happened during the period of the Great Famine when 2 million of our people emigrated and 1 million people were lost, but how many more people were lost as they tried to emigrate?

One of the big projects in Strokestown Park House is the "missing 1,490". A total of 1,490 people left the locality and many were lost *en route*. Some have been traced now in America and in Canada. It is an extraordinary story. It involves the number of people who did not reach their destination and the number of people who reached it and did well for themselves in the United States. There is a huge story still to be told. The Irish Heritage Trust is in charge of Strokestown Park House for the next eight or ten years.

The national event commemorating the Famine was held in Strokestown in 2014. It is a

spectacular and extraordinary event. Nobody can explain how wonderful the occasion is. Given that one of the biggest problems in the world today is hunger and people dying from it, there is a huge opportunity to establish a university in Ireland specifically dealing with the issue of world hunger. The International Famine Conference is held in Strokestown each year from the end of May to early June. It attracts both important figures from across the world and students from across the world who want to learn more about the Great Irish Famine.

Many Irish people do not look back on the Famine and in many respects, it is a forgotten part of our history. When one visits the National Famine Museum in Strokestown and one reads through the stories, which are all there, it is an extraordinary experience. It is very touching. Many schoolchildren visit it. I would encourage not only primary schools but second level schools to bring their students to the museum and learn about this great story.

I very much welcome what the Minister has done here this evening. As Deputy Niamh Smyth noted, Members on this side of the House fully support her. We can put this commemoration day in its proper place each year but we should never forget what happened to many of the generations gone by, what they suffered and went through and the heartbreak that was brought to many families. It is only right and proper that we would honour those people, think of what happened and think of the great loss of life. No occasion should be missed in terms of talking about this issue, giving it its proper place in Irish history and developing an analysis of world hunger and why it happens even today. Although there seems to be so much wealth in many parts of the world, many people still die of hunger. As was mentioned by some Members opposite, there is now another famine in South Sudan. Why is that happening again in the world? I am sure many of us will want to talk about that in the weeks and months ahead and will want to support those people. I am glad, along with my party colleagues, to be able to support the Bill.

Deputy Peadar Tóibín: I welcome wholeheartedly the introduction of this Bill. It deals with something that we in Sinn Féin have been working on for a long time. I welcome Fine Gael's conversion to this logical reform. However, it strikes me as a little strange in these days of new politics that the Minister's Government refused to run with an identical Bill I put before the Dáil in December and instead the Government published its Bill, which is roughly the same as ours, with the same objective two months later. I can only imagine there was an ideological reluctance within Fine Gael to proceed with this Bill but when the Government was faced with my Bill, perhaps the tribal instincts kicked in and there was a sense that it should prevent the Opposition's Bill on this issue. That was a pity. Ideally, we often hear from those on the Government side that they are looking for good ideas from the Opposition, they are willing to work with those in opposition if they have an idea or a solution to issues, but when that happens, mechanisms are used to prevent the Opposition's Bill from going through.

The Great Famine was the most important event in Irish history. It was a disaster of incredible proportions and it radically altered the trajectory of this country and pretty much every family within it. It emptied the country of its people with considerably more than 1 million deaths and 1 million more forced to emigrate. To this day, 170 years later, the population of this country has still not recovered.

The Famine was a painful and deep lesson on the importance of independence and self-determination. Ireland produced enough food to feed our people throughout the Famine but much of that food was exported under armed guard. There is no doubt that the decisions made in London were based on ensuring the profitability of the landlords and the further ethnic cleans-

ing of many parts of the country and that this experience convinced that generation of Irish republicans that this country had no choice at all but to fight for its self-determination.

One would imagine that an event of this import would be treated with the requisite and adequate reverence and magnitude but this is not the case. I submitted a parliamentary question to the Minister a few weeks ago to seek the date for this year's commemoration and the response I got was that no date has been selected yet for the commemoration in 2017. Unless there is a change, and she might be able to tell us that, but mid-way through the first quarter of 2017, the Government had not decided upon a date for the national commemoration of the Famine in this country. It is incredible that would be the case.

Is é an Gorta Mór an rud ba mheasa a thit amach ar mhuintir na hÉireann riamh. Bhí an tragóid seo chomh tubaisteach nach raibh daoine in ann labhairt faoi ar feadh blianta fada ina dhiaidh. Ní bhféadfaimis samhlú an pian agus an léirscios a rinneadh i rith aimsir an Ghorta. Tá na himpleachtaí le feiceáil sa lá atá inniu ann.

Cé gur tháinig dubh ar na prátaí go nádúrtha, d'fhulaing muintir na hÉireann de bharr go raibh siad faoi chos ar bolg ag Sasana. Ní raibh smacht acu ar a gcuid talaimh féin. Tá a fhios againn go raibh bia á n-easpórtáil le linn na blianta ba chrua a bhí againn. Caitheadh anuas ar na fíricí sin mar theoiric chomhcheilge, ach fíric lom atá ann. In 1847, mar shampla, d'fhág nach mór 4,000 soithí ag iompar bia ó Éirinn go dtí na calafoirt ba mhó sa Bhreatain. Bhí méadú ar an mbeostoic ag fágáil na tíre i rith tréimhse an Ghorta Mhóir. Rinne Rialtas na Breataine neamhaird ar achainíocha comhairleoirí ar fud na hÉireann ó 7 o'clock Bhéal Feirste go Baile Átha Cliath na calafoirt a dhúnadh. Cloistear go minic gur ruaig milliún duine as an tír agus gur cailleadh milliún eile de bharr an t-ocras agus an galar, ach is measúnaithe fíorchoimeádacha iad seo. Bhí borradh mór sa daonra ag tús an 19ú aois. Bhí nach mór dúbailt ar ár ndaonra. Bhí breis is 8 milliún duine ina gcónaí ar an oileán seo sa bhliain 1841. Bhí na daoine a bhí i mbun an daonáirimh ag tnúth go mbeadh 9 milliún duine ina gcónaí sa tír faoi 1851, ach mar thoradh ar an nGorta bhí níos lú ná 6 milliún fágtha sa tír ag an am sin.

The Famine was a catastrophic blow in many respects but particularly to the Irish language. While Irish was the language of the native elite in the 1600s, by the 19th century it was spoken principally by the poor in the rural west. While 4 million people in this country spoke Irish immediately before the Famine, the highest ever number of speakers of the language in the country, it was later associated with the poverty of the Famine. After the Famine, those who had lived through it and sought to better themselves or perhaps emigrate to the US felt out of very difficult pragmatism that it was necessary for them to learn the English language and leave Irish behind. This was also a time when Irish was prohibited in the school curriculum. This was enforced through corporal punishment administered with a tally stick, so-called, which resulted in English becoming the predominant language of this country.

It is interesting that even today, 170 years after the Famine, a poor mouth attitude is shown to the Irish language. A number of years ago, under Fine Gael, the Coimisinéir Teanga resigned from his position due to the lack of help and effort on the part of the Government in respect of the Irish language. The State organisations were breaking the law on the Irish language and the Government sat on its hands on the sidelines and did nothing for it whatsoever. The current Coimisinéir Teanga has said the Government has failed utterly regarding the Irish language. The Irish language is receding from education. If one talks to current teachers, they will say the standard of taught Irish in this country is falling every year. If a person makes an effort

to engage with the State in Irish at any level, for example, if he or she picks up the phone and rings a number to seek a service in the Irish language, that person will get through to a line with nobody at the end of it, only an answering machine to take his or her name and perhaps sometime in the future that person will get a response. Our attitude towards the Irish language has not changed whatsoever. In fact, the process started during the Famine is continuing unabated, unfortunately.

The Bill presents an opportunity to focus on this very important issue. As has been mentioned, 800 million people in the world today go hungry. We need to remember them when we commemorate the Famine. The need for the Bill is simple: to place the Famine Commemoration Day on a fixed date, namely, the second Sunday of May. While we have had a commemoration day since 2008, we need to ensure its date does not swing. If it swings, people locally and internationally cannot organise for it whatsoever. We have a national day of commemoration, which falls on the Sunday nearest 11 July, in remembrance of the Irish people who died in past wars. It is surprising we do not yet have a fixed day to commemorate and honour those who fell in the Famine. I have a hunch that our lack of emphasis on this commemoration stems from our historical baggage. Subconsciously, we the survivors may not want to dwell on what befell our kith and kin. We must change this. The gravity, significance and devastation of the Famine means the event deserves a fixed day of remembrance.

Deputy Richard Boyd Barrett: I am delighted to have the opportunity to speak on this Bill and the event it seeks to commemorate on a regular day each year. The Great Famine was an event of earth-shattering and tragic significance and long-lasting consequence for this entire country. Its impact still reverberates today. It fundamentally altered the historical trajectory of this country and had devastating human consequences for those who fell victim to it. It is also the first example of a particular type of famine unique to the modern era. Therefore, there are lessons in the Great Famine and the reasons it occurred which, if not learnt, will mean that such events will continue to be repeated. Tragically, they are repeated again and again across the world because we have failed to understand fully what happened in the Great Famine and what led to it. This has not only caused tragedy for this country, but also has allowed for similar tragedies to be repeated again and again in different countries across the world.

I wish to dwell on this point but I should first pay tribute to those who have campaigned for this national day of commemoration for the Famine. I was not aware - perhaps I should have been - that other Bills on this matter have been brought forward. I do not know the truth of the matter but, if true, it is a little strange that the Government rejected a Bill of the same character only a short while ago. If this is true, the Government should acknowledge it and acknowledge it was a mistake. I hope petty politicking was not at play. People can give their explanations later. I do not know the truth of the matter so I will not prejudge it, but it would be terrible if petty politicking played any part in establishing a national day of commemoration for the Great Famine.

Deputy Paul Murphy sends his regrets that he is not able to be here. He asked me specifically to give a shout-out to the Committee for the Commemoration of Irish Famine Victims as a committee that has been campaigning for many years for the Famine to be commemorated properly and for a day to be established on which that commemoration would take place. I therefore pay tribute to those who have campaigned for this, and they are absolutely right in doing so. Not only was it an event of enormous, earth-shattering significance for this country, as I said, but it also has a significance for the world we live in today. This is so important because of the human tragedy of a million people losing their lives through hunger, disease and exposure.

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One million people were forced out of the country in those years - made exiles and refugees from their own land - and the population of the country was slashed in half over decades.

Of enormous significance beyond that immediate human tragedy is the fact that it was unnecessary. This was the first famine of its type. Famines had happened previously but what is unique is that for the first time, a famine occurred amidst plenty. It did not happen because the level of technological, economic and social development was not great enough to ensure sustenance for all of the people. That had been true in previous periods and epochs. At times, notwithstanding that there were great divisions in the distribution of wealth and inequality, there were objective problems with humanity's capacity to feed all citizens. At the time of the Irish Famine and the advent of modern capitalist society this was not the problem. This famine occurred under the rule of the wealthiest country in the world. It had an enormous empire. This famine was not a natural disaster, it was a man made disaster and was the result of a misguided belief in a particular view of political economy, *laissez faire* economics, what we now call market economics. We have still not broken our addiction to this when addressing the great levels of poverty, inequality, homelessness, suffering, hardship and so on that affect billions of citizens across the world. Those people needlessly suffer and die from malnutrition, starvation, exposure and a lack of water and medicine, something that has become a feature of the past 200 years - the wealthiest period in the history of civilisation. The Irish Famine was the first example of that obscenity, that 1 million people could die even when there was more than enough food and wealth to ensure that did not happen. That is what is shocking, obscene and extraordinary about it.

The British very reluctantly spent £7 million on famine relief. That did not avert the disaster. To put it in context, in 1833, some years previously, the British spent £20 million on compensating slave owners when slavery was abolished. They did not compensate the slaves but they spent three times as much as they spent on the Famine on compensating slave owners to protect the interests of property and the wealthy. Shortly after the Famine, the British spent £70 million, ten times more than they were willing to spend on famine relief, on the Crimean war in order to ensure the power of the Empire. When an Irish delegation visited Lord Russell to appeal for more help during the Famine, he told them he could not give them more support and quoted at them Adam Smith's *The Wealth of Nations*. That is extraordinary. Adam Smith's philosophy was that government could not interfere with or, in the modern parlance of the EU, distort the market. That would be a greater crime than allowing people to die and another 1 million be driven off the land. Racism was another significant feature of the unwillingness of the British Empire and the ruling elite, ably assisted by some of the big Catholic farmers and middle men here in Ireland. They assisted in the evictions and used the catastrophe of the famine as an opportunity. They took advantage of this extraordinary human misery to clear and consolidate the land of big farmers and land owners for profit and money while 1 million died and a million were driven off the land. It could not be more important to upscale the commemoration of the Famine, not just as a historical curiosity or something in the far distant past of our history but as something that echoes today in the continuing misery, famine, hardship, suffering, starvation that millions across the world suffer, that is totally unnecessary when eight individuals own as much wealth as half the world's population.

Deputy Thomas P. Broughan: I am delighted to have this brief opportunity to speak in support of Deputy Brophy's National Famine Commemoration Day Bill 2017. The Bill is almost an exact replica of an earlier Sinn Féin Bill, the Famine Memorial Day Bill 2016, which also called for the setting up of a national day of commemoration on the second Sunday of May

each year.

It is quite shocking, when one thinks about it, that we do not have a set, national day of commemoration to mark the greatest tragedy ever to befall our people, an Gorta Mór, when 1 million people perished and another 1 million fled our shores. Continuing into the early 1850s, a total of 2 million or 2.5 million fled the country and gave rise to the Irish diaspora. We did have famines before then, in the 1740s and so on. The timing and the incredible horror of the events of the 1840s marked a truly iconic watershed in our history.

When I first studied history in UCD under Professors Art Cosgrove and Dudley Edwards, I was asked to read James Connolly's *Labour in Irish History*. Connolly made a brilliant analysis of the vicious landlord and capitalist system which created the terrible social conditions that facilitated and led to the Famine, aspects of which Deputy Boyd Barrett has referred to. Since studying the Famine as a student, I have had a revulsion for the British Liberal Party despite the later efforts of W.E. Gladstone to deliver Home Rule during the Parnell period. It was Lord John Russell and the Whigs, the Liberals' predecessors, who absolutely refused to address the starving hundreds of thousands of our ancestors in the terrible winter of 1846-1847 and in 1848 and 1849 and put their trust in the so-called invisible hand of Adam Smith. Even Sir Robert Peel and the Tories, as viciously landlord and Unionist as they were at the time, had, at least up to 1846, purchased corn, although we did not eat it, and set up some basic mechanisms to try to address the Famine. The Tories and the Whig Government of Russell failed completely to take care of our starving nation as they would have addressed such a problem had it been in Yorkshire, Lancashire, or Northumbria or even Wales or Scotland. They treated us fundamentally differently.

Even the response to the rampant disease which took away so many tens of thousands of our ancestors and affected the poorest families across the west, the south and the midlands was appalling, particularly in view of the fact that the United Kingdom was the greatest power on the planet at that time, that significant parts of the map were covered in red and that it possessed an empire on which the sun never set. Following the sectarian carnage inflicted on our people by the land-owning ruling Unionist caste in the 1798 war that lasted into the early part of the 19th century - a war similar to those in the former Yugoslavia and the Middle East - the Famine marked a clear dividing line whereby Ireland had to become an independent nation outside Britain. The ferocious determination of James Stephens and his successors down to Thomas Clarke, the real originator of the 1916 Rising, the IRB, of Michael Davitt and the Land League and Charles Stewart Parnell and the Irish Parliamentary Party all flowed from that appalling event. I believe a memorial day for this Irish holocaust would be entirely fitting as it would allow us to remember more than 1 million of our people who died tragically and 2 million people who fled this country to safety in the US, Australia and Britain. It could be argued that the latter figure later increased to 6.5 million, 7 million or 8 million. Such a memorial day would give us an opportunity to remind ourselves that never again should our nation be in thrall to outside powers who do not give a damn whether our people live or die. That is a particularly relevant sentiment at this time of Brexit. Other Deputies referred to the importance of our diaspora. The reasoning set out by Deputy Brophy for this Bill echoes some of the sentiments expressed by Deputy Tóibín of Sinn Féin last year and again today. It is important we acknowledge the historical significance of the Great Famine in our history. We need to allow for the greater integration of this annual commemoration into school curriculums. The diaspora must also be integrated. I welcome the Bill. It would be fitting to have a memorial day on the same day each year.

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Deputy Joan Collins: I fully support this Bill. I congratulate those who have campaigned tirelessly for a particular date to be set aside for a commemoration of the millions of people who died through starvation or had to flee this country 170 years ago. I was surprised to hear the suggestion that the Famine of the 1840s was the last famine in Ireland. When I was reading *The Big Issue* before Christmas, I came across an article by Samantha Bailie entitled “Ireland’s Forgotten Famine - The Mass Government Coverup”. I would like to read some of the article into the record of the Dáil in order that the events of 1925 might be considered by Deputy Brophy and others who are involved in this campaign:

In 1925, the newly independent Ireland went through a tragic famine - but if the starvation of 750,000 people was not bad enough, the government’s coverup in order to save face internationally should make us ask why our ancestors were not protected by their elected officials.

Ireland was a bleak place in 1925 - after all, the two wars had taken their toll on the land and the economy was at an all-time low, with mass unemployment. The government decided to implement trickle down economics and so cut the wealthy farmers’ tax bills and reduced government spending - caring little about the impact on the impoverished. The old age pension was cut, the working week was put back up to 7 days and wages were cut by almost a fifth.

The poor felt the pinch instantly, and when the harvests yielded little due to extended seasons of wet weather - the crops collapsed. Even in those days the humble spud was the staple diet of the poor - especially those living in rural areas, to see them rotting in the soil was demoralising. Families were starving, and those with animals watched helplessly as they died due to a lack of nutrition. If things were not bad enough - families struggled to find any way to stay warm as there was no way to dry out turf - the chief fuel source. Citizens of Connemara and the islands in that area were worse affected, with three quarters of the people having had no potatoes (their main food source) for two months and attempted to find nourishment on scraps of seaweed and bits of shellfish they found on the beach.

The government gave £500,000 in aid money, but this barely touched the surface. On 31st December 1924 the local doctor was called to tend to an elderly man on Omey Island - when he arrived he found a man, Michael Kane lying on a cold stone floor beside a small turf fire - his face showing the dire hunger that would soon cause his death. Two little ones were lying beside him - a three and two year old who were so weak from hunger they just lay motionless. Kane passed away 48 hours later from typhoid - his body too weak to fight it off.

All Deputies should read this article if they can get their hands on it. It continues:

At the end of 1925, when international newspaper reports slowed down, [it had been reported in America that this was happening] the government finally gave a little, by admitting “acute distress” - but only in some areas.

Why did the government cover up this famine?

It would seem that this was due to a telegram received from the Boston Globe in the United States. The cabinet was sent the telegram with a cover note from James Douglas, who was a member of the Seanad. The message from the Boston Globe was asking for clarification on whether there was famine here. On Douglas’ note he had written, “...the

present propaganda in the United States, alleging that there is a famine, will do great harm to our credit in every way unless it is countered.”

So Cumann na nGaedhael were concerned how it would look if the newly independent Ireland’s citizens were starving to death. Ireland’s image was on the line. Minister for Agriculture, P.J. Hogan said that a typical farmer in the area was “a 200 acre man.” Of course this was far from true. His colleague then unbelievably started taxing blankets - at the height of the chronic fuel shortage when kids were dying due to lack of nourishment and the freezing cold.

The Dáil still refused to admit the scale of the problem - arguing the situation was hugely exaggerated.

The country eventually got back on its feet [with the crop at the end of 1925].

Sadly the government never admitted there had been a famine in 1925 and so, it has largely been forgotten about entirely. It seems that when faced with the prospect of losing face on an international scale or fixing the problem - the government decided to orchestrate a huge coverup.

As we recognise the huge tragedy of the Famine of 170 years ago, we should acknowledge that our own Government stood over a famine in this country in 1925.

Deputy Mattie McGrath: I salute the work of an Teachta Brophy in introducing this Bill. As he said on First Stage, this “small, compact Bill [proposes that we] should have a national day marked in the calendar to commemorate the greatest tragedy that has ever befallen the country”. The Deputy is proposing to designate the second Sunday in May gach bliain as the annual Famine commemoration day. The Great Hunger was a period of mass starvation, disease and emigration in Ireland between 1845 and 1852. I believe much of it was needless. It is remarkable in many ways that we do not have a national day set aside to mark this enormously significant historical, social and cultural event. I am aware of the previous work of the National Famine Commemoration Committee, which was first established in 2008 on foot of a Government decision to commemorate the Great Irish Famine. The annual national commemoration revolves between the four provinces of Ireland. The most recent commemoration took place on Sunday, 11 September 2016 at Glasnevin Cemetery in Dublin. This event was led by President Michael D. Higgins, who unveiled a Celtic cross donated by the Glasnevin Trust to act as a permanent memorial to the victims of the Famine.

This country’s national day of commemoration - an lá cuimhneacháin náisiúnta - commemorates all Irish people who died in past wars or United Nations peacekeeping missions. It occurs each year on the nearest Sunday to 11 July, which is the anniversary of the date in 1921 on which a truce was signed to end the Irish War of Independence, which had its tosach i Sulchóid Bheag, Contae Thiobraid Árann in January 1919. I fail to see why a similar date cannot be set aside to mark the millions who died during the Great Famine and the great acts of charity and compassion of the many people who tried to assist the victims of the Famine. We still have memorial tours and historical projects relating to the various workhouses and soup kitchens that people tried to establish.

While the National Famine Commemoration Day Bill 2017 calls on us to remember the great suffering of the past, we should not and must not forget the present. We are told we are living in a time of absolute affluence, but child poverty in this country has doubled over recent

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years. By drawing on data from the Central Statistics Office and the Growing Up in Ireland research, we can see that the proportion of children living in consistent poverty in Ireland almost doubled from 6.3% in 2008 to 11.2% in 2014. This equates to 138,000 children living in consistent poverty, or one in eight children going without a hot meal almost every day. The efforts of daoine ar nós the Capuchin Fathers and the Alice Leahy Trust, which was set up by a Tipperary woman, almost beggar belief.

We are happy to have new masters now. The Germans and our European colleagues forced us into penury when they imposed penal taxes on us as part of the bank bailout. This was supported and accepted by our Governments. As I have said before, we can blame many people for many things, but we should blame no one other than ourselves for the failings of modern democracy. We have our own Parliament, which we did not have when we were under the rule of John Bull and his massive empire. The sun never shone on some parts of the empire because it was so vast. Michael Davitt and many other people in the Land League did their best in poor impoverished times when people did not have the energy to stand up and fight. It is sad to say that a new Land League has had to be formed - I am a member of it - to try to assist people who are being evicted from their homes. They are being terrorised by a third force acting for agents and so-called receivers. These companies see this money as manna from heaven. There are barristers and ex-gardaí at the head of this, out there doing the bidding of these forces. It is dirty work and blood money, passed on by the banks who are making misery for people. Banks are not giving a shilling to anybody. I have farmers and householders in my constituency who are living in fear and dread. These people are sick and ill and they are famished, with barely enough to eat because of the torture they get from banks we bailed out. These banks are laughing all the way to the bank. They have sold properties to vulture funds, which are in turn creating conditions worse than the Famine. It is a form of mental torture or psychological warfare that is driving down our people. They are being demonised and people are being left with a lack of self-esteem afterwards, which is outrageous.

The Minister is sitting there writing her notes or whatever while she and successive Governments, even one in which I was included, caused and allowed this to happen. When will we sit up and smell the coffee? We have our history and I am delighted we will have a day to commemorate it. Will we have days to commemorate the terrorism that is ongoing in the name of banks and the county registrars? What about what is going on at the Four Courts, with nobody to defend the ordinary people? It is a shame we are commemorating the Famine of the 1840s but we are in the middle of this famine, which is handmade and created by one world order. It is caused by bowing down to the rich and big business and to hell with the ordinary people.

Deputy Danny Healy-Rae: I am very glad to get the opportunity to speak to this very important Bill before us. I thank Deputy Brophy for putting this Bill together to ensure the people who died so tragically at that time are at least commemorated once per year. It is very important to do that because if we do not know how we got here, we certainly do not know where we are going.

As a contractor I have been into practically every farm in Kilgarvan and the neighbouring parishes and I have often stood in amazement looking at the ridges that people worked at with their bare hands. Those ridges are there because they were never dug out, with the potato crop failing at the time. It was a different set-up for me on a machine working and it is hard to understand how those people existed and what they went through to turn these little ridges, only to find the gardens did not grow. They had to leave them behind and, in many cases, starve because they did not have potatoes to feed themselves or their families.

It must be remembered that there was plenty of grain and beet exported from this country to pay the landlords' rent in England. That was very unfortunate and unfair on the people who came before us as they had to watch all that going on while they could not get enough food for themselves in those very bad times to feed their families. I have a story from that time as I had a grandmother, who lived to be 97 and who died in 1993, who used to tell me that one of her grandmother's children died while being born at the time of the Famine. I have that little story from the Famine but it was so sad that so many people starved with the hunger and perished with disease. Many of them met a watery grave trying to get out of here and across to America in the coffin ships. When they could not stay alive they were thrown into the cold waters of the Atlantic Ocean.

Many people are suffering in our country today because of hunger or they have no homes. It is very sad to see that happening again. I say to today's Government, why do we not do what the Germans did? They did not finish paying loans they owed for the First World War until three or four years ago. They are demanding the money they gave out at 0.5% in the early 2000s be returned to them at 6% or 7%. What is going on is totally unfair and unneeded. We should stand together to demand that these loan repayments be put out over a longer period. As fellows say to me when they owe me, I should be satisfied that they will pay when they have the money. Those people in Europe should be satisfied for us to say we will pay when we have it. We should not let our people suffer in hospitals or on waiting lists because they cannot get into hospital for operations. We should stand together and make them wait for their money.

The Famine changed the face of Ireland forever. People existed between the rocks and the bogs, with small gardens to feed their families. They had to emigrate or die and there is no sign of them except in many instances the ridges that remain. They are little mounds of earth around the hills that were left behind when gardens did not grow and the potato crop failed. I am grateful for the opportunity to speak. We should not let the same happen to the people we are in charge of now and who look up to us. We should try to do better and make these fellows in Europe or the banks who demand the money wait for it.

An Leas-Cheann Comhairle: The order of the House states there would be ten minutes for each group. Deputy Ó Snodaigh has indicated he wishes to make a short contribution so is it agreed he can have a few minutes to speak? Agreed.

Deputy Seán Barrett: Will debate on the Bill resume after tonight?

Deputy Aengus Ó Snodaigh: It will conclude this evening.

An Leas-Cheann Comhairle: We have had 90 minutes of debate. If others do not speak when the Minister concludes the debate, it may be necessary to suspend the sitting.

Deputy Aengus Ó Snodaigh: I welcome the Bill and I have no problem with whoever produces it or gets it through the House. That was the intention of Mr. Michael Blanch when he first wrote to me and others many years ago. He wanted to get at least one day per year with a designation to remember an droch shaol. We should do more than just remember and that is part of what is missing in the Bill. It is very easy in some ways to remember but we must also tie this to what is happening in the world today in order that when young people remember, they can equate it to today's events. That could be added to the Bill.

I know there are suggested allocations for the day in question but we should also try to work with the Department of Education and Skills to encourage greater concentration among

young people. That would enable them to make the linkages we need as a society and show the world what I hope we have learned from the famines in Ireland over the years. It is about understanding the need to help and reach out to those in South Sudan, for example. That is very important. It is also about recognising those who helped us in our hours of need, such as the Choctaw nation and the Quakers, who played a tremendous role in Ireland. I understand that as I love history, but many people have no understanding of what Ireland went through. We lost an eighth of our population through death and another eighth immediately through emigration. That led to *bánú na tíre* and we have never recovered fully from what happened in those five years of an *Gorta Mór*. There were also famines and periods of huge starvation and misery thereafter, including occasions when the potato crop failed. I will engage on Committee Stage of this legislation as well.

Deputy Colm Brophy: I thank the Leas-Cheann Comhairle and the Minister for giving me a little of her time to respond to the debate. I was very careful in my opening remarks and contribution. I did not want to engage in any way with the politics - or what I would call "unhelpful politics" - that marked some contributions. I have no problem regarding from where support for the Bill comes or with acknowledging that other people have advocated in respect of this matter.

There was an effort at misleading. From the first day I was elected and had an opportunity to meet Michael Blanch, his committee and family, who are here this evening and who have done incredible work, I gave a commitment that I would work to introduce the Bill and bring it forward. Today is the representation of that work. It was the first matter I spoke on in the House. I welcome any contributions people have made through Bills or otherwise. My Bill is the only Private Members' legislation on this subject currently before the House. Regardless of all the issues that divide and separate us in the context of the immediacy of our lives here, the people we represent and the issues we tackle on a day-to-day basis, we owe it to the 1 million people who died in the Great Famine and the millions who emigrated to seek to keep this about the memory of them and what happened to our country. That is the key issue.

Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Heather Humphreys): I thank Deputy Brophy for bringing forward the Bill. He is very passionate about it and has raised the issue on an ongoing basis through Topical Issues and parliamentary questions. I also acknowledge the contribution of the other speakers who have participated in the Debate. I want to make it very clear to Deputy Tóibín that the Sinn Féin Bill was not selected from the Private Members' business lottery and, therefore, it was never debated in a Private Members' business slot. I never had the opportunity to reject or accept his Bill.

The national Famine commemoration should be a fitting memorial to the vast swathes of our population who were lost to death and emigration. It is estimated that up to 1 million people died and another million emigrated during the Famine years. The Famine, therefore, had a profound and devastating impact on every part of the country and this should be reflected in the national commemoration. Achieving this goal - as well as the other objectives of the national Famine commemoration committee in terms of local community participation, highlighting the historical perspective of the event and communicating issues surrounding famine, hunger, food security and aid in the modern world - requires a great deal of planning and work. My Department has received a number of proposals from communities wishing to be considered as hosts for this year's national Famine memorial day. Department officials have been in contact with the relevant local authorities and we will shortly revert to the national Famine commemoration committee subgroup. A full meeting of the committee will be held to confirm the venue for the 2017 event. It is likely that this year's event will be scheduled for either Sunday, 1 October,

or Sunday, 8 October. It will be decided in consultation with the local community where the venue will be located.

The first national Famine commemoration to include both local input and a formal State ceremony was held in Skibbereen in 2009. Since then, the event has been held annually in a similar format right across the country including many different locations. Deputy Eugene Murphy mentioned Strokestown. I had the pleasure of visiting the Irish National Famine Museum in Strokestown, which is a wonderful addition to the town. One of the strengths of the national Famine commemoration is the fact that the event has been held in a different location and community every year. When the commemoration was held in my home town, Clones, in 2011, it was a source of enormous pride for the local community and all of County Monaghan. While many of the State ceremonial events are traditionally held in Dublin, it is important that we do not lose the local community involvement which is unique to the national Famine commemoration.

The international Famine commemoration has also been held in a variety of locations including Toronto, Quebec and the US. This event has been consistently successful not only in terms of commemoration but also in providing a locus for the coming together of the Irish community and diaspora abroad. The national Famine commemoration committee was established in July 2008 to oversee the arrangements for the commemoration. The committee, which I chair, includes representatives of a number of Government Departments including the Departments of the Taoiseach, Defence, Foreign Affairs and Trade and Education and Skills, as well as the Office of Public Works, academics and representatives of NGOs and the philanthropic sector who give freely of their time on a voluntary basis.

While the national Famine commemoration committee has endeavoured to hold the ceremony on the second Sunday of May each year, it has been the experience to date that a degree of flexibility has been beneficial for a number of reasons. For example, the availability of the President or Taoiseach to lead the official representation at the commemoration has been a factor in deciding upon the date of the State ceremony. The importance the Government attaches to the event has been signalled by the level of support demonstrated by an tUachtarán and an Taoiseach in making themselves available to preside at the annual commemoration. Each year, the host venue and community have also been consulted on proposed dates to cater for particular circumstances which may arise around the arrangements and to allow organisers to develop a fitting programme of locally organised events, many of which have been tied in with dates of important local significance.

To further illustrate this point, following consultation with the host community in Newry, the 2015 commemoration was held in September. This was the first time the commemoration was held in Northern Ireland and it proved to be a great success with significant cross-community representation. It would not have been possible to hold the ceremony in May of that year given that the local authority had prior commitments regarding the delivery of a major sporting event at that time. Similarly, last year's commemoration was held in Glasnevin Cemetery in early October due to the volume of events under the 2016 commemorative programme held in April and May. The 2015 commemoration in Northern Ireland had no military involvement. Including a statutory requirement for the inclusion of military ceremonial elements, as proposed by the Bill, could create difficulties for organisers in future years. The religious component of the 2015 commemoration was significantly reduced by agreement with the local organisers. This demonstrates the value of retaining some flexibility and discretion for the national Famine committee in the organisation of each year's event in collaboration with local

interests and concerns.

The proposal that the Taoiseach would designate a central venue for the holding of the annual commemoration is also a potential cause for concern. As I have already outlined, a particular feature of the commemoration since 2009 has been that it is largely a community event in which local communities and interested parties took the lead in organising events that represented their own historic experiences of the famine. Designating a single venue for future commemorations could result in the loss of this unique aspect of the commemoration.

I am conscious that the question of establishing a fixed date for the national Famine commemoration has been raised by a number of Deputies across all parties. Fixing a date for the annual commemoration is a matter to which I have given consideration in recent months. While recognising that it could pose some challenges, I am of the view that these could be overcome. Fixing the date for the Famine commemoration will illustrate that the State views it as a very important commemoration for Irish people and our diaspora to reflect on that terrible period in our history and remember the horrific impact it had on this island and its people. By fixing a date, we are saying, without hesitation, that the Famine has left an indelible mark on Ireland, and can never be forgotten. As I have already illustrated, it is important that particular care is taken in the selection of such a date.

Deputies Brophy and Ó Snodaigh alluded to the importance of educating our children, not just on the Irish Famine but also in respect of the issue of world hunger, which persists today. That is a very important point. There is some good work going on in our education system in this regard. For example, the vast majority of primary and junior certificate students study the Famine, in local and national contexts, at an age appropriate level, in history. Our children and young people learn about modern famine, poverty and the challenges of developing countries through social, personal and health education, civic, social and political education, geography and a range of other subjects. As recently as last December the Department of Education and Skills hosted a very successful national forum on education for sustainable development and was lauded for its efforts by a representative from UNESCO. That is an example of some of the positive work that is going on in the Department of Education and Skills and we should look to build on that.

I reiterate that I am happy to support the reading of the Bill on Second Stage and I look forward to working with Deputy Brophy and others to ensure the necessary work is done to ensure the benefits of setting a fixed date are fully realised before the Bill proceeds further.

Question put and agreed to.

National Famine Commemoration Day Bill 2017: Referral to Select Committee [Private Members]

Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Heather Humphreys): I move:

That the Bill be referred to the Select Committee on Arts Heritage, Regional, Rural and Gaeltacht Affairs pursuant to Standing Orders 84A(3)(a) and 141.

Question put and agreed to.

Communications Regulation (Postal Services) (Amendment) Bill 2016: Order for Report Stage

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): I move: “That Report Stage be taken now.”

Question put and agreed to.

Communications Regulation (Postal Services) (Amendment) Bill 2016: Report Stage

An Leas-Cheann Comhairle: Amendments Nos. 1 and 2 are related and may be discussed together by agreement.

Deputy Timmy Dooley: I move amendment No. 1:

In page 3, between lines 10 and 11, to insert the following:

“Amendment of section 28 of Communications Regulation (Postal Services) Act 2011

1. The Communications Regulation (Postal Services) Act 2011 is amended in section 28(1) by the substitution of “The tariffs for each postal service or part of a postal service provided by that postal service provider in the provision of a universal postal service shall comply with the following requirements:” for “The tariffs for each postal service or part of a postal service provided by a universal postal service provider in the provision of a universal postal service shall comply with the following requirements:”.”.

I thank the Minister for his attendance. This amendment was tabled by us on Committee Stage and is designed to ensure that EU postal tariff principles apply to all postal services provided by all service providers. The main purpose of the amendment is that tariffs are affordable, non-discriminatory, transparent and related to costs. It is a somewhat technical amendment that seeks to provide that Irish postal service providers are subject to EU postal tariffs and are transparent and related to the costs of providing the service. They should not discriminate by service and they should be set in a manner that protects consumer interests. I believe we would all value the protection of consumers. The purpose of this Bill, in the first instance, is to ensure An Post, the postal delivery system in Ireland, is protected. I recognise and accept the necessity for that, but we have a responsibility, in so far as we can, to protect the interest of the consumer. The purpose of the Bill is to repeal specific powers in the Communications Regulation (Postal Services) Act 2011. This amendment is simply a corollary to that change and seeks to ensure the principles of competition and fair pricing are applied across the board.

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): I propose to take amendments Nos. 1 and 2 together. As outlined by my colleague the Minister of State, Deputy Seán Kyne on Committee Stage, section 28(1) of the Communications Regulation (Postal Services) Act 2011 sets out the principles with which the universal postal service provider’s tariffs must comply. These principles are enshrined in Article 12 of EU Directive No. 97/67/EC as amended by EU Directive 2008/6/EC, and provide that the tariffs must be, *inter alia*, affordable and cost oriented. These directives are transposed into Irish

law by the 2011 Act.

Article 12 of the directive provides that member states shall ensure that the tariffs for each of the services forming part of the universal service obligation comply with the tariff principles. The requirements are clearly intended to apply only to the universal postal service, and it was on this basis that the 2011 Act was drafted.

It appears that the intent of the proposed amendment to section 28(1) is to widen the scope of the tariff principles beyond the universal postal service. It had been argued on Committee Stage that the extension of the regulatory measures in this manner is not appropriate and would require detailed consideration as well as consultation with affected stakeholders. The position remains unchanged.

Regulatory measures are generally introduced to address issues arising in a particular market and, in line with the principle of proportionality, should only be introduced where necessary. There has been no signal from the market of the need for regulatory measures in terms of tariffs outside of the universal postal service. In the non-universal service obligation areas such as parcels and publicity post, PostAim and Express Post, there is competition in the form of DHL, FedEx, Nightline, Fastway, CityPOST, Lettershop and the Leaflet Company, to name a few.

With regard to the amendment proposed by Deputy Dooley, I am advised by the Office of the Attorney General that the amendment does not have any material impact as the provision still clearly only applies to the universal postal service. The proposed wording would dilute the clarity of the provision and could have unintended consequences were it to be accepted. The Office of the Attorney General advises that as the amendment has no effect it should not be accepted. I accept the point being made by the Deputy but the amendment, as worded, does not add any clarity to the Bill. I cannot accept the amendment.

An Leas-Cheann Comhairle: I wish to inform Deputy Stanley that we are dealing with amendments Nos. 1 and 2. We are discussing amendment No. 1, which was proposed by Deputy Dooley.

Deputy Timmy Dooley: I note the Minister's point that from his perspective there has been no apparent call for this amendment by the industry. Perhaps I could suggest a compromise. It is not my intention to force a division on this amendment but could I ask that there would be some level of engagement with the industry through the regulator or the Department, particularly with some of the major stakeholders with a view to understanding some of their concerns? Needless to say, I was not minded to table this amendment just on my own behalf. It is clear, and I would be happy to share with the Minister some of the conversations I have had with at least one stakeholder who is concerned about this. They are large players in this sector. I would be happy not to press the amendment on the basis the Minister would commit to some level of engagement. It may not result in direct legislative change, but I ask that he would engage.

Deputy Brian Stanley: I wish to speak in support of the amendment. On one reading of the Bill, I take it to read that the legislation would lead to a liberalisation or to an increase of unfair competition from the private sector, a bit like what has happened with the bus services. The intention of the Bill, when one drills into it and sees how it will affect the existing legislation, will be to extend the same regime to other operators in the postal market such as the companies involved in bulk postal services. Could this be clarified? On those grounds, if that appears to be the case, and from my cross-referencing with previous legislation that is my take on it, we

would be happy to support the amendment.

Deputy Denis Naughten: I would be quite happy to discuss this with my officials. As Deputies know, I cannot direct ComReg in this matter, but the committee itself could put that request in to ComReg. We would be quite willing and happy to facilitate the Deputy in any way we can.

Amendment, by leave, withdrawn.

Amendment No. 2 not moved.

An Leas-Cheann Comhairle: Amendments Nos. 3 to 5, inclusive, are related and may be discussed together.

Deputy Denis Naughten: I move amendment No. 3:

In page 3, line 19, to delete “any consequences of the repeal” and substitute “any consequences, including for terminal dues, of the repeal”.

This is an alternative to the amendments tabled by Deputies Dooley and Ryan on Committee Stage. My officials have looked at the matter again and we have come up with a composite wording and I hope that Deputy Dooley can accept this with regard to the principle of terminal dues.

Deputy Timmy Dooley: For clarity, I am happy with the wording that has been arrived at and I am happy to support the amendment.

Amendment agreed to.

Amendments Nos. 4 and 5 not moved.

Debate adjourned.

Public Services and Procurement (Social Value) Bill 2017: Second Stage [Private Members]

Deputy Frank O'Rourke: I move: “That the Bill be now read a Second Time.”

An Leas-Cheann Comhairle: I understand the Deputy is sharing time with Deputies Darragh O'Brien, Declan Breathnach, Dara Calleary and Marc MacSharry.

Deputy Frank O'Rourke: I welcome the opportunity to propose this Bill along with my colleague, Deputy Darragh O'Brien, who has done outstanding work in this regard in recent years, particularly during his time in the Seanad. In our view, it is very important to bring forward this Bill to help deal with the issues and anomalies that currently exist in regard to public service contracts going out to tender in a way that allows the SME sector to tender for them competitively and to have a level playing field. That is not currently the case in all situations and this Bill is purely motivated by trying to ensure the SME sector, which employs over 900,000 people in Ireland, can compete for these contracts and tender competitively with a view to, hopefully, winning such tenders within the EU framework guidelines for the Single Market, which is very important for the economy at the local,

8 o'clock

regional and national level.

The State currently spends approximately €12 billion on services, goods and works annually. That is a lot of procurement and it is, therefore, very important that as much as possible of this can be fed back into the economy and not haemorrhage from the national economy. The social value clause works exceptionally well in other EU member states such as Denmark, France, Italy and Germany. It is very important that the barriers currently in place in regard to the SME sector being able to tender for these contracts are considered with a view to having them taken on board in a positive way. For example, many businesses have contacted me, Deputy Darragh O'Brien and other colleagues to explain there are legal barriers and that limits on the value of the work the businesses have done must be reached before they can compete for a tender. In essence, when another company takes the work as the main contractor, the Irish company ends up working as a subcontractor, which can have a negative impact, as we all know from our experiences of industry.

It is important we work positively and collectively to progress this Bill and I hope it will get the support of the House. We are open to considering amendments, changes or technical proposals that may be put forward to strengthen the Bill. As recently as before Christmas, we found the libraries contract was not tendered in such a way as to allow the SME sector to compete for it competitively. It is a very good example. If a contract is put out in a way that will allow the SME sector to compete for it, Irish companies have a chance of winning it. Some €14 million of that contract went to a UK-based multinational which has a turnover of €2 billion. If that contract progresses, and it may, there is the potential for 50 job losses across counties like Kildare, Kilkenny, Dublin, Sligo and Limerick. That is very negative and is something we have to work to avoid in the future.

When we consider the potential 50 job losses and the possible business closures, we must also consider the negative impact in terms of lower spending in the local economy and the fact those people may have to draw social welfare and may not be able to keep up with their mortgage repayments, or may have to draw on the State to pay their rent through rent supplement. We ask that all this be taken into consideration in regard to assessing the real cost of these tenders from a practical perspective. For every job that is lost, there is a negative impact on the State and the economy, not to mention on the individual and the business itself. This is something we must move to address. We cannot have €27 million leaving the economy and going to companies outside the State, given that is the total figure in that sector for the past two years. This would not happen if the contracts were offered in such a way that Irish companies were able to compete for them competitively. That is what we are striving to achieve in this Bill.

I met a number of Ministers to discuss this issue with them and was disappointed with the response. I also recently met the Office of Government Procurement to discuss the Bill and it is looking to bring forward some proposals and suggestions, which we very much welcome. The main aim of the Bill is to support the SME sector, to support the local, regional and national economy, which we all agree is important, and to work together to make sure the SME sector, together with the economy, is growing and is supported in a positive way through job creation and supporting existing jobs. This Bill is motivated by the drive to ensure this can be done in a fair way within the current guidelines and the current regime.

Deputy Darragh O'Brien: I commend Deputy Frank O'Rourke for proposing this Bill. He has done much work in engaging with the various sectors affected by this issue. I looked back over the work of the last Oireachtas to find that the only Bill to pass all Stages in the Seanad was

the Public Services and Procurement (Social Value) Bill 2015, which Senator Marc MacSharry co-sponsored. It was from that Bill that we decided to proceed with this Bill. In the intervening period, however, we have not made much progress, if any. That is a charge I would lay at the door of successive Governments. It is not a political charge against the Minister of State, Deputy Eoghan Murphy, or this Government but we have not done as well as our European colleagues do in this area, and the facts bear this out. Back in 2009, when I was Vice Chairman of the Committee of Public Accounts, the former Chairman, Bernard Allen, and I produced a report of the committee that compared procurement in Ireland and the number of contracts that stayed within the Irish State with the position in other European countries, and we were the second worst in Europe after Cyprus.

Some €12 billion a year of goods and services are procured by the Irish State. What we are talking about is levelling the playing pitch. Deputy Frank O'Rourke has said we are open to changes, amendments and additions to the Bill, which is as it should be. To have the Government accept the Bill on Second Stage would send a very clear message to indigenous businesses and the SME sector, in particular, that the Government and the Oireachtas are serious about having a level playing pitch. We are not talking about protectionism, Irish-only or anything like that. This is fully compliant with EU rules but it will give the Government a chance to be prescriptive about the guidelines. What it does is set down the social value. It will make sure that those who are tendering or offering a tender have to take into account when assessing those tenders the value of the contract to the area in which it is tendered, to that sector of society and the businesses involved.

Deputy Frank O'Rourke mentioned the situation in regard to the libraries contract. The four Dublin local authorities bundled the tenders, which meant that practically no Irish companies could even qualify to tender, and those that did were at a massive disadvantage as they were already taken out of the game. Those contracts are gone and over 50 jobs have been lost. I could give numerous examples like this. It happened in the printing sector, where Revenue procured printing in Switzerland and the Department of Education and Skills had printing done in Spain. It is not as if we do not have the right quality available here. This Bill will not stop that happening but what it will do is make sure that those in Government services and local authority services have to seriously look at how they put the tender offer together, and how they assess it when it comes back in.

I have spoken to certain sectors within the Government. More recently, in fact, two days before Christmas, as Deputy Frank O'Rourke did, I spoke to the education procurement service and told the officials how disappointed I was in the decision that they took, but there is no recourse. The appeal is only back to them. That is another issue Deputy Eoghan Murphy, as Minister of State, should look at. Someone, who went in for that contract and is not awarded it, can appeal it but it is appealed back to those who made the decision in the first instance. That is ridiculous. We can do a lot better.

We should do a lot better. The State spends €12 billion to €14 billion a year on goods and services. We do not support Irish businesses as others, such as the French, the Scots and the Welsh, do. Newer assemblies and governments than ours do much better than we do.

We have the expertise. Undoubtedly, we are building on the expertise in the OGP and procurement is not seen as something of an add-on. By accepting this Bill on Second Stage and expediting it to Committee and Remaining Stages after we have taken amendments on board, we will show that the Oireachtas is serious about what it is doing. I hope the Government ac-

cepts it.

I commend Deputy Frank O'Rourke for the work and engagement that he has had with all the various sectors on this. People are looking for us to do something. Now is the opportunity to do it. Let us agree it together, move this on at Second Stage and expedite it in the next eight or ten weeks, subject of course to the Minister of State remaining in his post if he is not elevated further. Either way, we would have a lot of confidence in the Minister of State, Deputy Eoghan Murphy.

Deputy Dara Calleary: We will print the Minister of State's brochure in Holland.

Deputy Darragh O'Brien: Absolutely. On a more serious note this is important legislation. It follows on from the work we did in 2015. Fianna Fáil has been consistent. We are asking the Minister of State to do what the Minister for Health, Deputy Simon Harris, did by accepting this Bill, but moving it on and bringing it into law.

Deputy Declan Breathnach: I welcome this Bill. I commend those in the Seanad, Deputy Frank O'Rourke and the many who have tried to get the Bill to where it is today.

In the latter days of my career as a principal teacher, it got to a stage where one could hardly buy a roll of toilet paper without looking to procurement. That was the reality. We have for some time needed legislation to encourage small and medium-sized business to compete for public procurement tenders. We need full transparency and compliance with the legislation on the procurement tendering process.

It was only in 2015 that a local businessman in my own area of Dundalk, Mr. Paddy McCusker of Cusken Limited, celebrated a significant victory in the Supreme Court against the Government. He was one of ten small businesses which took the Commissioners of Public Works in Ireland to the High Court over the validity of the public service procurement process which resulted in agreement with seven specified firms to manage print services, thereby excluding others from the tendering process. This meant that small businesses were precluded from even tendering for the contracts and the local public servants, including school principals, were unable to choose for themselves the best firms to service their needs. Mr. McCusker won his case in the High Court but the Government appealed it to the Supreme Court. Happily, the Supreme Court threw out the Government's appeal and awarded victory to my constituent in the long-running saga. The victory was of considerable benefit and helped secure hundreds of jobs in small firms around the country and saved businesses from going to the wall. I take some credit in encouraging them to do that.

There is a need for more training in the tendering process, delivered through the local enterprise boards which are already doing it, but it is important that some of this training be delivered on-site in these firms which are trying to secure the tenders. Smaller firms need to collaborate in the tendering process and apply as a bigger unit. For example, I had a recent case where procurement was needed for machinery and a tractor firm wanted to compete but could not because it had not got somebody in the truck business and somebody in the car business. Such collaboration is greatly needed.

There should be more feedback, not only to the successful bidders but, more importantly, to the unsuccessful bidders, with guidelines on how to improve their applications on the next occasion. There should be full transparency and the same guidelines applied to bidders from outside the jurisdiction as inside, particularly in light of Brexit where many contractors from

Northern Ireland are carrying out works for local authorities and other Government bodies south of the Border. We need to have a fair playing field where all companies tendering for contracts could be subject to the same rules and regulations. I refer to insurance costs, the issue of wages and all the matters associated with it.

The introduction of this Bill makes sense. I look forward to its implementation and further improvement for the small firms which would greatly benefit from it.

Deputy Marc MacSharry: Like my colleagues, I welcome the opportunity to make a few points on this Bill. My party made a similar attempt through the Seanad, as Deputy Darragh O'Brien mentioned, in 2015. Now, through Deputy Frank O'Rourke, we have an opportunity for the House to collectively move this issue forward.

In our wish to be good Europeans, we have been penny wise and pound foolish. The Committee of Public Accounts, in the report that was prepared by the Minister of State's colleagues and Deputy Darragh O'Brien some years ago in the Administration before last, proved that far from being at the top of the class in doing our business in a smart way we were among the bottom of the class with Cyprus. I will use this House as an example. For generations, the uniforms of ushers in this House were produced in County Sligo, all with Irish materials, through the master tailor, Mr. Joseph Martin junior - he being the third generation. He was asked to maintain the tender price so that it could go for public tender. It did, and now those uniforms are manufactured in Belgium and distributed through an Irish agent.

In recent years, in the Dail restaurants we have had a change and upgrade in delph and other things and a cursory glance at the back of the plates will show that they were manufactured in the United Arab Emirates. I submit that if one were in the German Parliament or the French Parliament, or the Flemish Parliament, or the Parliament of the Belgians and the parliaments of other member states throughout the entire EU 27, one would not see that. As I said, in our relentless approach as being the best Europeans, we have been among the worst of Irish people.

We need to be smarter about how we do our business. We have been consumed with the cost and price, always overlooking the value to the economy. Under existing rules, even in advance of this Bill, the economically most advantageous clause that one is supposed to consider was never given the appropriate weighting that it deserves. Deputy Frank O'Rourke's Bill provides an opportunity for the Government. We will win this, whether the Government supports it or not - there is a rumour that the Government intends to vote against it on Thursday. With the support of Sinn Féin, the Independents and others, we will win this.

Let us progress it to pre-legislative scrutiny. Let the Government embrace the potential, as Deputy Frank O'Rourke outlined, for us to welcome amendments to improve the Bill. Above all, let the Government give a taste of the €12 billion in Irish expenditure, much of which is currently going to other countries needlessly when there are small and medium-sized enterprises in this country which cannot do without it.

Deputy Dara Calleary: I commend Deputies Frank O'Rourke, Darragh O'Brien and Marc MacSharry for bringing forward this Bill and the work they have done.

In 2017, a presentation was made to the then Joint Committee on Enterprise, Trade and Employment by the Irish printing sector about the application of the rules at that time and one of the examples given was that the Fáilte Ireland brochures for 2008 were to be printed in Holland because of the manner in which the contract was advertised and awarded. The then Chairman

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of the committee, Deputy Willie Penrose, is not normally shocked, but the shock on him that day led us to drive that as an issue on the committee.

In fairness, the Office of Government Procurement, OGP has brought much more organisation and focus to the matter. However, just when I thought we might be getting out of the mess, Mayo County Council issued a circular at the end of last autumn to every operative on its staff stating that they could not buy anything from any shop in Mayo and they had to go to a preferred supplier in County Roscommon. They could not even buy a shovel, a piece of equipment or a biro. It had to come from the preferred supplier. What are the rate payers in Mayo, who pay the bills to keep Mayo County Council but cannot get a slice of the action, to make of that? That is the only action available in many rural economies at present. As bigger companies choose not to locate, we have to look at other sources of business. Procurement, which, as Deputy Declan Breathnach stated, could involve schools, local authorities or Government offices, is the only business in town and businesses in that town are being excluded because of the current way we conduct it.

There is so much detachment from the theory and wish of the Government in regard to policy and the reality. I do not refer to the Minister of State but rather the permanent government. This is one of the clearest examples where the wish is that procurement is used for small businesses but the practical reality is as I outlined, where companies are increasingly being excluded. The comments of Deputy Marc MacSharry have reminded me of another point. Previously, school contracts, including various construction contracts, were awarded, but it was a complete race to the bottom in getting the proper price. Subsequently, we found that schools were coming back to us to lobby for extra money for add-ons and jobs which had not been done. In several cases, a large number of construction companies had made bids that were far too low. Companies went to the wall and contracts for projects were torn asunder.

We need to be serious. The Minister of State has referred to theories and plans for rural development. I must find out where the plans were printed. We have had plans for small business and everything else. At least, this measure is practical. We can bring this Bill forward. We can take the ball and run with it. We can make it work in a way similar to measures that work in Scotland and Denmark. Let us put social contracts in place and allow Government procurement to become an enabler of a proper sustainable rural economy with rural suppliers. What must it be like for someone like Deputy Declan Breathnach, formerly a school principal, to have to go around to look for sponsorship? When it comes to giving business as a school principal, they are restricted because of some silly Government rules.

Minister of State at the Department of Public Expenditure and Reform (Deputy Eoghan Murphy): The Government does not oppose the Bill. In fact, we have never opposed it. I am not sure to what rumour Deputy Marc MacSharry is referring. We have always sought to work constructively on this matter because we value social clauses and access for small and medium-sized businesses to public procurement.

I commend Deputy Frank O'Rourke for bringing forward the Bill. I also commend the work of his two colleagues in the last Seanad on getting the issue on the agenda and making progress.

A total of 95% of the State's procurement spend is with firms within the State, the majority with small and medium-sized enterprises. Significant work has been undertaken at national and European level to support SME participation in public procurement and ensure SME firms can compete on a level playing field with larger companies. These initiatives include the division of

public contracts into lots, for example, by sector, region and value, where possible; the acceptance of consortia bidding to allow SMEs to participate in procurement procedures where they do not have the relevant capability or scale to bid as sole tenderers; and the use of less onerous turnover and insurance requirements as part of the selection process.

There is a perception that lowest price is the most important factor in competitive processes. That is not the case. The best quality over price ratio is used in the majority of cases, with quality being the most important factor. The Office of Government Procurement engages with InterTrade Ireland and Enterprise Ireland to actively support go-to-tender workshops, meet-the-buyer events and consortia training.

Last November I briefed Opposition spokespersons on public procurement and last December arranged a similar briefing in Leinster House for Members of the Oireachtas and their special advisers. We are now taking this approach to local level. Earlier this month I arranged an event in UCC at which we met local Deputies, Senators and individual SMEs. We listened to their concerns. In turn, we explained the various measures the Office of Government Procurement was undertaking to ensure SMEs were able to compete on a level playing field with larger companies during public tendering. This exchange was useful for both sides and I have arranged a similar event in Galway this coming Friday.

Under the programme for Government, I chair quarterly meetings of an SME working group, at which the representative bodies of the SME sector, including ISME, the Small Firms Association, IBEC, the CIF and Chambers Ireland, are given an opportunity to voice concerns about public procurement and provide input into policy development in this area from an SME perspective. Through this forum I have canvassed the views of representative bodies on the proposed legislation. They have expressed concerns about the blanket approach formulated and the adverse effects it could have on the SME sector. We can work on this issue.

Overall, the Government supports the principle of social clauses and sees significant merit in developing an effective approach to their use. Any legislation and guidance in this area must, of course, comply with the fundamental principles of EU law, including the free movement of goods and services, equal treatment, non-discrimination and transparency. Conditions of social clauses must be made known to all interested parties and not restrict participation by contractors from other member states or geographical areas. Once a decision has been taken by a contracting authority to use social clauses, they should be clearly signalled at all stages of the procurement process, from business case and specification through to selection and award stage, as well as through to contract implementation and monitoring.

Challenges in the deployment of social clauses in public procurement arise from the need to ensure the clauses cannot be discriminatory; value for money is not adversely affected; additional costs are not placed on domestic or smaller suppliers relative to other potential suppliers; social clauses are linked with the subject matter of the contract; and the targeted benefit is capable of being measured and monitored during the execution of the contract.

Social clauses have, or are, in the process of being rolled-out by a number of public service bodies, even without primary legislation. I bring to the attention of the House a number of these projects. The devolved schools programme is a pilot project that was administered by the National Development Finance Agency. The aggregate capital value of the contracts was approximately €70 million and work was completed at the end of 2015. A total of 50 long-term unemployed and 18 apprentices or trainees were hired during the course of the programme as

a result of the use of social clauses. I am also aware that the new national children's hospital project includes an ambitious and wide-ranging community benefit programme for all construction contracts and that Dublin City Council is developing social and community benefit clauses for use in works projects. I am bringing these examples to the attention of the House because there are valuable lessons to be learned from the experience of these projects, both good and bad. In respect of the latter, I understand that, in some cases, contractors have found that the requirement to take on additional workers has meant having to let others go. In such cases, social clauses are simply leading to job displacement with no net benefit to the economy. The upturn in the construction industry also means that unemployment in this sector is less of an issue; in fact, there is a shortage of trainees and apprentices. Market forces are reducing the need for Government intervention and the use of social clauses in the sector.

It is clear that the implementation of social clauses in all of these projects is resource intensive in money and labour terms and requires a co-ordinated multi-agency approach. The scale and duration of projects are also key factors in considering whether to deploy social clauses. Typically, training and employment targets are best suited to projects lasting at least 12 months, while experience in other member states suggests social clauses are best suited to larger scale works contracts.

The Government sees certain difficulties with the Bill as formulated. The Bill is proposing social clauses that would be of specific benefit to local areas targeted at tackling local unemployment and benefiting local SMEs and subcontractors. This, however, would run contrary to EU public procurement rules designed to remove barriers to trade between member states. Clauses that are perceived to restrict entry to local contractors and local unemployed people would be open to legal challenge from unsuccessful Irish and European tenderers, as well as the European Commission. Moreover, from a practical perspective, we need to ensure the introduction of additional requirements does not simply increase bureaucracy and paperwork. In fact, the SME sector is keen for us to simplify and streamline processes for suppliers.

From a contractor's point of view, there is a risk that by imposing extra rules we run the risk of losing sight of the need for the efficient delivery of goods, services and works. An analysis of the costs and benefits of social clauses to the community and the taxpayer must be weighed against the business objectives of the public body or contracting authority. This will place additional work on the contracting authority in terms of design, implementation and enforcement. This additional work cannot be understated. Let us suppose the social clause states the employees of the company must be from a given local area, for example, Dublin 3. Is it fair that employees in neighbouring areas would be excluded from working on that job? In addition, there would be difficulties in verifying the addresses of employees. What would happen if an employee moved address? What if the company was to move address? These questions highlight the practical difficulties in implementing social clause provisions in a blanket way.

Additional burdens would arise for contracting authorities. Would a small contracting authority have the capacity to assess the life cycle costs or innovation in a tender? In the case of the Dublin City Council initiative on social clauses to which I referred, it is envisaged that additional dedicated resources will be required to implement the social clauses, for example, an employment co-ordinator and a contractor liaison officer? The support of staff from a nominated Intreo centre will also be required. Contractors would face all or some of the direct costs of extras hires, as well as the additional administration costs of maintaining the relevant work records for inspection on regular basis. That is why they envisage social clauses being aimed at works contracts above €5 million. Scale is an important consideration. In Northern Ireland

social clauses only apply in buildings contracts above £2 million and civil engineering contracts above £4 million.

The Bill is being put forward as a way to enhance the ability of SMEs to compete for public procurement tenders. As stated, however, we have canvassed the views of the SME representative bodies which have indicated concerns, including the concern that social clauses would place additional costs on SMEs and put them at a comparative disadvantage to larger companies which would be in a better position to absorb the extra costs.

While the Government does not oppose the Bill, work needs to be done before it can become viable legislation. Social clauses impose additional costs on the State and suppliers, both in meeting their requirements and demonstrating and verifying compliance. Further debate and discussion are required to put in place the correct policy approach to facilitate the effective use of social clauses. Any legislation and guidance in this area should afford individual contracting authorities sufficient flexibility to design social clauses relevant to the needs of their specific contracts and that will allow them to decide how and when to use them.

I am agreeable to working closely with the Deputy and proposing consultation on the application of social benefit clauses, with a view to adopting a similar approach to that taken in other jurisdictions. The approach should encourage public bodies to consider non-discriminatory social clauses. It should evaluate the specific requirements of a labour market or specific social or environmental requirements at the time the procurement process takes place to ensure the best outcome. The approach should judge the ability of SMEs to absorb additional costs. It should assess the additional cost versus the benefit of any social clause to the public body. Comprehensive guidance is already available to public authorities on the use of environmental clauses in the action plan on green public procurement, published in 2012, as well as the green procurement guidance for the public sector, published in 2014. In addition, the Office of Government Procurement is finalising practical guidance to assist contracting authorities in using social clauses, where appropriate. A copy of the Private Members' Bill has been forwarded to the Attorney General's office with a request for views on the text of the Bill in terms of its compliance with the directives and EU treaty principles. Government amendments to the Bill will be tabled on Committee Stage.

I again commend the Deputy for bringing forward this important measure and I look forward to working with him and others to build on the measures already in place to promote SME access to public procurement and to developing appropriate social clauses.

Deputy David Cullinane: Despite the presumptuous comments of Deputy Marc MacSharry, Sinn Féin will be happy to support the Bill. We have a number of issues with the Bill and it has flaws but, as I have said when I have supported previous Bills, especially Bills proposed by Fianna Fáil, if we support the principle and logic of a Bill we will support it even if we see flaws in it. We will allow Bills to proceed to Committee Stage and air the difficulties then. The same respect is not afforded to us when we propose Bills, but that is a matter for Fianna Fáil.

Deputy Darragh O'Brien: It has been once or twice.

Deputy David Cullinane: It is important that we allow Bills to pass Second Stage and be properly scrutinised on Committee Stage. That is the reason there are several Stages in debating legislation.

Before dealing with the parts of the Bill I disagree with or about which I have concerns I will

focus on the provisions with which I agree and which are the reason I am keen to have the Bill proceed to Committee Stage. Its overall aim is one we share, which is to allow public bodies to have regard to the economic, social and environmental well-being in connection with public procurement contracts and, by doing so, increase competition in public procurement tendering by enhancing the ability of SMEs to compete for tenders. The Bill will do this by requiring public procurement contracts to contain a community benefit requirement, with the definition of community benefit to include employment sourced locally as well as allowing the involvement of locally sourced services via SMEs. We have called for this in the past. In fact, we have proposed similar Bills in the past, although in the social clauses we included a requirement to recognise trade unions, a stronger commitment to apprenticeship where feasible and a stronger commitment to employ people who are currently on the live register. It is welcome that the link between public procurement contracts and local community benefit is to be given a statutory footing, and I welcome the Minister's comments in this regard. We can argue over the definitions and methods on Committee Stage, but at this Stage it is enough for us to vote for the Bill and see it progress towards enactment.

However, there are problems with the Bill. First, the link between community benefit and SMEs is quite weak. SMEs are to be treated as one of a number of interested parties, not as potential bidders which are in danger of being shouldered out of the process by multinationals. As long as multinationals commit to training, recruitment and youth employment the awarding body can ignore local SMEs. There is no specific legislative commitment to local SMEs in the Bill, not least a commitment that would see their local status to carry more weight than multinationals in being awarded a contract. The Bill could easily facilitate multinationals hoovering up public procurement contracts by simply throwing a couple of apprenticeships on top of what would be a sop to community development. Furthermore, the definition of what constitutes community development is left to the Minister to decide. At present, a friend of privatisation and multinationals, the Minister for Public Expenditure and Reform, Deputy Paschal Donohoe, is the Minister with responsibility. In fact, the Bill is so weak in giving a statutory footing to locally based SMEs over multinationals that it reads more like a well-meaning motion than a legislative measure.

This leads to the second problem I have with the Bill. Before we discuss improving and bringing additionality to the current public procurement rules, we must first look back on how public procurement rules work in practice and what levels of compliance and non-compliance exist in the public sector. The Bill ignores the serious problems with the public procurement process as it stands. To put it bluntly, the rules are ignored. Public procurement involves the purchase of billions of euro worth of goods and services by the State. While there are rules and guidelines, there is insufficient oversight and sanction.

The Comptroller and Auditor General has consistently pointed to breaches in public procurement rules. The Comptroller and Auditor General sets out the rules as follows: EU directives set out advertising requirements and tendering procedures for contracts above certain thresholds that must be applied by all public bodies involved in procurement; for contracts or purchases below these thresholds or values, the following national procedures apply - supplies or services costing less than €5,000 in value may be purchased on the basis of verbal quotes from one supplier or competing suppliers; contracts for supplies or services between €5,000 and €25,000 in value should be awarded on the basis of responses to specifications sent by fax or e-mail to at least three suppliers or service providers; and goods and general services sought that are expected to have a value of €25,000 or more should be advertised publicly on the

eTenders website. The Comptroller and Auditor General reports that public bodies are expected to comply with the relevant rules as a condition of their public funding. In general, they are required to confirm annually that they have been compliant. Where there has been a material level of non-compliance with the rules, they are required to disclose that fact in their statement on internal financial control, SIFC, and to give an outline of the steps taken to remedy the situation. In general, the Comptroller and Auditor General draws attention in his audit certificates to disclosures of material non-compliance with procurement rules only involving contracts worth €500,000 or more.

The problem is that there is no sanction, penalty or consequence for a public body that breaches the rules. All the body must do is state in its audit that there is non-compliance. Then nothing happens and nothing changes. That is a serious problem. The Comptroller and Auditor General has reported on the level of non-compliance over many years. I will list the breaches in 2012 and 2013. In Vote 6 for the Office of the Chief State Solicitor there were seven contracts with a total value of €720,000 in which there was non-compliance. In 2012, there was non-compliance relating to goods and services with a total value of €663,267. In Vote 13 for the Office of Public Works in 2013 contracts worth a total of €1.3 million were non-compliant and in a contract in excess of €500,000 in 2012 there was non-compliance. In Vote 20 for An Garda Síochána in 2013, in 56 contracts with a total value of €5.9 million there was non-compliance and, in 2012, there was non-compliance in 50 contracts with a total value of €5.3 million. In Vote 21 for prisons, there was non-compliance in 13 contracts with a total value of €786,764 and in 2012 there was non-compliance in ten contracts with a total value of €959,000. In Vote 39 for the HSE, there were 116 cases of non-compliance with a total value of €17.8 million, and in 2012 there were 32 cases with a total value of €3.3 million. There are also examples in the Courts Service, the Department of Education and Skills, the Department of Foreign Affairs and Trade, the Department of Agriculture, Food and the Marine and the Department of Social Protection. The list goes on and on.

There were also audit certificate references in 2012 and 2013 in other State bodies which showed non-compliance, including the National University of Ireland Maynooth with eight contracts worth a total value of €824,000, Athlone Institute of Technology with eight contracts worth a total of €1.7 million, Limerick Institute of Technology with nine contracts with a total value of €5.1 million, the institute of technology in Blanchardstown, St. Patrick's College, Drumcondra, Dublin Docklands Development Authority, Bord na gCon, Horse Racing Ireland and the Central Bank of Ireland. The list is lengthy.

The Comptroller and Auditor General also reported on failings in 2015, in which he again referred to non-compliance with public procurement rules. These involved the Health Service Executive, Tusla - Child and Family Agency, St. James's Hospital board, the Road Safety Authority, Dublin City University, Institute of Technology Tralee, Dublin Institute of Technology, Ollscoil na hÉireann Gaillimh, University College Cork, Coláiste Mhuire gan Smál Ollscoil Luimnigh, Trinity College Dublin, Limerick Institute of Technology, the Institute of Technology Tallaght, Dundalk Institute of Technology, the University of Limerick, St. Patrick's College of Education, the National University of Ireland Maynooth, University College Dublin, the Dublin Docklands Development Authority, the Nursing and Midwifery Board of Ireland, the Commission for Communications Regulation and the Foyle, Carlingford and Irish Lights Commission, the Loughs Agency and the Lights Agency, in 2012.

These are examples of non-compliance, which means there was insufficient competitive tension in many of these contracts worth billions of euro. The Comptroller and Auditor Gen-

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eral points out that if there was sufficient competitive tension and proper adherence to the rules, there is the potential to save tens of millions, if not hundreds of millions, of euro.

An Ceann Comhairle: I am loath to interrupt the Deputy, but the subject matter of the Comptroller and Auditor General's reports is really not relevant to the Bill before us which deals with the issue of social value in public procurement. I fail to understand the relevance-----

Deputy David Cullinane: That is the Ceann Comhairle's problem.

An Ceann Comhairle: It is the Deputy's problem that I am in the Chair.

Deputy David Cullinane: A Second Stage speech allows us to deal with a broad range of issues about a Bill, and the Ceann Comhairle is long enough in the House to know that. I understand the point that the Ceann Comhairle makes. I am simply saying that we cannot look at new inclusions in how we deal with public procurement if we do not deal with the failures of the past. We have a Bill before us that talks about making changes, which I support, but the big problem which the Comptroller and Auditor General has reported on over and over again is not being looked at. I am using my Second Stage speech to highlight this to the Minister of State in a very forthright way, detailing the list of failures. I believe it is my right and my entitlement to do so. Whatever way I choose to use my 15 minutes for my Second Stage speech, with respect to the Ceann Comhairle, is a matter for me because I am talking about public procurement.

An Ceann Comhairle: It is not, actually.

Deputy David Cullinane: It is, actually.

An Ceann Comhairle: It is not, but the Deputy may continue.

Deputy David Cullinane: Thank you.

An Ceann Comhairle: If the Deputy wants to have a discussion on the matter afterwards-----

Deputy David Cullinane: I have no difficulty with having a discussion, but everything I have said is in the context of public procurement and this is a Bill on public procurement. I will choose what I want to say and how I deal with my Second Stage speeches. As long as I am dealing with the subject matter, which I am doing, I fail to see-----

An Ceann Comhairle: The point is that the Deputy is not dealing with the subject matter.

Deputy David Cullinane: I am, with respect. The references I cited do not include cases where a disclosed level of non-compliant procurement is below €500,000. This means that the potential non-compliance is even greater. It should also be noted that the level of non-compliant procurement may be higher due to under reporting. For example, the HSE does not have adequate systems to capture instances of non-compliant procurement and accepts that it is unreported at a level. The Comptroller and Auditor General has reported on auditing testing in the HSE. The office found that audit testing of the HSE procurement in 2015 involved testing the procurement in five locations, to a total value of €26.9 million. Some 30% of the sample was found not to be in compliance with procurement rules. It was 47% in 2013. If there is a situation where the HSE has been found to be in breach of non-procurement rules for 30% of what was captured in an audit in one year and 47% in another year, how then are SMEs or other businesses which this Bill wants to include going to get a fair crack of the whip? That is the point. There is a much bigger problem here which must be addressed. My party will

table amendments to this Bill to deal with a lot of the failures in non-compliance, which we are entitled to do, and in that context it is reasonable for me to outline to the Minister of State the absolute failure of non-compliance, especially in the HSE and in many other organisations also. I am putting this House on notice that we will be tabling amendments to deal with the levels of non-compliance and to strengthen public procurement in the context of this Bill.

The Comptroller and Auditor General reported on what he saw as the reasons there was such high levels of non-compliance and I think the Minister of State should examine this. He said that public bodies did not have a procurement specialist to advise on the procurement process. He found the need to acquire goods or services to deal with an urgent matter; an extension roll-over of existing contracts, including in some cases for many years; existence of historical and local supplier arrangements where a previous competitive process could not be identified; expert or recent satisfactory experience with supplier; the purchase of branded goods and services, especially in ICT and medical equipment; only one suitable supplier being identified; security considerations in some Departments; and multiple repeated low value purchases with an aggregation or due to a greater workload than originally anticipated. We can see that there are major issues with non-compliance.

We have brought forward similar Bills in the past. I support the logic of this Bill, and we all support the idea of social clauses and social contracts and a community dividend. I hope when this Bill goes to Committee Stage we can iron out all the other problems. In the interests of proper transparency and accountability, I appeal to the Minister of State to examine all the reports from the Comptroller and Auditor General which have highlighted very significant failures in compliance that are potentially costing this State hundreds of millions of euro every year. As the Government put together budgets every year, I am sure that every penny that can be saved which can be put into hospitals and schools and front-line services would be welcome rather than being wasted in terms of non-compliance with existing guidelines.

Deputy Sean Sherlock: We support the Bill. I am taking the middle ground on this one because the Minister of State's response has been quite generous in that he seeks to consult the proposer of the Bill, particularly around the area of the social clauses. When one looks at section 4 of the Bill, there are legitimate questions as to how one would define a social clause and I take the Minister of State's critique of section 4 in regard to the community benefits. I have a question as to whether one can define a social clause in a legally definitive way. I look at community benefit from the point of view of smaller local contracts. Taking the Scottish example, a route 1 example is of relatively low value, low risk and non-repetitive while a route 2 example is between £50,000 and the EU upper tier. It is important that if one can define or create an atmosphere that ensures that where an entity is going to tender for a project, where possible, it would seek to meet the needs of the community benefit requirements around training and recruitment, the availability of subcontracting opportunities, the facilitation of involvement of SMEs and the promotion of innovation and youth unemployment.

I understand what the Minister of State is saying when he asks how prescriptive we are going to be and if we are to bring it down to a geographical area, using the example of Dublin 3. Is there a compromise somewhere in between that allows us to have robust legislation that stands up to scrutiny down the line, speaks to the spirit of the legislation I spoke of and ensures that as many local people as possible can bid for local contracts, thereby maintaining regional, local economic growth.

The Minister of State referred specifically to the devolved grants scheme. I contend that

the devolved grants scheme as it relates to the schools building programme is largely a good scheme, and we oversaw that during the lifetime of the last Government, where we gave either educational and training boards, ETBs, or individual schools a degree of autonomy over building projects. However, in one instance, I witnessed a scenario where smaller subcontractors under those schemes were left high and dry having completed works, and they had no recourse to law or to the originators of the scheme, that is, the schools boards, and this represented a serious flaw in that scheme. I can see the merit of using the devolved schools programme as a pilot project administered by the National Development Finance Agency. The projects were worth approximately €70 million in total, but threw up some exceptions around subcontractors which were stiffed when it came to getting paid for work that they had carried out and very good legitimate companies in that context.

The Minister of State has offered a degree of consultation and he has said that a copy of the Bill has been forwarded to the Office of the Attorney General with a request for views on the text to see if it complies with EU directives and treaty principles. That is worthwhile and we would agree with it. I hope that consultation could be widened if possible.

I commend the Minister of State for his public engagement on the issue of public procurement. He has travelled throughout the county to engage with businesses and the SME sector. I believe him to be genuine in that endeavour. I hope the feedback from that community will find its way into a framework that ensures the local businesses that sustain our communities, including intergenerational family-owned businesses which are competing on these tenders, will feel they have a shot at tendering for public services and do not feel sidelined because they are not operating at the right types of economies of scale or they do not have the right kind of in-house tendering capacity. We need to ensure they do not have to expend too much of their resources when it comes to tendering particularly for smaller projects within the overall procurement offering.

Perhaps when the Bill goes to its next Stage the Minister of State will provide a critique or give us his opinion on the Scottish model of procurement, which was referenced by Deputy Dara Calleary. It has three particular routes. It has gained momentum and is used as an example. Obviously, Ireland is a similar country and perhaps it could be used as a potential model. I will leave it to the Minister of State to respond to that in due course.

I am hopeful the Minister of State might come back to us on whether it is possible to provide a robust legal definition of social clauses. The Minister of State has already critiqued section 4 of the Bill. There is nothing in section 4 that is objectionable in trying to get the best of the procurement process back into the communities that we serve. If the Bill intends to improve the economic, social and environmental well-being of communities, it is not bad. I am sure there can be a meeting of minds and compromise on the legislation. We support the legislation and look forward to the Minister of State's response.

Deputy Mick Barry: For us procurement represents privatisation through the back door. Services that could be and should be delivered with direct labour employed by public bodies with trade union rates of pay and conditions are being shifted via procurement in many cases to precarious private sector employment.

Ireland is a leading country in PPPs and outsourcing. The most definitive report on this was Public Capital Investment and Public Private Partnerships in Ireland 2000-2014: A Review of the Issues and Performance by Eoin Reeves. That report states: "In international terms, Ireland

is ranked among the countries with the most extensive use of the PPP model for procuring infrastructure.” It stated that Ireland has been ranked “with countries such as Greece, South Africa and the United Kingdom where PPP accounts for between 5-10 per cent of the total investment in public infrastructure”. It goes on to state that PPPs accounted for “7.6 per cent of spending under the Public Capital Programme over the period 2002-2013.” I understand that 80% of this was for motorways.

Outsourcing is extremely inefficient. Using direct labour would cut out time wasted on the tendering and procurement process. The Reeves report states:

This slow rate of project completion was attributable to a number of factors including the relatively complex procurement process that applies under PPP. Reeves et al (2013) estimated that the average tendering period for Irish PPPs has been 34 months with durations ranging from 22 months (social housing) to 58 months (waste to energy). These lengthy tendering periods, which are similar to those observed in the UK, highlight some of the challenges that arise in implementing an extensive PPP programme. Lengthy tendering periods increase transaction costs and reduce the scope for achieving value for money...

Very little independent cost-benefit analysis has been carried out on PPPs but one in-depth analysis of a school’s building PPP by the Comptroller and Auditor General estimated that the PPP worked out at 8% to 13% more expensive than under traditional procurement. Factored into the contracts are the profit margins for the private companies. This is a direct transfer of public funds into private hands.

Procurement is increasing the level of low pay in society and widening the gender pay gap. Outsourced public services have considerably worse terms and conditions for their workers than direct public sector employment. CSO statistics show that employment has increased in health care while public sector health-care employment has fallen. We have seen the outsourcing of home support workers to private firms that pay minimum wage and privatisation of nursing homes.

The Bill does not go far enough in broadening the conditions that can be stipulated when the State is tendering for contracts. We far prefer the type of outlook that was summed up in the submission to the Government by the Irish Congress of Trade Unions on the transposition of EU legislation in 2016. It called for certain mandatory conditions to be put into the legislation regarding workers’ rights, including compliance with health and safety; collective bargaining rights; the ending of mandatory price-only and cost-only assessments; and mandatory payment of a living wage. We would go further and call for all workers employed through public procurement to be on the same pay and conditions as those in the public body outsourcing the work. The ICTU also requested that there be regard to the impact on local employment, employment of people with disabilities, disadvantaged people, etc. Companies or their beneficial owners that have a track record of breaching workers’ rights, environmental standards, health and safety standards etc. should be barred from procurement contracts.

The ICTU focused in some detail on the issue of tax compliance. There are many companies with public contracts headquartered in offshore tax havens which are used to avoid tax and transparency in terms of their ownership and profits and to avail of laxer reporting requirements.

An Ceann Comhairle: I want to be consistent. The areas the Deputy is dealing with are

all very interesting but, as with a previous speaker, they are not particularly relevant to the Bill before the House.

Deputy Mick Barry: They are in the sense that there are sins of commission and sins of omission. There are some sins of omission of a rather serious, perhaps mortal, character in the Fianna Fáil Bill and that is what I am focusing on.

An Ceann Comhairle: We are required during Second Stage debate on a Bill to focus on the Bill and make passing reference only to what might be in the Bill or other extraneous matters that are related to the Bill. The Deputy might as well conclude.

Deputy Mick Barry: The proposed legislation attempts to weaken the very narrow conditions in procurement legislation, which emphasise low-cost and low-price tenders. The Bill is very weak and vague and does not explicitly protect workers' rights, as shown by the examples I will give now with regard to the comments of the Irish Congress of Trade Unions. What it said about tax compliance was there were many companies with public contracts headquartered in tax havens. Greyhound Waste has been operating Dublin City Council's waste collection since 2012. The city council only discovered it was owned by an Isle of Man holding company after the contract was awarded. Dublin Street Parking Services, which operated Dublin City Council's clamping service, is owned by Quinlan (Raglan) Limited and Quinlan (Morehampton), which are both based in the Isle of Man. GoSafe, a company that operates speed camera vans on behalf of the State, is owned by a parent company headquartered in the Isle of Man. I could go on. We had the strike in Rhatigan's in Lucan, which lasted for six months, a couple of years ago. It had a contract from the Department of Education and Skills to build a school. Its union, Unite, reckons the workers were being paid €5 an hour. They got around the REA and the minimum wage regulations by forcing people to be self-employed but in reality it was bogus self-employment. The State asked no or very few questions. Unfortunately, that is all too common.

Our view is there are huge issues to be tackled here and the Bill does not go very far in addressing them. The Bill is quite weak, almost to the point that we are considering whether we might abstain on it because it is of such little value. If we do vote in favour of it on Thursday, it will be an extremely critical "Yes" vote.

Deputy Michael Harty: As far back as 2012, the Department of Public Expenditure and Reform issued a circular to all public bodies on the importance of maximising the value for money achievable when procuring goods and services. The public service managers were told that the Office of Government Procurement and the National Procurement Service were designed to optimise benefits to the public service through the strategic aggregation of its buying power. Public bodies were reminded that such central procurement was targeted at securing best value for money and facilitating contracting authorities to deliver services within their budgetary constraints. The managers were also told that certain centralised procurement frameworks would be mandatory. Public bodies were told that central buying would bring cash savings, administrative savings, greater purchasing expertise, improved consistency and enhanced service levels and legal certainty. One will search in vain for a reference to social value or to the impact such a policy would have on local communities and local business. It was all about saving money. The Government was strapped for cash so such a policy might have been understandable at the time but now it is penny wise and pound foolish.

To illustrate the folly of this approach, let me take the example of the local school. The local

school is not just a provider of education for our children, it can also be an important economic driver in our towns or villages. The school spends money on stationery, printer ink, cleaning services, electricity, books and IT services. Suppliers of services to schools can be former pupils or employees of former pupils. Local suppliers are easily accessible and provide a fast and effective service.

There is often a symbiotic relationship between schools and suppliers who are part of the school community and they are often called upon by schools to sponsor school activities or to assist with fundraising. This does not mean that contracts should be awarded because there is a close and supportive relationship with the institution or the school. It is perfectly possible to have competition between suppliers locally. That is the way to ensure good value for money and social value. There must be proper tendering processes and the concept of value for money is essential but we must also add the concept of social value in deciding with whom the contract should be placed.

Under central procurement, the stationery and printer ink supplier probably has no connection with the school and the company may be a large multinational that nobody has heard of. That is why the concept of social value is very significant so that public bodies, as the Bill states, have regard to economic, social and environmental well-being in public services contracts. Public authorities should consider wider social and environmental benefits when they choose suppliers, rather than basing commissions solely on price and quality.

It is not enough to enact the legislation incorporating social value into public service procurement; we must ensure the public bodies implement that legislation. I support the Bill and commend Deputy Frank O'Rourke for bringing it forward.

Deputy Mattie McGrath: I commend and compliment Fianna Fáil for bringing forward the Bill. It is very important. Every day of the week, we see ordinary businesses that help in the local communities. They want to assist and might have family members going to a particular school or have long been associated with a school. It is very important when the tendering process is going on that we give them a chance and that they are not ruled out by certain procurement rules and regulations. This has crept in here in the past few years.

I had many robust debates with my former colleague Martin Mansergh, when he was Minister of State with responsibility for the OPW. This issue needs to be looked at because if school sports or a play is on, the school goes around to the local suppliers for the spot prizes and other support and yet much of the time they are denied the chance to tender. The stuff is being taken away from them. Some of the stuff is coming from the lowest cross-tender. We heard of it happening in Cork yesterday on the radio with a new development. They got in the lowest tender - they have a habit of that - and now the contractors want to add €20 million on to it. That is happening. It is a race to the bottom. We are not getting the best quality.

As Deputy Michael Harty said, we need a social return. We need some kind of assessment of the social good done by local suppliers being in local communities. There is nothing underhand done. It is good, honest, decent trading and many times it is through the back door with credit. When schools do not have the money and are waiting for the next subvention, the suppliers give credit. These other companies come in, cut everybody, blow them out of the market and some of the quality of the equipment we get is very poor.

I will hand over to Deputy Danny Healy-Rae.

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Deputy Danny Healy-Rae: I will give the Deputy one minute.

Deputy Mattie McGrath: He has said I am alright for one minute. I am just making the point. We need to re-evaluate this year. We have big contracts here. The French are very creative. They divide them up into small segments and they get under these EU rules. We need to take off the blinkers. It is not all wonderful in Europe. We should show them we care about our local businesses. They pay their rates and taxes and give employment and social benefit.

An Ceann Comhairle: Will Deputy Danny Healy-Rae give us the view from the kingdom?

Deputy Danny Healy-Rae: One of the biggest things hurting rural Ireland today in places such as County Kerry is pre-qualification tenders in which previous years' turnover are taken into account before a company is allowed to tender for many of the public works that happen around our county. Massive sums of money are required - €10 million or €20 million. Local companies, which actually finish up doing the work for the bigger company that gets the job, cannot meet the exorbitant rates that are required to allow them to tender. Something needs to be done about this.

I should have said at the outset that I was involved in a small way in a plant hire business.

An Ceann Comhairle: We have heard that before.

Deputy Mattie McGrath: As is mise.

Deputy Danny Healy-Rae: This system is hurting many small companies in that they are not allowed to tender for contracts but they end up doing the work for the larger company that comes into the local area to supply the contract. Ten companies in the country are running the contracts involving all the jobs now. The local traders are only left with the crumbs. They do not get the proper value out of the jobs that come into an area because often people from outside the area are awarded the contract but that does not benefit the local community. The local business man, be it a builder or a plant hire operator, gets very little benefit from it. The contract can be awarded to a person from far outside the area and if this issue is not addressed, it will continue to hurt rural communities.

I ask the Minister of State to take cognisance of what is happening. It is the local man who finishes up doing the work involved in these contracts. As Deputy Mattie McGrath said, the local poor trader is asked to contribute to or to sponsor local events, be it a carnival or a field day, and were it not for those sponsors many of those events would not be held, given the cost of insurance and other costs, yet it is those events that keep communities going. We as Members of this House need to address this issue. The current system is hurting all the small operators who have stood the test of time, but this new system is blowing them all out of existence.

Minister of State at the Department of Justice and Equality (Deputy David Stanton): The Government is committed to driving an ambitious reform programme designed to modernise the public sector and improve service delivery. Public procurement is seen as a key element of this programme not only in terms of the potential to deliver much needed public services in a more efficient manner but also as a platform to facilitate policy in areas such as employment, training and sustainability.

It is essential that the public service operates in a co-ordinated and efficient way and delivers sustainable savings for the taxpayer. That is why the Office of Government Procurement,

OGP, was established. There is a dual role for the newly established OGP, namely, to drive fair, transparent and open competition in the marketplace but also to continue to work with business to ensure Government procurement policies are business friendly. The reforms are fundamental in their nature.

The State has immense purchasing power, spending in the region of €12 billion per annum on goods, services and works. This level of expenditure affords significant business opportunities for firms that can supply the products and services that are required by public bodies. The OGP estimates that approximately 95% of this annual procurement spend goes to Irish suppliers and the majority of spend is with the small and medium enterprise, SME, sector. It is clear therefore that public procurement activity is already a significant driver of employment opportunities and economic growth within the State.

It is also important to remember that open tendering is a two-way street and that it provides Irish companies with opportunities to compete abroad. The public procurement market in the European Union is estimated to be valued in excess of €2.4 trillion per annum. The open market regime offers opportunities for Irish companies to win business abroad. EU studies indicate that many Irish businesses are successful in this regard. Reforms are being carried out in a manner that recognises the clear importance of small and medium-sized enterprises in this country's economic recovery.

The Government recognises that public procurement offers an additional and powerful policy instrument, alongside more traditional instruments such as regulation, policy direction and economic mechanisms like taxation, to promote wider economic issues such as SME access to public procurement, innovation, the green agenda and social inclusion policy such as addressing long-term unemployment and the training of apprentices. The key proposals of this Bill will assist the Government in the further debate and discussion required in the formulation of a proactive and balanced policy approach regarding the enabling social value clauses, while remaining mindful of the need to maintain flexibility and adapt to changing circumstances.

The appropriateness of including social clauses in procurement projects will vary from contract to contract and are most likely suited to large-scale works contracts. In Northern Ireland, for example, as the Minister of State, Deputy Eoghan Murphy, said, social clauses are only considered appropriate for contracts above £2 million in the case of works and above £4 million in the case of civil engineering projects. Challenges also arise from the need to ensure that value for money is not adversely affected by the inclusion of social clauses or that additional costs are not placed on domestic suppliers relative to other potential suppliers, and the targeted benefit is capable of being measured and monitored during execution of the contract. The award of public contracts has to comply with the principles of the Treaty on the Functioning of the European Union, and in particular the free movement of goods, freedom of establishment and the freedom to provide services, as well as the principles deriving from these, such as equal treatment, non-discrimination, mutual recognition, proportionality and transparency. Basically, public procurement cannot discriminate or exclude businesses from participating in tender competitions on subjective grounds. Failure to comply may result in legal challenges from unsuccessful tenderers or the European Commission.

There would be a fundamental problem in linking procurement expenditure with a general requirement to employ or train additional staff. The State purchases many supplies and works that have a minimal impact on employment. Examples would include the purchase of land, electricity, vehicles, heavy machinery, planes, ships, defence equipment, pharmaceuticals and

legal services.

The Government is not opposed to the principle of social clauses and sees significant merit in developing a social clauses framework. It favours a targeted approach to the use of social value clauses focused on contracts where they are linked to the overall contract objective, and where there are appropriate monitoring processes in place. It is essential that we remain mindful of the need to maintain flexibility and avoid any blanket or across-the-board approach which may cause us more difficulties than it solves.

I was present in Cork when the Minister of State and his team arrived to consult SMEs and I found it a very fruitful and beneficial engagement. I am delighted that such engagement will be carried out by the Minister of State in different parts of the country. He is listening to what small businesses are saying. That engagement is a two-way street and it is very valuable to do that.

An Ceann Comhairle: Is Deputy Frank O'Rourke responding on behalf of Fianna Fáil?

Deputy Frank O'Rourke: There are three of us who will contribute.

An Ceann Comhairle: No. There is only a response to the debate at this stage.

Deputy Fiona O'Loughlin: No.

An Ceann Comhairle: Yes.

Deputy Frank O'Rourke: No. We have three speakers for the 9.30 p.m. timeslot.

An Ceann Comhairle: No, the Deputy does not.

Deputy Mattie McGrath: It is an expanding party.

An Ceann Comhairle: The position is very clear. The Government has responded and now it is for Fianna Fáil to respond and that is the end of the debate.

Deputy Frank O'Rourke: I can share my time.

Deputy Mattie McGrath: On a point of order-----

An Ceann Comhairle: What is the point of order?

Deputy Mattie McGrath: It is an expanding party as my colleague, Deputy Pat Casey, knows and the members of the party need more time.

An Ceann Comhairle: Deputy Frank O'Rourke can share his time.

Deputy Frank O'Rourke: What is the summing up time?

An Ceann Comhairle: Ten minutes.

Deputy Frank O'Rourke: We will share our time among Deputies Fiona O'Loughlin, Pat Casey, Kevin O'Keeffe-----

Deputy Mattie McGrath: What about Deputy Stephen Donnelly?

An Ceann Comhairle: Please, Deputy.

Deputy Fiona O'Loughlin: Does Deputy Frank O'Rourke wish to begin or to conclude?

Deputy Frank O'Rourke: No. I will conclude. Is that in order?

An Ceann Comhairle: Yes.

Deputy Fiona O'Loughlin: I support my colleague Deputy Frank O'Rourke and my other Fianna Fáil colleagues in bringing forward this Bill tonight to ensure that Irish SMEs have a level playing field with their larger and foreign counterparts in bidding for public procurement contracts which provide huge significant social benefits in the communities in which they are delivered. There has been a paradox in that while the Government sets out a vision of economic growth and job creation, it has failed to introduce legislation such as this and that has resulted in the loss of potentially thousands of local jobs in the SME sector. We must insert social clauses to enable the State to consider the social benefit for the local or regional areas such as local jobs or taking on local apprenticeships. Job creation and its sustainability is one of the key issues facing the country. The independent retail sector provides 100,000 jobs in local communities around the country and many are battling for survival. The business community in our country has helped to sustain our population through recession and has proved to be hugely resilient. We have to do everything we can to help and this is one such measure.

Our legislation will require public bodies to have regard to economic, social and environmental well-being in connection with public service contracts being put out to tender. This Bill is designed to compel a public body, local authority or other public organisations to consider many social clauses when planning, initiating and completing a public procurement process. These include training and recruitment, the availability of subcontracting opportunities, the promotion of innovation and the facilitating of the involvement of SMEs.

The Government is the largest purchaser of goods and services in the economy. A total of €12 billion is spent on goods, services and works. The European Union rules on tendering and public procurement permit the use of these clauses that promote social considerations. We cannot stand still; we must move forward.

Deputy Pat Casey: I welcome the Bill and commend my colleague, Deputy Frank O'Rourke, for his excellent work in bringing forward this important legislation. Changes in public procurement procedures, in particular, the inclusion of social clauses, do not immediately strike many people as vital, considering the chaotic times in which we are living, but a more careful analysis will show that the Bill is crucial to the reset needed if small and medium-sized businesses are to remain an essential part of the economy. As we all know, the SME sector is the lifeblood of the economy, employing over 900,000 nationally. As a businessman I know that it is the bedrock of the economy in counties Wicklow and Carlow. In towns and villages small and medium-sized enterprises are the only economic barrier between communities and total devastation.

While I accept that open procurement policies are necessary, with more than €12 billion worth of Government business available every year, it is a fact that too many small and medium-sized businesses have been frozen out of bidding for too many public contracts. I would not go so far as to suggest the public procurement rules put in place by the Government have deliberately benefited a few big players while excluding many smaller companies. That has been their effect. I know of many companies in counties Wicklow and Carlow that have been swamped by the paperwork and bureaucracy involved under public procurement policies. Not

only have companies in County Wicklow been excluded from bidding for public contracts in their local areas, but even attempting to bid for them has resulted in some of the companies losing scarce financial resources. For example, during the recession, when many businesses were struggling to survive, the only contracts available in the construction industry were public contracts. However, time and again, small and medium-sized construction companies were frozen out when seeking to avail of this lifeline by procurement rules designed to favour larger companies.

The Bill will allow social clauses to be included in procurement guidelines, as happens in Scotland where SME builders can be involved in public contracts. Given the need for the State to be centrally involved in the building of housing, it is vital that small and medium-sized businesses be allowed to compete for this business, thus creating a level playing field. This is a win-win for anybody who wants to defend SMEs, ensure balanced rural development and have a transparent procurement process. Other European countries have already introduced such social value clauses and it is time for Ireland to follow suit. I trust that everyone in the House will support the Bill.

An Ceann Comhairle: I call Deputy Kevin O’Keeffe and remind him that Deputies Eamon Scanlon and Frank O’Rourke also need to contribute.

Deputy Kevin O’Keeffe: The Ceann Comhairle is costing me more seconds.

I thank my colleagues, Deputies Darragh O’Brien and Frank O’Rourke, for bringing forward this Private Members’ Bill. I feel compelled to speak because one of the biggest issues I faced, like I am sure did all other Deputies, during the 2016 general election campaign, as we canvassed in the towns and villages in our respective constituencies, was the impact the recession had on small and medium-sized businesses. The respective parties may have differed in their election manifestos on how best to help, support and grow many small and medium-sized businesses, but there was consensus among us that we needed to do more. Let me make it clear. This Private Members’ Bill gives the House and us, as politicians, the chance to keep the promises we made during the general election last year to help and support small and medium-sized businesses. I intend to keep my promise by voting for the Bill.

The Office of Government Procurement has done good work and tried to make progress in allowing SME companies to tender for public procurement contracts. I also acknowledge that the Minister of State, Deputy Eoghan Murphy, has done his utmost to listen to the small and medium-sized businesses most affected by procurement rules. I was glad to see him in UCC on 3 February to listen to and discuss the issues in public procurement. Representatives of many SMEs in my constituency of Cork East attended the briefing and welcomed that fact that at least their concerns were being listened to. However, despite the progress made, many public bodies and Departments are refusing to reform their procurement processes. They often hide behind EU law as an excuse not to engage on the issue and this must be stopped. Ireland’s public procurement market is worth billions of euro annually; as such it is an important market for SMEs to access. However, public contracts have been difficult for SMEs to win because the tender process tends to favour the larger and financially better off foreign companies that have more resources. By failing to introduce legislation to rectify this, we have completely undermined SMEs which have been left disadvantaged compared to their EU counterparts. I have learned about an individual in my constituency who was reprimanded by the Government agency for which he works because he had bought in his local shop a box of biros for staff instead of ordering them through the normal source. That is ridiculous and just one example of many.

There is a growing sense among Irish businesses that EU procurement laws have not served Ireland well. The system does not function fairly. However, in saying that, our continental neighbours and competitors manage to support their small businesses in a way that Ireland does not. EU member states such as Austria, Belgium, Denmark, France, Germany and Italy allow for social clauses to be incorporated into their procurement processes. The Bill provides for that to happen here and it is vital that it does so to put us on a par with our European competitors.

An Ceann Comhairle: I call Deputy Eamon Scanlon to make a brief contribution.

Deputy Eamon Scanlon: I am grateful to have the opportunity to speak to this very important Bill and thank Deputy Frank O'Rourke for bringing it before the Dáil.

Following an initial period of fear in the aftermath of the Brexit vote, small business owners in Ireland are entering an extremely uncertain cycle. Considering that more than 900,000 people are employed nationally in SMEs, every support and incentive must be given to sustain job creators. This is a crucial time in promoting investment and growth among start-ups and small industries. SMEs are the lifeblood of the economy and without easy access to credit and State contracts and tenders to support business, we risk cutting off the oxygen that sustains and grows the indigenous sector.

International research shows that developing a strong SME base will increase competition in public procurement which, in turn, will provide the Government with better value for money and increase efficiency in public procurement. The bottom line is that the national procurement system must be designed with a long-term vision and from a "think small first" perspective, a concept recommended by the European Union. This legislation will assist in increasing the number of jobs and the profitability of the small and medium-sized enterprise sector, as well as delivering additional value for money and social value for the economy and society. The Government has failed to introduce such legislation which has resulted in the loss of potentially thousands of local jobs in the SME sector. By failing to introduce this type of legislation, the Government is undermining SMEs which have been left disadvantaged by different tendering rules from those of their EU counterparts.

Most European countries have introduced social clauses to enable the state to allocate jobs to the local unemployed or take on local apprentices to undertake contracted work. This is a challenging period for small and medium-sized business owners as they face uncertainty in the marketplace. Small, medium-sized and micro businesses properly nurtured, cleverly supported and carefully encouraged will generally grow to become businesses that create, expand and employ. The legislation will require public bodies to have regard to economic, social and environmental well-being in connection with public service contracts being put out to tender that have the potential to increase the number of jobs and profitability in the SME sector. The SME sector is the backbone of the economy and measures such as these will encourage enterprise and start-ups to create jobs. The €12 billion the State spends each year on goods and services generates a significant amount of business. While it is not always possible to award contracts to Irish companies, the objective of the Bill is to achieve a level playing field.

An Ceann Comhairle: Will the Deputy give way to his colleague, Deputy Frank O'Rourke, to wrap up? We are already over time.

Deputy Eamon Scanlon: I apologise. I will give way to my colleague.

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An Ceann Comhairle: The Deputy is very good and I thank him for his co-operation. I call Deputy Frank O'Rourke to wrap up briefly, even though we are over time.

Deputy Frank O'Rourke: I appreciate the Ceann Comhairle's flexibility in allowing me to sum up. I will be very brief.

I thank the Minister of State, Deputy Eoghan Murphy, for his support for the Bill and for allowing it to be passed on Second Stage. I appreciate the co-operation we have both shown to each other in the discussions we have had up to now on the issues surrounding the Bill which we have discussed in detail. We are on the same page in that we want the right thing for the SME sector, the local economy, the national economy, etc. We want to make sure we do it in a positive way, by engagement, interaction, working together, making changes and bringing forward amendments, where needs be, to strengthen the Bill and move it in the right direction. We are already open to this and look forward to working together to ensure the Bill is progressed in a speedy and positive way.

I also thank Deputies Sean Sherlock and David Cullinane for their support for the Bill and all of the other Deputies who spoke in support of it. I do not agree with the Minister of State when he says it is negative for the SME sector. We have had several engagements with stakeholders in the SME sector who see this as a very positive move to further assist in the good work being done by the OGP in helping them access on a level playing pitch, and tender for, these public contracts in a competitive way, which is not fully the case now. We must move to close the loophole and assist them.

As my colleagues said, the SME sector employs 900,000 people and €12 billion worth of public service tenders are offered annually. It is incumbent on us all to work collectively and responsibly to ensure we offer and tender these contracts in such a way as to allow the SMEs compete fairly within the framework and guidelines, without favouritism, in order to keep that money in the local economy, which supports local businesses and jobs and feeds back into the Exchequer.

I thank everyone who contributed to this debate and the officials in the OGP office whom I met and who were very supportive. We look forward to the Bill progressing speedily.

An Ceann Comhairle: I point out for the general information of Deputies that those wishing to contribute need to watch the monitors and be aware of the rate at which the debate is progressing. They need to be here because the flexibility we have shown this evening would not normally be shown and we will not show it in the future. It is Members' responsibility to know when their slots are coming up. I thank Members for their contributions.

Question put and agreed to.

Public Services and Procurement (Social Value) Bill 2017: Referral to Select Committee [Private Members]

An Ceann Comhairle: As this is a Private Member's Bill, it must under Standing Orders 84A and 141 be referred to a select committee.

Deputy Frank O'Rourke: I move:

Dáil Éireann

That the Bill be referred to the Select Committee on Finance, Public Expenditure and Reform, pursuant to Standing Orders 84A(3)(a) and 141 of the Standing Orders relative to Public Business.

Question put and agreed to.

The Dáil adjourned at 9.35 p.m. until 12 noon on Wednesday, 22 February 2017.