



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Leaders' Questions	710
Order of Business	720
Public Service Pay and Pensions Bill 2017: Financial Resolution	730
Ceisteanna - Questions	731
Cabinet Committee Meetings	731
National Economic and Social Council	736
Cabinet Committees	740
Topical Issue Matters	743
Ceisteanna - Questions (Resumed)	744
Priority Questions	744
Magdalen Laundries	744
Garda Commissioner Appointment	746
Garda Training	749
Departmental Reform	751
Other Questions	755
Garda Deployment	755
Garda Deployment	758
Garda Commissioner Appointment	760
Garda Strength	763
Garda Strength	765
Refugee Resettlement Programme	768
Message from Seanad	770
Message from Select Committee	770
Estimates for Public Services 2017: Message from Select Committee	770
Topical Issue Debate	771
Drug and Alcohol Task Forces	771
Community Employment Schemes Administration	774
Garda Deployment	776
UN Conventions	780
Public Service Pay and Pensions Bill 2017: Committee Stage	783
Personal Explanation by Member	793
Public Service Pay and Pensions Bill 2017: Committee Stage (Resumed)	793
Message from Select Committee	811
Situation in Syria: Motion [Private Members]	811

DÁIL ÉIREANN

Dé Máirt, 5 Nollaig 2017

Tuesday, 5 December 2017

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

Paidir.

Prayer.

Leaders' Questions

Deputy Micheál Martin: Despite yesterday's setback and the inability to conclude the negotiations that would facilitate a movement to the next and most crucial phase of Brexit negotiations between the European Union and the United Kingdom, I welcome the significant progress made in the form of the eventual wording that emerged yesterday which would commit all Governments and parties to not having a hard border between North and South in the aftermath of Brexit. I thank the Taoiseach for his briefings as well as his officials and the officials of the Department of Foreign Affairs and Trade. While there was a lot of negativity articulated about civil servants last week, let us acknowledge this week the diligent and very able work of our civil servants and diplomats in Brussels, Dublin and London who, since the Brexit vote, have focused their energies loyally and intelligently on behalf of the State.

When the vote for Brexit occurred, all parties - the United Kingdom Government, our EU partners, unionists and nationalists in the North and the parties in this Oireachtas - were clear that there should be no hard border. Economic common sense and the desire to preserve and mind the Good Friday Agreement were central to this belief. However, the fears and concerns of unionism need to be addressed. From the outset of the Brexit vote, I have been at pains to separate the Brexit issue from the unity question. Others have sought to conflate the two. For me, Brexit is about the economic well-being of all our communities on this island - the bread and butter of daily lives - and not, as others advocated, an opportunity to pursue a united Ireland through Border polls or otherwise. On reflection, it must now be very clear to all that the contrived collapse of the Executive and the Assembly has not served the people of Northern Ireland well. It would have facilitated the articulation of different perspectives on Brexit in a democratically elected forum. In short, it would have given a voice to the people of Northern Ireland on a most profound issue. Our agenda and that of the majority in the Oireachtas, I believe, is to limit the economic damage a hard Brexit would do to this island - nothing more and nothing less. The Good Friday Agreement upholds the constitutional status of Northern Ireland and the formula of words of yesterday copperfastens that status and does not undermine it. British-Irish relations are vital to our long-term economic well-being and we would do well to

reflect this in our tone and demeanour from now until the Council meeting. Does the Taoiseach agree that the collapse of the Northern Ireland Executive and Assembly has been very damaging and that these institutions need to be restored as a matter of urgency, particularly in the light of the ongoing negotiations? Does he accept that there needs to be an outreach to unionism that is deep and meaningful, notwithstanding our differences on the issue? Does he agree that nothing in the formula of words or negotiations undermines the integrity of the constitutional status of Northern Ireland as part of the United Kingdom, in accordance with the outcome of the referendum in 1998 and the Good Friday Agreement ?

The Taoiseach: I acknowledge the considerable work done in recent weeks, particularly over the weekend, to seek an agreement. I refer to the work done by Ministers, officials and diplomats in Dublin, Brussels and elsewhere. I very much regret that it was not possible to conclude the deal yesterday, as had been envisaged, agreed and sequenced.

The Government very much wants to move to phase 2. It does not want to hold things up. It is absolutely in our interests, as a country, to move to phase 2 because it is about the future trading relationship between the United Kingdom, Ireland and the rest of the European Union. If one is an importer, an exporter, a farmer or a worker in the agrifood sector, or if one's job depends on trade with the United Kingdom, one wants to move to phase 2 and so do we.

Phase 2 also deals with the transition period which is so important because it will give people and businesses time to prepare for any permanent change that might take place. It also deals with really important matters, with aviation being just one example. It is a question of making sure planes can still fly and that airlines can agree schedules for the summer and autumn next year. We cannot move to phase 2, however, until we have the assurance we need that there will be no hard border and the assurances we have been promised for 18 months or even longer.

As things stand, the ball is very much in London's court. The Prime Minister, the European Commission and the negotiating teams have asked for more time. We are happy that there should be more time. The European Council is not due to meet until Thursday of next week, 14 December; therefore, there is time to put the agreement back on track. I understand the Prime Minister is managing many difficulties in the United Kingdom. The European Union negotiates together with Ireland; we have the one negotiating team and that team is waiting to hear from London as soon as its team is ready to speak to us about events.

With regard to the unionist community in Northern Ireland, the Government and this Parliament respect the Good Friday Agreement in all its parts. We have no hidden agenda. We respect the constitutional status of Northern Ireland, which is that Northern Ireland is part of the United Kingdom until a majority of the people in Northern Ireland say otherwise. We do not want there to be a border in the Irish Sea any more than we want there to be a border between Newry and Dundalk or between Letterkenny and Derry. Our aim has always been practical - to allow people to live their lives and carry out their business in the normal way in which they have done it for 20 years. I refer to cross-Border workers, people involved in business, traders, exporters and students living in one jurisdiction and studying in the other. That has always been our objective. We were against Brexit in the first place because of the risk of the disruption that could be caused by it and the imposition of the Border.

It is important not to forget to mention the nationalist community. I know that Deputy Micheál Martin did not deliberately forget to mention it, but it is important that it be mentioned. We say to the nationalist community in Northern Ireland that we will protect its rights and free-

doms and also protect the peace to which it is equally entitled to enjoy. We recognise that there is not just one political party in Northern Ireland; there are many. We will listen to, respect and engage with all political parties in Northern Ireland. We will recognise the fact that the majority of people in Northern Ireland, and the majority of constituencies in Northern Ireland, did not vote to leave the European Union.

Deputy Micheál Martin: I did reference nationalists at the very beginning of my remarks when I said no one on this island wanted a hard border, including nationalism, as articulated in Northern Ireland. I made the point in my question, which the Taoiseach did not answer, namely, that the absence and contrived collapse of the Executive and the Assembly in Northern Ireland have not served the people of Northern Ireland well, irrespective of the traditions from which they emanate or the political traditions that they represent. In fact, if the Assembly were in place today there would be a majority in favour of remaining or against Brexit, but the tragedy is that for the past 12 months that opinion has been silenced, in many ways by the absence of a democratically elected forum in Northern Ireland. I have been saying that since the day it collapsed.

Given the enormity of Brexit and its potential damage to Northern Ireland I do not understand that politicians could in my view contrive the collapse of that Executive and Assembly and allow it not to be restored over 12 months. The North-South Ministerial Council would have been a very useful conduit, for example, between the Government and elected Ministers from the North. Does the Taoiseach not think that has been a very significant damaging factor in all of this? It is interesting that Scotland, London and Wales have all said they want the same type of agreement. What that illustrates is that there is a lot of opinion in the United Kingdom that does not favour a hard Brexit and I think it would be worth our while to reach out to that community in Britain who want a close relationship to Ireland and to the EU - in essence the equivalent of the customs union they currently enjoy.

The Taoiseach: I agree that the absence of an Executive in Northern Ireland has been very unhelpful in the past year when we have been trying to secure a good agreement for Ireland and Northern Ireland. Before the Executive was collapsed there was an outline letter written by the First Minister, Mrs. Foster, and deputy First Minister, Mr. McGuinness, which set out principles which are not very different to what was agreed yesterday in Brussels, and had the Executive remained in place it would have been possible to have a united cross-community elected voice for Northern Ireland, which is not what we have had in the past year. People could be mistaken for thinking that one party spoke for all of Northern Ireland. In fact, only the Executive elected and constituted under the Good Friday Agreement can speak legitimately for all of Northern Ireland.

I agree with Deputy Martin's assessment. Perhaps if the Northern Ireland Assembly was meeting today it might even pass a resolution in favour of what was agreed, as a majority of the people elected to that Assembly wanted to remain and the majority of the parties, including the Alliance Party, the Green Party, the SDLP and others, want to stay in the Internal Market and the customs union but, unfortunately, we have to deal with the situation as we find it. I know the days, weeks and months that were spent trying to get the Executive up and running and to get the Assembly going. I know the enormous work the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Coveney, has done in that regard and also the previous Minister, Deputy Flanagan, prior to that. We have done everything possible to get the Executive and Assembly up and running while at the same time trying to handle Brexit negotiations. We will continue to do that.

In terms of outreach to the unionist community and Northern parties, that will continue. As Deputy Martin is aware, not too long ago I spent an entire day in Enniskillen doing exactly that and that will continue. All members of the Government will continue our outreach to Northern Ireland and our business to Northern Ireland. The negotiations are taking place between a sovereign Government, namely, the United Kingdom on the one hand, and the European Union, of which we are part, on the other. These are not negotiations involving one or any political party. This agreement, if we come to it, will be made between the UK Government on the one side and Europe and Ireland on the other. It will not involve one political party to the exclusion of others. That would not be right.

Deputy Gerry Adams: Everything I say must be taken in the context that Sinn Féin has not seen the text of the deal which the Taoiseach outlined yesterday. I thank him for the briefings. Tá Sinn Féin buíoch don Taoiseach, don Tánaiste agus dá gcuid oifigh.

The Taoiseach should also know that Downing Street is briefing today that the text was not finalised, that those involved were still going back and forth and that the British Prime Minister did not have enough to go to her Cabinet, agus tá sé sin mar eolas don Taoiseach, b'fhéidir.

From the very beginning, Sinn Féin has said that what is required is a designated special status for the North within the European Union. We are not precious about what it is called but we are certain that any deal must ensure that the North remains within the customs union and the Single Market. That is the only way of ensuring stability and certainty for Irish agriculture and business as well as Irish people's lives, prospects and prosperity.

That is not the only issue. Citizens' rights, access to the European Court of Justice and access to European institutions needs to be firmly bedded down. As I understand it, those matters have yet to be agreed. Ensuring that these requirements are met is common sense. It is also, crucially, what the people of the North voted for. Despite the claims of the DUP, this will not change the constitutional position of the North. I say as much as someone who is offended every day by the divisions on this island, including the Border and partition.

We have always said that the Tory deal with the DUP would end in tears. However, we should also not underestimate the consequences of that deal. It has been played out in Stormont in recent times and yesterday in Brussels.

More enlightened members of the DUP know that a special arrangement needs to be struck for the North. They know that this is not a case of orange versus green. Yet, we should not underestimate the contrariness of some of their leaders. Despite this, all of us who live on this island collectively, including the DUP, must protect each other and plan intelligently for a future for everyone.

I genuinely wish the Taoiseach and the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Coveney, all the best in their endeavours in the run-up to the meeting of the European Council on 14 December. However, let us be clear: no matter how diplomatically the Taoiseach may have to put it, his Government needs to stand up against the narrow interests of the DUP and the English Tories. It is about getting the best deal for all of the people of the island of Ireland.

Can the Taoiseach guarantee that his Government will not accept any deal that does not ensure the North remains within the customs union and the Single Market? Can the Taoiseach guarantee that his Government will not accept any agreement that does not have the legal and

political infrastructure of the Good Friday Agreement hardwired into it?

The Taoiseach: The text was agreed by the negotiation teams on both sides yesterday morning and was confirmed to me in telephone calls with the EU Commission President, Mr. Juncker, and the European Council President, Mr. Tusk, during the morning as well. It was only during the lunch that we got information that a problem had arisen. It is always the case with these agreements that nothing is agreed until everything is agreed and signatures are on the dotted line. In any event that would not have happened until 14 December, which is Thursday of next week. Even if it had been the case that the deal had been agreed in the way we had envisaged it would be yesterday, it is possible that it would still be falling apart today - we need to be realistic about that.

Nonetheless, the ball is very much in London's court. We are here to work constructively on behalf of the European Union and Ireland with the UK Government to come to an agreement based on the principles that we had agreed to, at least in principle, yesterday.

It is important to talk about the kind of agreement that we believed was in place. First of all, it would be one that defends all parts of the Good Friday Agreement and its successor agreements. It is one that would continue to ensure everyone born in Northern Ireland could continue to be a British and Irish citizen and, therefore, a citizen of the European Union. Thus it would allow people in Northern Ireland, for example, people born in Belfast and Derry, to study in Paris, if they wished, to travel to Athens and to work in Madrid. People born in Sheffield and Leeds are giving up that right by leaving the European Union. It would protect the common travel area between Britain and Ireland, which is about so much more than us being able to travel freely between Britain and Ireland. It comes with a whole set of reciprocal citizens' rights and the fact that British and Irish people can live, work and study as well as access health care, housing, education, welfare and pensions in each other's countries as though we were citizens of both. We had that agreed too.

We also agreed that INTERREG and PEACE funding, which are so important for Border areas, would continue through to 2020 and 2021 and be favourably considered for the period thereafter. We agreed a solution that we still believe allows us to keep the Border open to trade between North and South. This solution is that there would not be a hard border and there would be no physical infrastructure. This would be assured in one of three ways, namely, in the end EU-UK new trade agreement, through bespoke solutions that the British Government would come up with or, if all else failed, the UK assuring that regulatory alignment would be continued between Northern Ireland and the European Union. One of these three ways is also one about which the UK Government and those who support Brexit want to talk. By refusing this agreement, the UK Government has made it impossible to talk about the technical solutions it believes could solve our problem. Having asked us for many months to start engaging in options as to how we can avoid a hard border, it has now decided it does not want to have that conversation simply because we have asked that there be a backstop that assures us that in all circumstances there will not be a border with Northern Ireland.

What is interesting, and it has been picked up on by other speakers, is that the agreement we believed we had yesterday and still believe we have, although obviously it has not been ratified, is one which, within hours, was being identified by people in Scotland, Wales and London as an agreement that they too would like. Even people in England, both on the remain and leave sides, have been saying in the past day that perhaps they would like such an arrangement for all of the United Kingdom. It is a remarkable turn of events in that regard. I believe, and this

is the most important thing, that the majority of people in Northern Ireland, if they were asked, would like to have this agreement.

Deputy Gerry Adams: Sinn Féin consistently argued that the negotiations should not move to the next phase unless there was movement on the three outstanding issues. We, therefore, support the Government's position in not moving into that phase. What I outlined to the Taoiseach earlier is what Downing Street is briefing today. I am not saying it is telling the truth but simply that this is what it is briefing.

The Minister for Foreign Affairs and Trade correctly stated that Ireland cannot afford to take a leap into the dark. The only way to avoid doing that is to have absolute clarity and certainty on the entire island staying in the customs union and Single Market. This is about more than trade, although trade is obviously important. Does the Taoiseach agree - as I understand it, this was not part of the deal he outlined yesterday - that citizens' rights and access to the European Court of Justice and other European Union institutions need to be a central part of any agreement? If so, this needs to be a central plank in his negotiations as otherwise the Good Friday Agreement will be destroyed. The Taoiseach must not let that happen on his watch.

The Taoiseach: To clarify what I said earlier, what we agreed yesterday was the whole text, not just principles. We agreed principles and a detailed text and we had confirmation of that from President Juncker and President Tusk to whom I spoke last night. The principles and the basic outcome that we want are shared by all parties in this House and I am encouraged by and grateful for the support we have received from Fianna Fáil, Sinn Féin and the other parties. We know what needs to be achieved and we are waiting to hear from London as to how it wishes to proceed. There will be contacts in the coming days to see if there is a possibility of putting this agreement back on track before the European Council meets on Thursday and Friday next. I am reassured by today's statement from the European Commission and the task force that Ireland's position is Europe's position and that Europe stands with Ireland.

Deputy Brendan Howlin: Long before the Brexit referendum, it was clear that Brexit presented a mortal threat to the soft border between Ireland and Northern Ireland and the peace process that had been built up by so many people over many decades. The Labour Party has consistently supported the position adopted by the Government on the commitment required by the people of this island from the British Government to ensure Brexit does the minimum possible damage to the hard won political and economic stability on this island. We do so in full recognition of the rejection of Brexit by the people of Northern Ireland. Unfortunately, as we are all well aware, the consequences of Brexit on the Border were not central to the Brexit debate in the United Kingdom, that is, until now. Yesterday, we were on the verge of a significant breakthrough. Months of extensive work, lobbying and networking - I, too, pay tribute to our officials - with our colleagues in Europe had reached a critical point. Patient efforts to build a consensus on the Irish issues, to get people who did not really understand them to be fully apprised of them, to unite the 26 countries of the EU behind the Irish position and to find a practical solution acceptable to the UK had, we believed, borne fruit.

The final agreement came down to a debate on the difference between no regulatory divergence versus ongoing regulatory alignment. I said to the Taoiseach last week that what we needed was Ireland to act collectively in regard to this. Little did I know that it was the UK that would fail to act collectively. Despite the position of the DUP being that it officially opposes a hard border, it has offered no solutions to achieve that objective. What it is prepared to do is to say, "No". What has shocked me and many others from the middle of yesterday is the failure of

the British Government and the Prime Minister, Mrs. May, to ensure that the constituent parts of her own Government and the United Kingdom were on board with what was being agreed. I spoke to my colleagues in the British Labour Party yesterday evening. They were also at a loss as to how such a defeat could be snatched from the jaws of victory. The Brexit demons that have plagued political discourse in the UK have been unfortunately unleashed again.

The solution to this problem is obvious and involves the UK as a whole accepting the need to remain within the Single Market and the customs union, a position, as others have instanced, that has now been accepted by, among others, Wales, Scotland and London. While this morning the leader of the Conservative Party in Scotland has called for ongoing regulatory alignment for the entire UK, exiting the Single Market and the customs union was not determined by the British referendum. There was a political decision made by the British Government to do that, and the outstanding question now is what the British Government will be able to agree to.

I have a number of questions. Our relationship with the UK had reached a peak of strength in recent years. I believe it has been significantly damaged in very recent times. Having formally agreed a position that collapsed over lunch yesterday, how can we as a country now negotiate with the United Kingdom in good faith and how stands the credibility of the negotiating forum when carefully negotiated words can be unpicked after the fact?

The Taoiseach: I will pick up on one or two points. There was an exchange of text including different options, one being no regulatory divergence and the other being regulatory alignment. On Sunday night, we were satisfied that we could accept either of those sets of words and regulatory alignment was what was accepted by the British negotiators on Monday morning.

We have also agreed a mechanism which, I think, should allow us to move on to phase 2. We all - the DUP in Northern Ireland, all the parties here, all the parties in the North, the British Government, both Remainers and Brexiteers - say we want to avoid a hard border and have no physical infrastructure. How do we achieve that? The agreement that we had yesterday set out three possible options. The first, my preferred option and the preferred option of most Members in this House, is an EU-UK free trade agreement that would allow free trade to continue, not only North-South but between Britain and Ireland. Second, an option which those who have been advocates of Brexit have always said was a possibility, is a bespoke arrangement involving technology and other things about which we are sceptical but we are willing to allow for consideration. Third, and crucially, is a backstop, if all else failed, of ongoing regulatory alignment between North and South. I do not see how we can proceed and how we can achieve what anybody wants to achieve unless we allow ourselves to go on to phase 2 on that basis. We are keen to move on to phase 2 but we must have the assurance we were promised that, no matter what, even as an unintended consequence, there will not be a hard border on the island of Ireland. We have to hold firm on that position.

In terms of relations with the United Kingdom, Deputy Howlin is correct. Relations were probably at their peak since independence around the time of the Queen's visit and the years after that. Relations had been strained in the past year or two, not because of a decision we made but because of Brexit, which is a British policy and a British decision, one that we respect but that we are aware causes enormous problems, not only for us but for others in Europe as well. Nonetheless, I am very firmly of the view that the Prime Minister, Mrs. May, is negotiating in good faith and that her team, who agreed the language of the EU task force on Monday, were negotiating in good faith. They have asked for more time and we are happy to allow them to have that time and we look forward to hearing from them as to how they now believe we can

proceed with this agreement.

Deputy Brendan Howlin: However disappointed all of us are at the turn of events yesterday, obviously we are all now required to look forward and not back. Has the Taoiseach had discussions with Michel Barnier since the events of noon yesterday? Has he ascertained his position as the mandated negotiator on behalf of the EU 27? How can Mr. Barnier and his negotiating team sit down and negotiate to a conclusion a form of words, set up a carefully organised series of events involving the Prime Minister of the United Kingdom, Mr. Jean-Claude Juncker, the EU Council President, Mr. Donald Tusk, the Irish Government and others and have all of that fall apart?

The Taoiseach has said that the ball is now in London's court. What specifically can we do, as one of the EU 27, to ensure that we move on to the next phase of negotiations, while safeguarding the fundamental principles that we, as a House, have set out as our requirements for the conclusion of phase 1?

The Taoiseach: We operate a particular line of communications. As Deputy Howlin knows, Mr. Barnier heads up the Barnier negotiating task force but that is a creature of the Commission. The Barnier task force reports to the Commission and to the President of the Commission. When I speak to an interlocutor, I speak to the President of the Commission, Mr. Juncker as my counterpart in the set up and also to the President of the Council, Mr. Tusk. The Minister for Foreign Affairs and Trade, Deputy Coveney, mainly deals with Michel Barnier and his task force, which includes a Sherpa who speaks to our Sherpa. That is the line of communications that exists, with which the Deputy will be familiar.

I spoke to President Juncker twice yesterday; once in the morning to confirm our acceptance of the language and once yesterday evening, after things had gone somewhat pear shaped. In our latter conversation he confirmed his ongoing support for the Irish position and asked that we continue to trust him in the negotiations, which we absolutely do. I know that he has cancelled a planned overseas visit so that the essential EU officials can be available for further talks in Brussels in the coming days. We are at the point now where the UK Government is trying to sort out its own affairs and when it has done so it will come back to Brussels for further negotiations. We will be in daily contact with the task force and with President Juncker.

Deputy Ruth Coppinger: I would like to bring the Taoiseach's attention back to our other national crisis, the housing crisis. Homelessness is at record levels, the price of a house has risen by 50% since 2013 and rents continue to sky-rocket despite the Government's ineffectual rent pressure zones. This Government and its predecessor have treated the housing crisis like some strange, mysterious phenomenon for which we must go on a quest to find solutions but it is actually quite simple. Public house building has ground to a halt; it was slashed to bail out billionaires ten years ago and it has never been restarted. Local authorities own more than 1,200 ha of land with the potential for 38,000 houses but less than 1% of the social housing that is needed has been built on that land. Housing analyst Mr. Mel Reynolds said that it is a policy decision not to build on local authority land and that the State is actually the biggest land hoarder in this country. To hoard land during a housing crisis is akin to hoarding food in a famine. A total of 13 councils did not bother to build a solitary thing in the last two years. Fingal County Council, with which the Taoiseach will be familiar, completed ten homes. Ten homes equates to 0.01% of the number needed for the 8,046 people on its housing list. The Fingal area has 22% of Dublin's population but 35% of its homeless population, mostly in the Taoiseach's own constituency and mine, Dublin West. It is a microcosm of the national housing crisis.

Solidarity has put forward a proposal to council management to build on its own land. In Blanchardstown the council has 75 acres of zoned land that it has never developed at Damastown. Solidarity has taken drone footage, got architects drawings, made a video, produced a booklet and costed a proposal to provide over 1,100 homes on that land which will be launched tomorrow night by Fr. Peter McVerry in Dublin 15. We seek the support of all councillors for it. Some 50% of those homes will be for workers under an affordable mortgage scheme and 50% for people on the list. Damastown village, if properly planned, with the additional transport infrastructure that Dublin West needs and with dedicated youth facilities and parklands, could transform the lives of thousands of people. Only 15% can get a mortgage. What about the other 85%? Why do we hear on Sean O'Rourke's show today that workers in Ballymun can get a mortgage for €170,000 in the Ó Cualann project but the Taoiseach thinks it is affordable for workers in Blanchardstown to pay €315,000? This could resolve that issue for many workers. Will the Taoiseach back the funding of this project and similar projects nationally, given Dublin West is just a microcosm of the national homeless crisis?

The Taoiseach: First, I do not agree with the Deputy about rent pressure zones. They are far from perfect but I believe they are working. Some 60% of people in tenancies are now covered by rent pressure zones and, as a result, they are assured their rent will rise by no more than 4% a year. Therefore, the 60% of people who are renting have that assurance, which is a very big assurance, that their rent cannot rise by more than 4% a year. The figures we see from *daft.ie* and others are published rents, as the Deputy knows. These are new tenancies and new rents, and they do not take full account of the 60% of people who are covered and protected by the rent pressure zones - the existing tenants. The rent pressure zones were designed to cap rent increases to protect people who had tenancies on their homes, and they are working in that regard. They were never designed for new tenancies and do not apply to them.

In terms of social housing and public housing, part of the Deputy's analysis is correct. Due to the collapse of the banking sector, the collapse of the construction industry and the collapse and disaster in the public finances, we were not in a position to build public housing or social housing, or private housing, for very many years. However, it is possible, when we get the final figures, that in this year, 2017, more houses and homes will have been built in the country than in any year since 2010. Therefore, we are starting to see, from a very low base, a ramping up of construction of both social housing - or public housing, if the Deputy prefers - and private housing. The number of directly built social homes this year will be around 2,000 and that will rise to 3,800 next year. We can add to that those that are not directly built by local authorities, for example, houses brought back into use by renovating voids, long-term leases and purchases from developers. That will bring the number of new social homes available to around 7,000 next year, which is a huge increase from only a few hundred a few years ago.

I am very familiar with Fingal. I share the county with the Deputy and we are both former members of that council. Given my familiarity with it, I know for a fact there have been more than ten social homes provided in Fingal in the past year. How do I know that? It is because I have been in more than ten of them. I know the Deputy boycotts these events. She does not like to come to school openings, job announcements or the opening of new social housing because, if she sees no good, then she can perhaps pretend there is no good. However, these places do exist. An example is Hansfield, where there are 100 new social homes, in Wellview, where I and the Minister, Deputy Eoghan Murphy, opened about a dozen or so, and also quite a number in Waterville.

The reason the Deputy does not believe they exist, even though they do exist, is because

they were not built directly by a local authority; instead, they were acquired from developers, either through direct purchase or through Part V. I can guarantee her that the people who live in those homes, who now have secure social housing, with a council rent, know that these are real homes because they and their families are living in them. While those houses and people might not count for the Deputy, they do count because they are real properties with real people living in them who now have secure tenancies and pay subsidised council rents.

As regards the proposal in respect of Wellview, we will certainly give consideration to any plan that might help us to provide more housing in the State. The general view of the Government, though, is we want to have mixed developments because they promote social cohesion. If there is public land that could accommodate 1,000 new homes, we would like to see a mix of private housing, affordable housing and also public social housing because that is the best way not just to provide housing but also to build sustainable communities into the future.

Deputy Ruth Coppinger: Maybe the Taoiseach might actually answer the question this time. Half of the proposed housing in Damastown would be affordable housing, which is a mix. One could not have more of a mix than with 550 affordable mortgages and the development could be delivered. The affordable mortgages would pay for themselves over the period. What the Taoiseach proposes through the HAP scheme is much more expensive than building directly. Since the HAP scheme will, over 30 years, cost €23 billion more than building 132,000 permanent homes, why does he follow this creed? Is it because a few people are enriching themselves off the back of the misery of tens of thousands more?

Regarding Fingal and the other local authority areas the Taoiseach cited, I am discussing direct building, which is the cheapest and most cost-effective way of providing housing, not acquiring at market rates, which is expensive. I hope the Taoiseach will get his party's councillors to back it. We have been told that money is not the object and that there is no shortage of it. The then Minister for Finance appeared before the housing committee last year and it seems that the European Union's fiscal rules prevent us from using money we have available - we do not need to borrow it - to build public homes on public lands. Anyone can see that this is the solution, but it seems that there is neoliberal ideological opposition to doing this and a prioritisation of the private sector at all costs.

The Taoiseach: First, I did not mention the HAP scheme. That is a separate issue. None of the homes to which I referred would be in that space.

To answer the Deputy's question, we will give full consideration to the proposal she is making in respect of the lands at Damastown. We will, of course, need to see the proposal, test it and see if the business plan stacks up, particularly the Deputy's claim that it will pay for itself. I find that hard to believe, but if her business plan which indicates that this mixed development of social housing and affordable housing can pay for itself stacks up, we would be rather foolish not to take her up on it. Of course, we will consider any serious proposal to build more housing and ensure there will be homes for people who need them and also that everyone will have the opportunity to aspire once again to own his or her own home.

I appeal to the Deputy to reconsider her own very hardline ideological position. Just because social housing or public housing is not built directly by a local authority does not mean that it should not count. I was at an Iveagh Trust development with the Minister, Deputy Eoghan Murphy, only a few weeks ago. It is being provided through a long-term leasing arrangement. All of the people moving into that housing know what it is - it is social housing run by the Iveagh

Trust, an agency that has been providing housing since before the State was founded. They have secure tenancies and a subsidised rate, but because of the Deputy's ideology, it does not count. I ask her and her supporters to consider their ideology and adopt the approach my party and the Government adopt. When people want housing and come to our clinics, we try to get them into one of these places. We do not try to pretend they do not exist and deny them those places because it goes against our socialist ideology.

Deputy Ruth Coppinger: I try to-----

An Ceann Comhairle: I thank the Taoiseach. That concludes Leaders' Questions. We are significantly over time.

Order of Business

Deputy Brendan Ryan: Today's business shall be No. 8, Financial Resolution re Public Service Pay and Pensions Bill 2017; No. 27, Public Service Pay and Pensions Bill 2017 - Committee and Remaining Stages; No. 28, Health Insurance (Amendment) Bill 2017 [*Seanad*] - Second Stage (resumed), if not previously concluded; No. 9, Financial Resolution re Health Insurance (Amendment) Bill 2017 [*Seanad*]; and No. 29, Planning and Development (Amendment) Bill 2016 - Report Stage (resumed) and Final Stage. Private Members' business shall be No. 160, motion re Syrian sanctions, selected by Independents 4 Change.

Wednesday's business shall be No. 10, motion re horse and greyhound racing fund regulations, back from committee; No. 30, Social Welfare Bill 2017 - Order for Report, Report and Final Stages; No. 28, Health Insurance (Amendment) Bill 2017 [*Seanad*] - Second Stage, resumed, if not previously concluded; No. 9, Financial Resolution re Health Insurance (Amendment) Bill 2017; No. 32, Protection of Cultural Property in the Event of Armed Conflict (Hague Convention) Bill 2016 [*Seanad*] - Order for Report, Report and Final Stages; No. 5, Electoral (Amendment) (Dáil Constituencies) Bill 2017 - all Stages; No. 31, Technological Universities Bill 2015 - Order for Report, Report and Final Stages; and No. 29, Planning and Development (Amendment) Bill 2016 - Report and Final Stages, resumed, if not previously concluded. Private Members' business shall be No. 161, motion re neurological services, selected by Fianna Fáil.

Thursday's business shall be No. 11, Further Revised Estimates, back from committee; No. 12, Supplementary Estimates, back from committee; No. 12a, motion re Permanent Structured Cooperation, PESCO; No. 5, Electoral (Amendment) (Dáil Constituencies) Bill 2017 - all Stages, resumed, if not previously concluded; No. 29, Planning and Development (Amendment) Bill 2016 - Report and Final Stages, resumed, if not previously concluded; No. 1, Intoxicating Liquor (Amendment) Bill 2017 [*Seanad*] - Second Stage; and No. 32a, statements on climate change.

Friday's business shall be: No. 32b, statements on Paradise Papers; No. 28, Health Insurance (Amendment) Bill 2017 [*Seanad*] - Second Stage, resumed, if not previously concluded; No. 9, Financial Resolution re Health Insurance (Amendment) Bill 2017, without debate, if not previously taken; No. 33, Road Traffic (Amendment) Bill 2017 - Second Stage, resumed, if not previously concluded; and No. 1, Intoxicating Liquor (Amendment) Bill 2017 [*Seanad*] - Second Stage, resumed, if not previously concluded.

5 December 2017

With regard to the announcement of the proposed arrangements for this week's business, I refer to the first revised report of the Business Committee dated 5 December 2017. In relation to today's business, it is proposed that:

(1) the Dáil shall sit later than 10 p.m. and shall adjourn on the conclusion of Private Members' business;

(2) the Financial Resolution re Public Service Pay and Pensions Bill 2017 shall be taken without debate and any division demanded shall be taken immediately;

(3) any division demanded on the Health Insurance (Amendment) Bill 2017 on Tuesday or Wednesday shall be taken immediately;

(4) the Financial Resolution re Health Insurance (Amendment) Bill 2017 shall be taken on the conclusion of Second Stage of the Health Insurance (Amendment) Bill 2017 without debate and any division demanded shall be taken immediately; and

(5) Private Members' business shall take place not later than 9 p.m. for two hours.

In relation to Wednesday's business, it is proposed that the motion re horse and greyhound racing fund regulations, back from committee, shall conclude within 40 minutes and be confined to a single round of five minutes each for speeches by a Minister or Minister of State and the main spokespersons for parties or groups and all members may share time.

In relation to Thursday's business, it is proposed that:

(1) the Further Revised Estimates, back from committee, shall be moved together, taken without debate and decided by one question and any division demanded shall be taken immediately;

(2) the Supplementary Estimates, back from committee, shall be moved together, taken without debate and decided by one question and any division demanded shall be taken immediately;

(3) the motion re Permanent Structured Cooperation, PESCO, shall be taken following the Supplementary Estimates and to conclude within two hours. Speeches shall be confined to a single round of 15 minutes each by a Minister or Minister of State and the main spokespersons for parties or groups and all members may share time;

(4) the voting block shall take place on the conclusion of the motion re Permanent Structured Cooperation, PESCO, and the suspension of the House under Standing Order 25(1) shall take place thereafter for 40 minutes;

(5) statements on climate change shall commence not later than 5 p.m. and no Private Members' Bill shall be taken under Standing Order 140A, and no committee report shall be taken under Standing Order 91(2). Statements shall be confined to a single round of 15 minutes each by a Minister or Minister of State and the main spokespersons for parties or groups to conclude within two hours. All members may share time. If the statements conclude before 7 p.m., the order shall resume save that the Planning and Development (Amendment) Bill 2016 and the Intoxicating Liquor (Amendment) Bill 2017 [*Seanad*] shall not be taken;

(6) Topical Issues shall be taken not later than 7 p.m. or on the conclusion of the state-

ments on climate change, if the other Government business has concluded, whichever is the earlier, and the Dáil shall adjourn on the conclusion of Topical Issues.

It is proposed that:

(1) the Dáil shall sit on Friday at 10.30 a.m. and adjourn not later than 2.30 p.m. to take the business listed earlier and any division demanded on Friday shall be deferred until immediately after the Order of Business on Tuesday, 12 December 2017; and

(2) statements on the Paradise Papers shall be confined to a single round of 15 minutes each for statements by a Minister or a Minister of State and the main spokespersons for parties or groups, to conclude within two hours and that all Members may share time.

An Ceann Comhairle: After all of the detail, there are just four proposals to be put to the House. Is the proposal for dealing with today's business agreed to? Agreed. Is the proposal for dealing with Wednesday's business agreed to? Agreed. Is the proposal for dealing with Thursday's business agreed to?

Deputy Richard Boyd Barrett: Not agreed.

Deputy Clare Daly: It is not agreed.

Deputy Richard Boyd Barrett: This is an absolutely scandalous suggestion. It was not agreed at the Business Committee that there would be a vote on joining the Permanent Structured Cooperation, PESCO, arrangement. This is a move to ram through a vote to move towards joining a European Union army while quadrupling military spending. It would have an effect as significant and damaging to the economy and our society as Brexit and is deeply cynical. I wonder if the *quid pro quo* for European Union support in the Brexit negotiations is that we sell out our military neutrality and ramp up military expenditure.

Deputy Simon Coveney: Come off it. Read the brief.

The Taoiseach: Perhaps they want our airforce.

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

Deputy Richard Boyd Barrett: I have read the brief and the PESCO arrangement. It is absolutely outrageous. This was not agreed to and there has been no public consultation on it, despite it having a fundamental and damaging impact on Ireland's neutrality. It drags us into massively increased military spending.

Deputy Clare Daly: I have always operated on the basis of co-operation at the Business Committee and the expediency of delivering the business to which this House needs to attend, but this is a departure from anything I have seen. I was the first person to raise at the Business Committee a number of weeks ago that the Dáil should be provided with adequate time to discuss this vital matter. I was assured that this would be the case. I know that in subsequent weeks Members of the House across the different political groupings have raised the issue. Last week the Tánaiste stated its scheduling was a matter for the Business Committee, but it did not discuss the issue on Thursday. Not only was it not discussed in the context of this week's business, it was also not mentioned by the Government in the context of next week's business either. This is an incredibly serious matter that potentially signs up the State to massive defence expenditure in the next few years. The proposal is that we have 15 minutes for each group

shoehorned into a Thursday session on the eve of the recess. It is completely unacceptable and I object to it in the strongest possible terms.

Deputy Aengus Ó Snodaigh: Similar to the previous Deputies, I object in the strongest terms to the way this matter has appeared on the schedule for this week. As has been noted, there was no discussion about it in any shape or form at last week's meeting of the Business Committee. Deputy Seán Crowe and I discussed it as a Topical Issue only a few weeks ago when it was indicated that the Government might sign up to it and that it was aware of the deadlines. All of a sudden, it appeared on the schedule for discussion on Thursday. The proposal is that we have two hours in which to make a decision. We are to be given only two hours to debate an EU proposal that would lead to a major shift in Irish foreign, defence and financial policy. It has not been discussed in committee and has been subject to no scrutiny in the newspapers or by the public generally. Two hours is way too short a timeframe to deal with the implications of such a significant move and it behoves us to ensure adequate time is allocated. Indeed the proposal should have gone beyond this House. It certainly should, at the very least, have been discussed at committee.

As I understand it, the detail of the proposal has not been circulated to any Member. All we have been told is that the EU proposals for permanent structured defence co-operation are to be discussed for two hours this Thursday. That is a disgrace given the huge commitments involved. We are talking about a requirement, very shortly after signing up to the agreement, for a threefold increase in defence spending. Given the other crises we are facing-----

An Ceann Comhairle: The Deputy cannot go into the details of the proposal.

Deputy Aengus Ó Snodaigh: I am not going into the details. I am saying that we should have the same type of debate on this proposal as we would have when any significant change in our financial commitments is proposed. An additional consideration in this case is that the proposal has implications for our neutrality. In the course of the debate on the Lisbon treaty, a guarantee was given to the public that there would be debate and scrutiny in this House on any proposal to change our position on neutrality. That is not what is happening with this two-hour debate.

Deputy Eamon Ryan: We asked the Government last week for a debate on the PESCO proposals. As I understand it, the Government intends to sign up to the agreement at the European Council meeting on 11 December. This issue is of huge significance to our country and, as such, we should be given more time to debate it. Perhaps the Business Committee might meet later today to discuss how that can be facilitated.

Deputy Brendan Howlin: Any matter that impinges on defence is a matter of great sensitivity for the Members of this House and, more importantly, for the people of this country. We all engaged in a great deal of introspection immediately after the initial defeat of the referendum on the Lisbon treaty. One of the things that became evident at that time was the need for mechanisms in this House to accommodate proper debate such that people can understand proposals in full measure. Whatever one's point of view on a particular issue, there should always be facilitation of a full debate. The idea was that we would have a robust committee system in the House whereby people would be invited in to give evidence, the proceedings would be broadcast, and this House would subsequently come to an informed decision on the matter in question.

Will the Taoiseach, who is also the Minister for Defence, accept the view expressed by so many Deputies in the House today that we should have a proper committee debate on these matters? There is no rush to sign up to the proposals this side of Christmas. I understand there is a request to do so, but we may choose to postpone our signing up until after the event. We must have a proper debate, with experts invited in and cross-examined, after which the House can come to an informed decision. It would be entirely improper to sanction these proposals on the basis of a two-hour debate in which 15 minutes is allocated to each group.

Deputy Seamus Healy: I agree with the concerns expressed by previous speakers. We are seeing an attempt to bulldoze a very significant provision through the House without adequate debate. In fact, not only do we need debate in this House, there also must be widespread public debate on the issue. To proceed as proposed would be hugely damaging to our neutrality and result in its further erosion. It would commit the country to expenditure in this area of 2% per annum, which is some €3 billion. Given the serious issues facing our health, housing and other areas of provision, we should not even be contemplating expenditure of that level on this proposal. The notification for the debate is totally inadequate. There must be full public scrutiny, in this House, in the media and among the public. The matter should be deferred at least until 31 March 2018 to allow for that debate to take place.

Deputy Róisín Shortall: I add my voice to those of colleagues in objecting to the handling of this issue. The Government was aware that several groups and Members in the House had concerns about the PESCO proposals and had requested that adequate time be allowed for proper scrutiny and debate.

There was not agreement at the Business Committee to handle it in this manner. It should go back to the Business Committee to find a satisfactory outcome and not be forced on us like this.

Deputy Micheál Martin: We are quite open to a debate on this. We do not understand why if everybody in the House is of the view that there should be a debate how it has ended up being on the Order Paper as proposed by the Business Committee, I think, but I am subject to correction.

Deputy Richard Boyd Barrett: No it was not proposed.

Deputy Micheál Martin: The climate change debate is only to last for two hours, with eight people to speak for 15 minutes. Only eight people will speak which is hardly adequate for such an important issue. I know people want to wrap up early in the next two weeks, but it seems we cannot concertina everything into eight or nine days. That will be our challenge if we are to have meaningful debate. I accept this issue was always going to require debate. I do not understand how people thought it could go through without debate given the views they have traditionally on issues of this kind in the House. People need to go back to see if they can create time for a debate on this and allow the rest of the business go ahead.

Minister of State at the Department of Defence (Deputy Paul Kehoe): There are rumours that this is threatening our neutrality. That could not be further from the truth. Sweden and Austria, which have neutrality policies similar to ours, have already signed up to PESCO.

Deputy Richard Boyd Barrett: They are trying to end their neutrality as well.

Deputy Paul Kehoe: I have spoken to the Chief Whip. He will allow more time for the debate and I have no doubt that he will communicate with the other Whips to agree a timeframe

on this.

Deputy Clare Daly: What was the decision of the Business Committee?

Deputy Richard Boyd Barrett: It was a motion on PESCO. There it is.

Deputy Mick Wallace: Do away with the Business Committee.

Deputy Paul Kehoe: I was in here last week taking a Topical Issue matter on this specific issue from Deputy Ó Snodaigh and Deputy Lisa Chambers and I am not sure who the other Deputy was-----

Deputy Micheál Martin: Does the Minister of State mean he is not sure who Deputy Lisa Chambers is?

Deputy Aengus Ó Snodaigh: Deputy Crowe.

Deputy Paul Kehoe: I outlined to the House exactly what PESCO is about. I have no problem coming back to the Chamber to debate the matter with the rest of the House.

The Taoiseach: In the interests of debate this is an important topic to discuss and I recommend that the Business Committee reconvene and agree adequate time for a debate. I am sure that can be agreed.

Deputy Eamon Ryan: Ceann Comhairle-----

Deputy Richard Boyd Barrett: Ceann Comhairle-----

An Ceann Comhairle: Let us not have the debate all over again.

Deputy Richard Boyd Barrett: This is not the debate. This is about the Taoiseach's proposal.

Deputy Brendan Howlin: I ask that it be referred to the committee.

An Ceann Comhairle: Does the Deputy mean the Oireachtas Joint Committee on Foreign Affairs, Trade and Defence? Yes. Deputy Boyd Barrett may make a brief point.

Deputy Richard Boyd Barrett: So that we are clear what is being discussed, it is not just the time allowed for a debate but the fact that the Minister of State with responsibility for Defence is proposing a vote this week. That is what we object to.

An Ceann Comhairle: We can debate that at the Business Committee.

Deputy Richard Boyd Barrett: That is not acceptable.

Deputy Eamon Ryan: I fully support what Deputy Howlin says, that this would be brought to the committee so that the Defence Forces and others could come in and explain what is happening rather than rushing it through for the December Council meeting. Would that be possible?

Deputy Brendan Howlin: The Army Chief of Staff could come in.

Deputy Eamon Ryan: This should be put back to give us time to consider it.

An Ceann Comhairle: Let us debate all of those matters at the Business Committee, which is the appropriate place to do that. We will convene that-----

The Taoiseach: It is not the norm that these things would go to a specific committee. I believe there should be adequate time to debate it in the Chamber.

Deputy Seamus Healy: There needs to be a public debate.

Deputy Richard Boyd Barrett: This is massive. It is as big as Brexit.

The Taoiseach: I do not think so.

Deputy Richard Boyd Barrett: It is actually. The Taoiseach does not think so because he supports it.

Deputy Seamus Healy: It is not just a question of debating it in the Chamber or in the committee. It needs a public debate and there needs to be adequate time, several months, to do that.

The Taoiseach: I would not support it if it cost €3 billion.

Deputy Micheál Martin: It is not as big as Brexit.

Deputy Seamus Healy: We are in the run-up to Christmas and this cannot be done properly between now and Christmas. It should be deferred until the new year and given adequate time for a public debate on the issue.

An Ceann Comhairle: The arrangements will be made at a meeting of the Business Committee this afternoon.

Given that there will be a meeting of the Business Committee and subject to its arriving at agreement, is Thursday's business acceptable? Agreed.

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

The Taoiseach: I would like to lead the House in paying tribute to the former Chief Justice, Thomas Finlay, who died at the weekend and was buried today. Over the course of 50 years he made an extraordinary contribution to the law in Ireland in a life devoted to public service. We should also remember that Mr. Justice Finlay served in the Dáil with great distinction in the 1950s. He was an eloquent representative of the people of Dublin South-Central. Throughout his distinguished career, he always showed great sensitivity and skill, whether chairing the tribunal which investigated the hepatitis C scandal, or delivering the landmark judgment in the X case. As Chief Justice, his guiding focus was the vindication of the rights of the citizen and he was praised, for example, for the humane way in which he approached family law cases involving children.

Like all good people, he wore his goodness lightly and he was known for his humility and kindness as well as his fierce intellect. Our sympathies are with his family and friends, including his daughter, Mrs Justice Mary Finlay Geoghegan, who was appointed to the Supreme Court last month. Today we honour a servant of the State, whose greatest virtue was his absolute fairness in the administration of justice.

An Ceann Comhairle: We will stand for a moment's silence.

Members rose.

An Ceann Comhairle: We will move to questions on promised legislation.

Deputy Micheál Martin: I thought we would all get time to pay tribute to a former Member. That would be appropriate to do, and should be separate to the Order of Business.

An Ceann Comhairle: I am afraid it is not scheduled.

Deputy Micheál Martin: I appreciate the Ceann Comhairle's difficulty but we got a phone call to suggest this was happening.

Ar mo shon féin agus ar son mo pháirtí, ba mhaith liom mo chomhbhrón a dhéanamh le clann Thomas Finlay. Is léir dúinn go ndearna sé an-chuid ar son an Stáit. Bhí sé dílis do mhuintir na tíre. He had a long life and achieved many great things during it. He made some fundamental judgments. One of the most significant was the Attorney General v. Hamilton in which the Supreme Court held that the confidentiality of Cabinet discussions was absolute. I know that is a principle that current members of the Cabinet hold very dear indeed. He also ruled in Attorney General v. Hamilton (No. 2) in 1993 about parliamentary privilege. It was an important ruling where the Supreme Court held that Deputies are not amenable to any legal process with regard to utterances they make in the Dáil. Some fundamental judgments were made relating to this House, the role of Cabinet and our overall Government architecture. He gave the leading judgment in the controversial X case. He worked, as the Taoiseach said, on the hepatitis C tribunal of inquiry. To sum up, he left an enduring legacy of public service and, as a Member of this House, both politically and subsequently, in developing jurisprudence, he made a remarkable contribution to Irish life and I express our sympathies to his family, particularly to the recently appointed Supreme Court judge, Mrs Justice Mary Finlay Geoghegan.

Deputy Gerry Adams: Ar mo shon féin agus ar son Shinn Féin, ba mhaith liom comhbhrón a dhéanamh le clann Thomas Finlay, iarPhríomh-Bhreitheamh agus Teachta Dála, a fuair bás dé Domhnaigh. Go ndéana Dia trócaire air. Ní raibh aithne agam ar an Uasal Finlay. I did not know Mr. Justice Finlay. However, he had a long and distinguished career in public office and it is clear from the many expressions of sympathy that he was a hugely respected figure, both as a former Fine Gael Deputy, a member of the Bar, and consequently and subsequently as a Supreme Court judge and Chief Justice, and a member of the Council of State. I want to extend my sympathies and the sympathies of Sinn Féin to his family, especially his children, including Mrs Justice Mary Finlay Geoghegan who was recently appointed to the Supreme Court. Ar dheis Dé go raibh a anam.

Deputy Brendan Howlin: With the Ceann Comhairle's permission, I would like to express my sympathy to the family and friends of those involved in the horrific road traffic accident that occurred in my own constituency of Wexford, on the New Ross road, last night. I empathise with the emergency response personnel, the gardaí and the ambulance crews, and indeed local people who arrived on what was a scene of horror.

I echo the words of the Taoiseach and other leaders in extending our condolences to the family, friends and former colleagues of former Chief Justice, Thomas Finlay. His career was exemplified, as others have said, by distinguished public service. He served the people both as a representative in this Parliament and as an arbiter of justice. As others have said, in his career he was central to some of the most far-reaching judicial decisions of our time. He delivered the leading judgment in the X case and upheld parliamentary privilege in the beef tribunal case

against the former leader of the Labour Party, Mr. Dick Spring. Even in retirement, he continued to serve, including as a sole member of the hepatitis C tribunal. On behalf of the Labour Party, I send our sympathy and condolences to his extended family.

An Ceann Comhairle: If no one else wishes to contribute, we will revert to questions on promised legislation. I call Deputy Micheál Martin.

Deputy Micheál Martin: I have raised with the Taoiseach on a number of occasions during Leaders' Questions and the Order of Business the outstanding moneys that are owed to what are termed section 39 agencies. These include hospices throughout the country and many disability organisations. There is an incontrovertible link between HSE pay scales and the pay scales of employees in those organisations. They were told, and there is a documentary trail, that they were to implement the FEMPI cuts to pay when those cuts happened. Now they are being denied the necessary funding from the Department in respect of restoration of pay as per the new public service pay agreements. This is very unfair and the State is being very cynical in its treatment of hospices and other section 39 bodies. Tomorrow we will have the health Estimates and the health service plan is due next week. The Taoiseach has indicated that he would examine the situation. Will he confirm that tomorrow's Estimates will provide for funding to cover pay restoration for these agencies' employees?

The Taoiseach: I cannot confirm at this stage whether it is covered by the Estimates but the Minister for Finance, Deputy Paschal Donohoe, and the Minister for Health, Deputy Simon Harris, are working through the issue. As is often the case, things are perhaps not as straightforward as they may appear. They discovered that some section 39 organisations reduced pay in line with the FEMPI legislation but others did not. Some were compliant with public sector pay rules but others were not. For example, they were paying some of their senior staff salaries over and above what was allowed under public sector pay rules and this has created a degree of difficulty. However, it is intended that the Minister for Finance and the Minister for Health will work through it as quickly as possible to identify those who were compliant with public sector pay rules and applied the FEMPI cuts and those who did not and to examine whether they have been given an adequate increase to cover that.

Deputy Gerry Adams: Tá ceist agam faoin UN Convention on the Rights of Persons with Disabilities and the Disability (Miscellaneous Provisions) Bill 2016. When I raised this issue with the Taoiseach in September, he said it was the Government's intention to ratify the UN convention by the end of the year and preferably by 3 December, which was the International Day of Persons with Disabilities, but that date has passed without ratification. This morning the media reported that the Minister of State with responsibility for disability issues, Deputy Finian McGrath, who told us a year and a half ago that it would be ratified within six months, was going to Cabinet to ask for an intensification of efforts to do what was promised in September. Will the Taoiseach clarify the outcome of this morning's discussions and his current expectation on ratification?

The Taoiseach: The Deputy will be pleased to know that we are making good progress in this area. We agreed at Cabinet this morning to publish the heads of the Bill on deprivation of liberty. This was one of the next big steps to be taken to allow us to ratify the convention. Cabinet did not get all of its business done this morning so we will reconvene this afternoon. I anticipate that, as a consequence, the Minister of State, Deputy McGrath, will be able to make a positive statement with regard to our ratification of the UN Convention for Persons with Disabilities. I hope we will be able to make that statement in the next couple of days.

Deputy Brendan Howlin: On the same matter, the Taoiseach will be aware that the Disability (Miscellaneous Provisions) Bill passed Second Stage in February. It has been on Committee Stage for nine months. For nine months, we have been awaiting the very thing he has now announced, which is for the Minister of State to bring forward amendments that were promised. When various Members of this House raised the ratification of the convention, we were repeatedly told that, unlike other countries, we do not ratify until all the legislation is in place. The weekend press said that we will have a sort of fake ratification, that is, we would do it in advance of legislation. I, therefore, have two very simple questions for the Taoiseach. Will he confirm that the position held by successive Governments that, in order that they have a meaningful signing, we do not ratify UN conventions until all the legislation provision is in place still holds? Will the Minister of State bring to this House the amendments to deal with the legislative barrier to final ratification before Christmas? I think the Taoiseach will find a willingness across the House to sit on a Monday or whenever the Government might need to do this so that we can formally ratify the convention by the end of this year.

The Taoiseach: The matter is not yet settled but the Minister of State will be able to make a statement on the matter in the coming days.

Deputy Richard Boyd Barrett: For the umpteenth time, the Taoiseach has again today referred to his commitment to social mix in terms of housing. This has been the justification for the, in effect, privatisation plans for approximately 800 publicly owned sites. Up to 60% of those sites will be, in effect, privatised. On the Part V private development requirement to give over 10% for public housing and social mix, is the Taoiseach aware that we received a report on Dún Laoghaire where only three out of eight of the Part V proposals since the legislation was brought in are actually getting that social mix. Developers do not want social housing on-site and this is being allowed. Given its much trumpeted commitment to social mix, will the Government do anything to tighten up the legislation to ensure that private developers of private developments do not get to shove social housing off-site, which completely undermines the so-called commitment to social mix, or is social mix only to be on public sites?

The Taoiseach: I do not have any plans to change legislation in that regard but I share the Deputy's view. I dislike the practice of developers on a large scale buying out their commitment to providing social and affordable housing. I can understand why it might be done in an apartment building of five units or so but in general it is not a good practice.

Deputy Richard Boyd Barrett: Why?

The Taoiseach: It might be a €1 million apartment. It would be better to get three houses than one €1 million apartment. Would it not?

Deputy Danny Healy-Rae: First, I offer my sympathy and condolences to the parents and brother of the late Denise Crowley who tragically lost her life in Glenflesk village last Friday evening. The Minister for Transport, Tourism and Sport, Deputy Shane Ross, is progressing a road traffic Bill through the Dáil. He says it is for the safety of road users rather than making a name for himself. However, I ask him, through the Taoiseach, to ensure that the speed limit reductions which have been promised for places such as Glenflesk village and many other parts of County Kerry for the past nine years take place sooner rather than later and before more lives are lost. Local authorities state that Transport Infrastructure Ireland is responsible and should initiate the speed reduction review but Transport Infrastructure Ireland states that it is the responsibility of local authorities. Will the Taoiseach and the Minister ensure that this speed

limit reduction takes place without delay in all the areas that local authority members, myself included, have been asking for it for the past nine years?

The Taoiseach: The Minister for Transport, Tourism and Sport is in Brussels attending an EU Council meeting but I will ensure that the message is passed on to him.

Deputy Róisín Shortall: Last week the Taoiseach announced a review into the handling of critical emails which went astray in the Department of Justice and Equality and the Department's failure to comply with a disclosure order from the Charleton tribunal. The Taoiseach suggested that the review would be headed up by the Secretary General to the Government. I, as did many others, made the point that this would not be acceptable as it is important that we would have public confidence in such a review. For that reason, it would need to be an independent review carried out by an independent person and not an internal Civil Service review. Has he had time to reflect on that point? Is he now proposing that an independent person will head up that review?

The Taoiseach: I have had time to reflect on it. I heard the arguments the Deputy made and saw the letter she sent to me. The Minister for Justice and Equality, Deputy Flanagan, and I have reflected on and discussed this and we agree that the Deputy is correct. Therefore, we are going to commission an independent senior counsel to carry out the review into why the emails were not sent to the tribunal. We expect to be able to release the name of the person who will carry out that review in the next couple days.

An Ceann Comhairle: That concludes questions on promised legislation. I apologise to the 13 Members whose questions were not reached.

Public Service Pay and Pensions Bill 2017: Financial Resolution

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

That provision be made in relation to the payment of an additional superannuation contribution by public servants in the manner and to the extent specified in the Act giving effect to this Resolution.

Question put and agreed to.

Ceisteanna - Questions

Cabinet Committee Meetings

1. **Deputy Micheál Martin** asked the Taoiseach the Cabinet committee that covers housing and homelessness. [51712/17]

2. **Deputy Gerry Adams** asked the Taoiseach the Cabinet committee that has responsibility for issues pertaining to housing and homelessness; and if he will consider establishing a dedicated Cabinet committee on housing. [50151/17]

3. **Deputy Brendan Howlin** asked the Taoiseach when Cabinet committee D - infrastructure - last met; and when it will meet again. [52000/17]

4. **Deputy Micheál Martin** asked the Taoiseach the Cabinet committee in which transport is discussed. [51996/17]

The Taoiseach: I propose to take Questions Nos. 1 to 4, inclusive, together.

Following the streamlining of the Cabinet committee structures earlier this year, Cabinet committee D was established to cover the areas of housing, climate action, infrastructure investment and delivery, including transport, the national planning framework and the ten-year capital plan. The committee last met on 23 November 2017.

I consider Cabinet committee D to be the appropriate forum to consider housing issues. On housing, the Government has announced a number of additional actions following a review of Rebuilding Ireland. These include measures in budget 2018 to increase expenditure, taxation changes and the establishment of Home Building Finance Ireland to provide additional finance to developers.

The Minister for Housing, Planning and Local Government has also announced further actions in regard to the rental market and the planning system. He has also announced approximately 200 new permanent accommodation spaces as part of this year's cold weather initiative. It is important to point out that these spaces will be permanent. While they are described as being part of a cold weather initiative, they will, of course, still be open in the spring, summer and following winter.

The impact of the Government's policies can be seen in very strong year-on-year increases in planning permissions, housing guarantee registrations, commencement notices and ESB connections.

The Cabinet committee is contributing to the development of the national planning framework and new ten-year capital plan. This long-term approach will provide clarity, coherence and certainty in regard to planning and capital expenditure, including investment in transport.

The ten-year capital plan and national planning framework will also support moving our transport system away from its current carbon-intensive nature to significantly reduce the emissions profile of the transport sector as a whole.

The committee does not have any role in regard to industrial relations matters in the public transport or any other sectors.

Deputy Micheál Martin: Are we taking Questions Nos. 1 to 4 together?

An Ceann Comhairle: Yes.

Deputy Micheál Martin: We need to be clear. The first question is on housing and homelessness. The fourth is on transport and the third is on infrastructure. I would have believed the question on housing would be separate from that on transport. We need to be very careful that we are not amalgamating questions and making it impossible for people to focus on a core issue within the minute and a half they are allowed. This kind of grouping needs to be stopped. The same thing happened last week.

The House is aware that, in the past three years, there has been a long string of announcements on housing and regular claims that the Government is getting on top of the problem. Indeed, the Taoiseach announced at his own party's conference that the Government has a plan and that it is working. This was in sharp contrast with the statement of his Minister, who announced simultaneously that the problem will get worse. Generally speaking, given the claims, no one believes we have turned the corner where housing and homelessness are concerned. The language from the Government has been far too complacent. Unfortunately, people are dying on our streets regularly. People who visit Dublin are shocked at the number of homeless people lying on our streets. House prices continue to escalate. Housing rent comprises a huge proportion of people's salaries, particularly young people who are starting out on the employment ladder. All of us in our clinics are meeting young mothers, with their children, who have gone back to live with their mothers in extremely overcrowded circumstances. They are not on any housing list. They may be on a social housing list but they are not identified as homeless. We need to avoid using any language that suggests the problem is well on the way to being resolved. It is not; it is getting worse. We need to get rid of the spin and the attempt to put some gloss on it. I have never seen the problem as bad.

The number on the social housing list is very high. We now have to say to couples and families that, although they have been on the list for six years, they will have to wait for another four years. That is what is being said to people in Cork. I can imagine what it is like in Dublin. I have been on the doorsteps in Dublin meeting families who have been told they will never get a council house. This is not about the Taoiseach's latest fad, which is distinguishing between social housing and council housing; it is a matter of the inability of people to have any prospects. They cannot get into the rental market. There is considerable human misery as a result of this problem.

I cannot deal with the transport question now. I have two questions tabled.

An Ceann Comhairle: Keep going.

Deputy Micheál Martin: On the transport question, I have a number of points. Can the Taoiseach outline the position on our utilisation of the European Investment Fund and particularly the European Fund for Strategic Investment, known as the Juncker plan? We have apparently secured investment only in primary health care centres under that particular plan. Trenitalia, the national train operator in Italy, has secured a €300 million bond agreement to finance the acquisition of new passenger rolling stock through the Juncker plan. Polish transport has also secured funding to completely modernise and renew its passenger rail fleet. Despite this, I do not believe there is any single transport project that we have put forward that could seek potential funding from the European Fund for Strategic Investment. Could the Taoiseach outline why that is the case? We are still investing far less in critical national infrastructure than we need to be.

Will the Taoiseach confirm when the Minister for Transport, Tourism and Sport, Deputy Shane Ross, will deal with the issue of the second runway at Dublin Airport? It is a critical infrastructural project for the country, never mind the capital. The Minister has really sat on the fence in this regard. We now need decision-making on this core question.

Deputy Gerry Adams: Some 8,000 people are homeless, including 3,000 children. This is a huge indictment of this State. It is a problem that could be rectified by the Government if it had the political will. In addition, we have the spectacle of rough sleepers, as they are called.

I refer to people sleeping on doorsteps, on pavements, in front of shops and, more recently, in secluded places along canals and so on. A number of people have died as a consequence.

One solution would be to expand the Housing First programme. The Taoiseach will know that the programme provides housing to homeless people with complex health needs and also provides wraparound health and social care supports.

The latest available figures suggest 180 tenancies have been created. The Government target was 300. That is not good enough by anybody's standards. The Taoiseach said last week that a national director of Housing First would be appointed shortly. Can he confirm when this will be?

I want to deal briefly with the issue of accommodation for the Traveller community. Will the Taoiseach spell out what steps the Government intends to take to address the significant under-expenditure on Traveller accommodation? So far this year, €5.9 million, out of the budget of €9 million, has not been drawn down by local authorities. That means over half the Traveller accommodation budget for 2016-2017 has not been drawn down. Some counties have failed to draw down any funding at all. Therefore, the Government has a responsibility to intervene in this regard. I did some work on this in my constituency and noted the Government can press ahead with some of these initiatives. Could the Taoiseach update the Dáil on plans to establish an expert group to review the effectiveness of the Traveller accommodation programme and the supporting legislation?

Deputy Brendan Howlin: In the minute and a half I have I wish to focus on the capital plan. The Taoiseach has repeatedly told us that the Government intends to publish a ten-year capital plan. That is a momentous event because it will tie the next two Dáileanna to a capital programme that he and this House will determine. How can we have an input into the plan? I accept that things will be tweaked over time. I do not disagree with what he suggests, but, in essence, it is to have a strategic view for the next decade of our capital needs and what is to be prioritised in the next decade, largely tying the hands of the next two Dáileanna. We had some announcements in the budget by Ministers who indicated some of their plans. A few of them have announced four-year projects. I have looked at the Exchequer returns for November and see a net capital underspend of €455 million against profile by the end of November. That is a shocking figure of almost 13% against profile. If there is such a calamitous shortage, as I believe there is, in capital expenditure, we should certainly be spending what we have voted at the rate profiled by the Department of Public Expenditure and Reform. Is the Taoiseach confident that all voted expenditure will be fully utilised in this calendar year, but, more importantly, what mechanisms is he proposing to ensure all of us will have a democratic input into a ten-year capital plan and that people outside the House will also have an input in an open and transparent way?

Deputy Richard Boyd Barrett: I again refer to the question I asked earlier about housing. It is not acceptable that, on the one hand, we are planning to have a social mix to privatise 800 publicly owned sites, with up to 60% in many of the plans being given over for some form of private housing, whereas the miserable 10% on private sites, supposedly under the guise of a social mix, now turns out to be not even 10%. The Taoiseach has said he has no plans to introduce legislation on the matter. Why is there a different set of rules for a social mix when it comes to private sites? Because private developers want more profit from the sites we are letting them shove social housing off-site or to segregate it in one part of the development, as is happening on big sites where the housing is often smaller. In one case in Dún Laoghaire

reported on yesterday the reason given for social housing being off-site is the houses were too big. I know big families who have been waiting for years to get into big houses, but the council stated it did not have any big council house. However, it then refuses to meet or does not insist on meeting the Part V requirement for big houses that could be used to house these families. That is totally unacceptable.

The Taoiseach: On housing and homelessness which are not the same problem, although they are very much interlinked, we do have a plan and it is working, but it will take time and there will be setbacks. It is very similar to the unemployment crisis we faced five or six years ago, or the mortgage arrears crisis that we faced in recent years. If one puts in place the right policies, sticks by them and drives them through, one will see progress, but we are far from turning the corner yet. However, we will reach that point and will have progressive improvements thereafter.

On rough sleeping and homelessness, the position is getting worse. There is no denying it and I will not do so, but we have made some minor progress in some areas. For example, the number of families accommodated in bed and breakfast accommodation and hotels is down from its peak in March, which is due to two things, namely, the family hubs which provide much more appropriate accommodation for families and also the provision of additional social housing and social tenancies for many families who have exited homelessness. While people are entering homelessness at very rapid rates, others are exiting it also at much more rapid rates than was the case heretofore. We are seeing at least some evidence of a levelling off in Dublin in the rate of family homelessness, with no or small increases in recent months. I do not say that is something to be celebrated, but it is to be noted.

We have managed to ensure emergency accommodation is available for any family and child who needs it. From 18 December there will be 200 additional permanent beds for rough sleepers in Dublin. That means that unless there is a big increase in the number of rough sleepers for some reason, there will be enough beds available each night. They are single beds in two-bed rooms for those who need them, thus providing shelter and allowing people not to have to sleep rough.

To pick up on the question from Deputy Gerry Adams on Housing First, yes we are expanding it. There have been 180 tenancies. It is the way to go when it comes to dealing with rough sleeping. It has shown some real results because rough sleeping is about so much more than accommodation; it is also about addiction, mental health, often family breakdown, physical health and lots of other issues. Often people struggle to hang onto a tenancy or a home, even when they get one and the supports provided through Housing First seem to be showing some real results. A total of 180 people have moved from rough sleeping into secure, sheltered, safe accommodation under the programme. We have agreed, at the instigation of the NGOs and other homelessness charities, to create a director of Housing First. I do not have a date for that appointment, but I know that it is imminent. We certainly have a long way to go. Nonetheless, the amount of social housing being built and provided is increasing. The number of private homes being built is increasing and it will take a few years to get on top of the issue. I do not accept the view from experts saying it will take ten years. The Government does not accept that position. We want the problem to get better rather than worse much sooner than that.

On the Juncker plan, I will have to check the position and get back to the Deputy. I am not entirely up to date on the extent to which we have drawn down funding under the Juncker plan. The last time I looked at it we had loans rather than grants and loans have to be repaid. We

are able to borrow very cheaply on the existing financial markets and also from the European Investment Bank. Luas cross city which will carry passengers for the first time this weekend was in large part funded through a very low cost loan from the European Investment Bank and in the next couple of days it will sign the contract to part-fund the new national children's hospital. We are availing of many cheap loans from the bank, but I am not sure whether they fall under the Juncker plan or whether they are less expensive than loans offered under the plan. I will have to double-check.

I was not aware that we had a capital underspend of €400 million. I am confident that there will not be a significant capital underspend this year. Last week or the previous week the Cabinet allocated a Supplementary Estimate for the Department of Housing, Planning and Local Government for an extra €100 million in capital spending this year over and above what had been budgeted because local authorities are finally starting to ramp up their construction and acquisition of housing and ahead of themselves, which is encouraging. Therefore, we had to find extra money to make sure the bills would be paid this year and that there would be no slowdown in housing construction. Given the planned increase in capital spending by 70% in the next three or four years, we will need to bear in mind that we may run into some problems that we last had when capital spending was relatively high, namely, a risk of construction inflation becoming an issue where we would end up getting less for the same amount of money every year and running into capacity constraints in terms of having the required qualified people, from architects and planners to brickies and engineers. That is not yet a problem, but it may well become one. When one tries to ramp up capital spending by such a considerable amount so quickly, it is possible that one will run into capacity constraints as we did during the boom period over ten years ago.

The national planning framework is linked with the capital plan. They are two separate documents, but they will be tied together for obvious reasons. There has been a lengthy public consultation process on the national planning framework. A huge amount of the capital plan will comprise projects that are already in the pipeline or on which consultation has taken place, for example, in the transport sector. Transport Infrastructure Ireland and the National Transport Authority already have a greater Dublin area strategy running out to 2035. Many of the projects that will be in the capital plan already exist in unfunded plans on which there has been consultation. Certainly, any input from Deputies is most welcome.

National Economic and Social Council

5. **Deputy Gerry Adams** asked the Taoiseach if he will report on the work of the National Economic and Social Council; and the status of the intended reforms of the NESC. [50383/17]

6. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his Department's work with the National Economic and Social Council. [51718/17]

The Taoiseach: I propose to take Questions Nos. 5 and 6 together.

The National Economic and Social Council has played an important role over many decades in developing shared understanding between Government and other stakeholders on economic and social policy and, more recently, on sustainable development. Over the coming years, Ireland faces into a period of significant change at home and abroad that will present some new and exceptional challenges. The Programme for a Partnership Government specifically notes

the policy challenges where long-term thinking is required. I expect the council to continue to contribute to policy development with a focus on the strategic and longer-term view.

A new council was appointed in May. Four independent members remain to be appointed. I have decided this is to be done through the Public Appointments Service process. The council has adjusted its working measures and methods, with fewer plenary meetings, greater use of working or project groups and more structured engagements with policy actors, interests and commentators.

The council published its most recent report, *Moving Towards the Circular Economy in Ireland*, on 25 October. The council has approved a work programme up to 2019 comprising three themes. The first relates to low-work-intensity households, quality tailored services and participation. The second relates to climate change and governance of the low-carbon transition. The third relates to land value, land use and urban development. Work on each of these themes is progressing and will be reviewed at the forthcoming council meetings. As is normal practice, I will submit the council's reports to Government for information before they are published.

Deputy Gerry Adams: It is not clear, although perhaps I missed it, whether the National Economic and Social Development Office has been stood down. The legislation around the National Economic and Social Development Office and the establishment of the NESC as the remaining statutory body has been listed as part of the Government legislative programme since 2013. Will the Taoiseach set out precisely when this will be completed?

The NESC also has responsibility for supporting the North East Inner City initiative. One of the key recommendations of Kieran Mulvey's report on the challenges facing communities related to the maximising of educational, training and employment opportunities. The involvement of organisations such as the Dublin City Community Co-operative is crucial to the achievement of the Mulvey report objectives. Despite this reality, the 2018 funding for the 13 organisations under the co-operative umbrella remains in doubt. There has been no confirmation of what amount, if any, of the annual transitional funding will be provided for the co-operative for 2018. These are vital organisations in the local community. They are the cement that holds some of these communities together. Yet, their funding remains precarious. If they are not properly funded and are unable to deliver services, then we will be letting down the people they serve.

Will the Taoiseach follow up on this and get his answers from the Minister for Rural and Community Development to secure clarity on the funding intentions for the Dublin City Community Co-operative for 2018?

An Ceann Comhairle: Deputy Boyd Barrett is next. Can Deputies try to stick within the allocated time to enable us to get through everyone?

Deputy Richard Boyd Barrett: NESC has done considerable work on housing in recent years. I can suggest one area where we need to do considerable work. The Government needs to do something on the issue of affordability and NESC could possibly be a vehicle. We still do not have any real plan for affordable housing. We have a market where prices are spiralling out of all control and where much of the funding the Government has put, wrongly, to my mind, into the Local Infrastructure Housing Activation Fund and so on is simply money going to subsidise private developers, but with no guarantees whatsoever over the affordability of the housing that comes back. We need some actual affordability when it comes to delivering af-

fordable housing. Otherwise, as was the case with the Celtic tiger property boom, we will have vast numbers of houses but only on offer at vastly inflated prices that no one can afford or that people are required to take on unsustainable debt if they wish to purchase.

Deputy Micheál Martin: Earlier this year, NESC produced a detailed research paper relating to the development of infrastructure plans and the levels of consultation that represent good practice. Has the Taoiseach implemented the plan in this way in preparing for the new capital plan and the national marketing plan?

In every study of the Irish economy, whether public or private, there has been an absolutely consistent message about our need to go further on the knowledge base of our economy. In particular, we need to further ramp up research at every level - that is a universal recommendation.

Unfortunately, for the first time in 20 years, it appears the Government is abandoning the vision of a research-intensive economy. The budget did little more than allow small progress. Different Ministers have admitted that we will miss agreed targets for research activity under the current science strategy. That is regrettable. This makes the current Administration the first to fail to hit three such targets and the first to plan for failure in the opening period of a science strategy. Can the Taoiseach explain why this is the case? Why did the Government agree to effectively abandon targets for levels of funding and activity in research in its first budget?

Deputy Brendan Howlin: One area where NESC has been helpful and successful in the past is sustainable development. The Taoiseach referenced the NESC work programme. Will he indicate whether the council intends to take on any work in respect of climate change? When a former Minister and current EU Commissioner - someone the Taoiseach knows well - is calling on Ireland to wake up soon, we know it is time for us to take drastic action. Otherwise, as I have said previously, we are sleepwalking into a situation where substantial fines might be imposed on us. It makes no sense not to prepare to mitigate the effects of greenhouse gases but opt to prepare to pay fines instead. NESC might have some useful advice if it was tasked specifically with that job. I am keen to hear the Taoiseach's views.

Deputy Eamon Ryan: I agree on that last point. NESC has done some good work on climate change. The council has shown far more ambition than the Government. The Taoiseach says these are all long-term issues. How will the council's work in climate change co-ordinate with the work done by the national dialogue on climate action, the planning framework and the capital plan? This is a long-term problem but we need the right decisions and a change of course now.

I endorse Deputy Martin's point about the infrastructure commission. I understand the IMF recommended something similar in its recent report on public expenditure. Will the Taoiseach briefly outline his view of the role of the executive in NESC? The Taoiseach has set out what the council is doing. Does he envisage an expanded role, additional resources or a more precise role for the executive other than simply servicing the council? What use does the Taoiseach intend to make of the executive in this area?

The Taoiseach: I will start towards the end of the questions on climate change and the NESC. One of the three themes that the council will pursue in its workplan through 2018 is climate change, especially the governance of low-carbon transition. I was asked about the actions the Government is taking. I agree we need to do far more than we are doing at present. The capital plan will contain many actions and commitments relating to climate change, including

in the area of public transport. These include transitioning away from the bus fleet as we fuel it currently, electrifying some of our railways, further investment in forestry and so on. Budget 2018 included new incentives to encourage more people to buy or lease electric vehicles.

The views of different parties are relevant, either in the context of the confidence and supply agreement with Fianna Fáil or Opposition parties in general. I am keen to have consensus on carbon taxation. I think we need to increase carbon tax in the coming years. If we could secure cross-party agreement to do that in a stepped way in the next couple of years, I would certainly be willing to do so and have that conversation with the parties.

The Minister for Communications, Climate Action and Environment, Deputy Denis Naughten, is working on a number of initiatives which I hope he will be able to publicise in the coming weeks and months. They focus in particular on the renewable heat programme, the better and warmer homes scheme, the insulation programme and-----

Deputy Brendan Howlin: The Government may need to come up with a name other than the renewable heat programme.

The Taoiseach: I will ensure it is called something else. Windscale and Sellafield were different names for the same plant, albeit with many more safeguards. The Minister will also publicise other actions, particularly regarding price supports for solar power and other forms of renewable energy.

On the National Economic and Social Development Office Bill, work is under way to prepare heads of the Bill and these will be brought to Government in early course. The Bill will provide for the dissolution of the National Economic and Social Development Office, NESDO, and deal with related matters, including the transfer of functions to the National Economic and Social Council, NESC. NESDO was initially created under the National Economic and Social Development Office Act 2006 as the body corporate for three constituent bodies, the National Economic and Social Council, National Economic and Social Forum, NESF, and National Centre for Partnership and Performance, NCPP. As NESF and the NCPP were dissolved by order in 2010, leaving NESC as the only remaining body, the framework of the NESDO was consequently no longer necessary.

It is important when discussing affordability that we view the issue in terms of a triangle. There are three types of affordability, namely, affordability to rent, buy and build. Examples of measures the Government is taking in this area include a new affordable housing scheme. The Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, should be in a position to publish the details of the new scheme soon. The current scheme dates from 2010 or 2011 and is out of date and the Minister will advance the new scheme in the new year. We are also changing the planning regulations, particularly regarding apartment building in cities to make it much less expensive to build apartments, thereby generating more construction of apartments. We have worked into programmes such as the local infrastructure housing activation fund, LIHAF, a requirement to provide a proportion of affordable housing in any developments that are made possible as a result of LIHAF.

Deputy Richard Boyd Barrett: The requirement is poorly defined.

The Taoiseach: Home Building Finance Ireland, HBFI, has not yet started but when it starts it will certainly not be a subsidy as Deputy Boyd Barrett described it. It is a loan and developers who receive development finance from HBFI will have to repay their loans with interest.

Rather than being a subsidy, it will generate a return for taxpayers through cash repayments on the loans and a social return in terms of new housing that perhaps would not otherwise be built.

On the north inner city, Mr. Kieran Mulvey recommended a wide range of actions to advance the social and economic regeneration of the area and the Government is committed to implementing these in full. As recommended, a programme implementation body was established last June comprising representatives of the statutory, community and business sectors. The board is led by Mr. Michael Stone and is being supported in its work by the local programme office established in Sean McDermott Street. The chair of the board reports regularly to an oversight group of senior officials chaired by Mr. Martin Fraser, the Secretary General of my Department. This is to ensure continued strong engagement across all Departments and agencies and to deal with any structural barriers and issues highlighted by the board. I will continue to ensure ministerial oversight and support of this initiative is provided through the Cabinet committee system.

Since its first meeting in June, the board has moved quickly to establish four dedicated subgroups to advance specific measures on the priority areas of crime and drugs, education, training and employment opportunities, services for families and young people and physical improvements. The board implemented a number of proposals across the four priority headings in 2015 at a cost of €2.5 million. This is in addition to the range of local measures implemented in 2016, which were worth approximately €5 million. Further measures will be developed and supported in 2018, with funding of €2.5 million set to be provided through the RAPID programme. To ensure the wider community is involved in the process, the first in a series of community consultation events took place in Larkin community centre on 19 October. We have also confirmed our full commitment to reopening Fitzgibbon Street Garda station following a programme of refurbishment works for which a planning application has been made.

We are also fully behind the development of a community hub on the Rutland Street school site. This is being overseen by Dublin City Council, which is finalising costs. Examples of other specific projects that have been delivered include new and refurbished sporting facilities; new outreach workers targeting street dealing who have been in place since September last; the appointment by the Department of Employment and Social Protection of a full-time case officer dedicated to securing job opportunities from local employers; a new construction skills course, which has run several times and secured employment for local participants; the development of a local project to tackle the major problem of litter and dumping in the area; continued improvements by Dublin City Council to lighting, roads and hoardings; the award of community grants totalling €123,000 to 40 small local projects; closed circuit television, which is at an advanced stage of approval, to be installed at 13 sites across the north inner city; and a programme of clean-up works under way on local railway bridges and the canal bank in co-operation with Irish Rail.

Cabinet Committees

7. **Deputy Joan Burton** asked the Taoiseach if he will report on Cabinet committee A - economy. [49177/17]

8. **Deputy Brendan Howlin** asked the Taoiseach when Cabinet committee A - economy - will next meet. [50202/17]

9. **Deputy Gerry Adams** asked the Taoiseach when Cabinet committee A - economy - last met; when it is scheduled to meet again; and if he will report on its work. [50384/17]

10. **Deputy Micheál Martin** asked the Taoiseach if he will report on Cabinet committee A - economy. [51711/17]

11. **Deputy Richard Boyd Barrett** asked the Taoiseach when Cabinet committee A - economy - will next meet. [51719/17]

The Taoiseach: I propose to take Questions Nos. 7 to 11 together.

Cabinet committee A held its first meeting on 12 September. The Cabinet committee's focus will be on economic issues, including the implementation of the Action Plan for Jobs 2017 and preparation of a new, more focused action plan for next year; labour market policies, including the implementation of pathways to work and responding to emerging skills pressures; competitiveness and productivity challenges for business; rural affairs and the implementation of the Action Plan for Rural Development; and the development of a roadmap for pensions reform. I expect to see further progress in all these areas in the coming months, building on the measures announced in budget 2018 and brought or being brought through the Houses in legislation, including the Finance Act, Social Welfare Bill and Appropriations Bill.

Responsibility for rural affairs policy rests with the Minister for Community and Rural Development. However, as this is a priority issue for the Government, my Department will support implementation of the action plan through the Cabinet committee and associated senior officials group. The most recent meeting took place on 23 November and the next meeting has not yet been scheduled.

An Leas-Cheann Comhairle: As there are nine minutes left and five Deputies have tabled questions in this group, each speaker must confine his or her contribution to one minute.

Deputy Joan Burton: The country is taking a reputational hit in two areas of the economy. The first area, precarious jobs, makes a mockery of the republic of opportunity and highlights the Government's failure for months to publish the report on bogus self-employment. The second area, corporation tax, is causing serious reputational damage to the country. The Revenue Commissioners admit that certain large corporations, which are global in scale, do not pay any corporation tax. In addition, four banks, including Bank of Ireland and Allied Irish Banks, announced last week that they are sharing tax loss assets of €5.5 billion between them. Will the Taoiseach accept that Ireland needs a new narrative on corporation tax? We need a minimum effective corporation tax rate. We must also address the use of losses and loopholes by institutions such as banks.

Deputy Brendan Howlin: On Monday, the Irish Congress of Trade Unions, ICTU, published a ground-breaking report on precarious work entitled, *Insecure and Uncertain: Precarious Work in the Republic of Ireland and Northern Ireland*. The report found that 160,000 people or 8% of the workforce are experiencing significant variations in their hours of work from week to week. This has serious ramifications for workers' lifestyles and work and life planning. Progress on the Bill to address zero-hour and if-and-when contracts has been painfully slow. When will we see action on these issues? Two weeks ago, I asked when the report commissioned by the then Minister, Deputy Burton, would be published. I was told it would be published imminently. When will we see it?

Deputy Gerry Adams: I also want to raise the issue of precarious work. That is essentially work that is insecure and unpredictable, including low-paid work, work with limited or no benefits and work in unsafe and unhealthy workplaces. I understand that in this institution some staff are also on short-term low-hours contracts. Here, in the Parliament of the State, that is the sort of example that we are setting. Sinn Féin has a banded hours Bill that will address many of the issues involved. It has been subject to intense pre-legislative scrutiny at committee. It is ready for amendments but it has been held up by the Department of the Taoiseach. Will the Taoiseach accept that this issue needs to be resolved and clear the way for Sinn Féin's Banded Hours Contract Bill 2016 to proceed to committee for amendments?

Deputy Micheál Martin: It is a year since we were told the new capital investment plan was nearly ready and would run up to 2021. Since then, the plan has been repeatedly delayed and the Taoiseach has announced it will claim to be a plan for the period up to 2027. For the first time in the history of such plans, the Government is proposing to announce and then sell, via a multi-million euro marketing campaign, a plan in which projects will not be planned, agreed or funded for many years. There is an element of cynical political manoeuvring going on in relation to this plan. It is the intention of Ministers to tour the country announcing projects that could be ten or 15 years out. I am aware of where people have been approached to hurry up and submit a plan in time. I was even asked would I agree to the plan for a major piece of infrastructure so that it could get considered. In other words, people want local announcements. It would be a worry that people are trying to get pet projects in and that the level of quality being attached to the process is diminishing as we get closer to the announcement date.

I am with the other Members of the House on the insecure employment and precarious jobs issue. We are awaiting legislation on that. We were promised it.

Income tax returns are not in "alignment", to use the word of the moment, with employment. That has been a feature for a while. Is there any deep analysis coming from the Department of Finance in that regard?

I could go on, a Leas-Cheann Comhairle. I was denied on the first two questions. My two were lumped into one.

The broadband issue has not gone away. I would say on the national spatial plan-----

An Leas-Cheann Comhairle: There will be no time for answers.

Deputy Micheál Martin: We need to reflect on the spatial plan because it is putting limits on development in towns across the country.

An Leas-Cheann Comhairle: There will be no time for answers. I have to be fair. I call Deputy Boyd Barrett.

Deputy Richard Boyd Barrett: The Taoiseach complained about constraints in terms of capacity to deliver housing but the ICTU report confirms something that most of us know anecdotally. Significant numbers of people who formerly worked in construction will not work in construction because of rampant bogus self-employment and the poor conditions and pay of employment for construction workers. If the Taoiseach wants to deal with capacity problems in housing construction, he should deal with bogus self-employment, precarious work and poor conditions of employment in construction.

On the corporate tax issue, I attended yesterday an event organised by Oxfam, Trócaire, Christian Aid and other development NGOs, all of which stated categorically that we fitted - in fact we are top of the league table - the criteria of a conduit for tax havens and aggressive tax avoidance by big multinationals and had spearheaded what is now a rapid race to the bottom in terms of corporations not paying their fair share of tax across Europe.

An Leas-Cheann Comhairle: The Taoiseach has two and a half minutes.

The Taoiseach: Deputies will be pleased to hear that this morning the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, received approval from Cabinet to publish the employment (miscellaneous provisions) Bill. The Bill will be published in the next few days. It delivers on the programme for Government commitment to tackle some of the problems caused by casualisation of work and to strengthen the regulation of precarious work. The key objective of this important legislation is to improve security and predictability of working hours for employees on insecure contracts and those with variable hours and to outlaw zero-hour contracts in most cases. Cabinet approval for that Bill was granted this morning and we expect the Minister, Deputy Regina Doherty, will publish it in the next few days.

Some of the commentary and analysis regarding changes to work patterns is not fully borne out by the facts. In the last number of quarters, the number of employees in part-time employment has fallen whereas the number of employees in full-time employment is increasing. That is not surprising. Initially, when a country comes out of a recession, when it comes out of a severe unemployment crisis, new part-time jobs are created and over time those part-time jobs become full time, and that is why the number of part-time jobs is now falling and the number of full-time jobs is now increasing again. We need to bear in mind that part-time work is not necessarily always a bad thing. Some people want to work part time and have their own reasons for doing so.

In terms of temporary employment, the most recent statistics show that the percentage of employees in temporary employment stood at 7.2% in 2008. That rose to 8.7% in 2011 and has fallen back to 7.1% in 2016. While the number of temporary employees overall may have increased because there are more people working, the percentage of the workforce in temporary employment is lower than it was eight years ago. That is an important fact for people to be aware of.

Similarly, the number of employees who are self-employed is increasing. As employment increases, as the population grows, more people establish their own businesses or professions. The percentage of the total workforce in self-employment was 10.3% in 2008. That rose to 11.3% in 2011 and fell back to 10.4% in 2016. The percentage of the workforce in self-employment is only 0.1% higher than it was eight years ago. These are facts that people need to be aware of.

Of course, the numbers are increasing because there are more people in the country and there are more people at work, but the percentage of the workforce who are self-employed, in part-time employment or in temporary employment is not increasing. Being in part-time employment or being self-employed is not a bad thing. In my view, it can be good for many people.

There are different ways to deal with the changes in the world of work. Thirty or 40 years ago, people might have hoped to get a job with a company, to be made permanent, to stay work-

ing with that company for their entire lives and to have a pension paid for by that company. Work has changed fundamentally in the past 30 or 40 years. I believe most people now in their 20s or 30s will work for a number of different employers. They may be self-employed for a period of time - often by choice, sometimes perhaps not. They will probably work in more than one or two countries. What we need to do is approach that in a modern way. One can try the reaction, which is to try and ban new forms of employment which is not the right way to go, or restrict immigration or restrict people from travelling to take up jobs elsewhere, or one can embrace the fact that economies evolve and societies change and adapt labour laws accordingly, not to ban these new forms of employment but to provide better social protection ensuring that everyone is covered by the social insurance system. That is why we have extended so many benefits to the self-employed that were not there previously. It is also why we want to bring in auto-enrolment for pensions to ensure that everyone pays in to a pension fund and can carry that pension fund with him or her as he or she moves from job to job, in and out of employment and self-employment and from country to country.

Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputies John Lahart and Seán Crowe - the funding of the Tallaght drug and alcohol task force; (2) Deputy David Cullinane - child psychology services in the Waterford area; (3) Deputy Éamon Ó Cuív - funding for Traveller specific issues highlighted in the Traveller community survey; (4) Deputy Thomas P. Broughan - the problem of joyriding and anti-social behaviour in Dublin Bay North; (5) Deputy Niamh Smyth - the need to address the farming fodder crisis; (6) Deputy James Lawless - the need to discuss decisions on the Leixlip and Celbridge local area plans; (7) Deputies Eoin Ó Broin, John Curran and Anne Rabbitte - the recent decision to withdraw the overage exemption from the ECCE scheme in 2018; (8) Deputy Frank O'Rourke - the deployment of Garda resources to tackle the crime wave ahead of the Christmas period; (9) Deputy Peter Burke - the garda numbers at Edgeworthstown station, County Longford; (10) Deputy Brian Stanley - the need to discuss flood prevention measures in Mountmellick and other areas of Laois; (11) Deputy Mattie McGrath - the challenges in operation at the Court of Appeal; (12) Deputy John Brassil - the provision of the Respreeza drug; (13) Deputy Noel Rock - the new urban development of Scribblestown, County Dublin; (14) Deputy Mick Wallace - the NAMA policy of deleting emails of former staff; (15) Deputy Gino Kenny - the ratification of the UN Convention on the Rights of Persons with Disabilities; (16) Deputy Pat Buckley - the need for road infrastructure investment in east Cork; (17) Deputy Richard Boyd Barrett - the US Supreme Court ruling on President Trump's travel ban; (18) Deputy Brid Smith - the impact on homeless persons of Waterways Ireland activities at the Royal Canal; (19) Deputy Clare Daly - the reimbursement of Respreeza medication by the HSE; (20) Deputy Donnchadh Ó Laoghaire - the advertisement of positions on community employment schemes; and (21) Deputy Martin Heydon - the urgent need for secondary school special needs places in Newbridge County Kildare.

The matters raised by Deputies John Lahart and Seán Crowe, James Lawless, Peter Burke, and Gino Kenny have been selected for discussion.

Ceisteanna - Questions (Resumed)

Priority Questions

Magdalen Laundries

38. **Deputy Jim O’Callaghan** asked the Minister for Justice and Equality the steps his Department plans to take on foot of the recommendations of the Ombudsman’s report on the Magdalene restorative justice scheme; and if he will make a statement on the matter. [51989/17]

Deputy Jim O’Callaghan: The Minister will be aware that less than two weeks ago the Ombudsman published his report, entitled Opportunity Lost, on the administration of the Magdalen restorative justice scheme. Unfortunately, the report concludes that the manner in which the scheme has been administered by the Department constitutes maladministration within the meaning of section 4 of the Ombudsman Act 1980 as amended. Following the launch of the report, the Minister stated that full and careful consideration would now be given to all the recommendations in the report. I would like to know what the Minister intends to do about it.

Minister for Justice and Equality (Deputy Charles Flanagan): As I have previously indicated, both I and my Department are giving full and detailed consideration to each of the four recommendations made by the Ombudsman in his report published on 23 November.

It is important to note that the existing scheme remains open. To date, 684 applicants to the Magdalen scheme have received their *ex gratia* payments from my Department’s Vote at a cost of over €25 million. The terms of the scheme recommended to Government by Mr. Justice Quirke included the payment of lump sums in a range from €11,500 to €100,000, special access to health care, upgrading of pension entitlements to the full State pension for those who had reached retirement age and the payment of a weekly sum of €100, inclusive of other State payments to others.

The Ombudsman has recommended that women who lack capacity should be made wards of court. I can inform the Deputy that this policy was already being pursued by the Department, which is now considering whether any further measures can be taken in this regard in the light of the details of the Ombudsman’s recommendation. It was recommended that there should be a review of any cases where there has been a dispute over length of stay. No particular difficulty is foreseen with this recommendation and my Department is exploring the options for conducting such a review. It was further recommended that guidance should be developed centrally on future restorative justice or redress schemes and my Department will be pursuing this recommendation with the Departments likely to be responsible for any such schemes.

The recommendation of the Ombudsman to include certain industrial schools and training centres within the scheme, notwithstanding the fact that applicants may have already received payments under the residential institutions redress scheme, raises a number of issues. I am sure Deputy O’Callaghan will agree that these are matters of some substance. As part of the consideration of this recommendation, my Department is seeking to clarify all the issues concerned and will assess the administrative, resource and legal implications.

Deputy Jim O’Callaghan: We can all agree that the incarceration of women in Magdalen laundries was one of the most shameful periods of Irish history. It reflected badly on all aspects of Irish society. However, on 19 February 2013, it looked like we had turned over a new leaf with the then Taoiseach, Deputy Enda Kenny, issuing a public and heartfelt apology on behalf of the State to the women who were incarcerated. After that, a scheme was established for the purpose of facilitating compensation for these women. Such compensation was small, reflective not of the extent of their suffering but of the fact that the State recognised that it had done wrong.

When one looks at the criticisms in the report prepared by the Ombudsman, it is very clear that there are significant failings in the scheme. We note that the Department operated on the basis that only women who could demonstrate through available records that they had been officially recorded as having been admitted to one of the 12 named institutions were eligible. We need to stop relying upon the reports of the institutions themselves and to take into account the evidence of the women. We also note that the report was critical of the Department’s over reliance on the records of the congregations and that applicants fared better when they had greater capacity to pursue their application and to suggest avenues for research. We need to ensure that all individuals who were incarcerated and who were the victims of this shameful period in our history are eligible for the scheme.

I ask the Minister to outline when the four recommendations of the Ombudsman will be implemented.

Deputy Charles Flanagan: I can assure the Deputy that the matter is receiving ongoing, due and careful consideration. While I acknowledge that the Ombudsman’s report was critical, I must also say that I have been told that the scheme was administered by the staff of the Department of Justice and Equality with compassion and unstinting dedication. Staff of the Department have been praised on a regular basis by applicants for the manner in which they have undertaken their work in order to ensure that issues were dealt with properly.

The principal recommendation is that my Department should fully reconsider, with a view towards admitting to the scheme, the application of any woman who worked in one of the listed laundries but was not officially recorded as having been admitted to a training centre or industrial school located in the same building, attached to or located on the grounds of one of the laundries. Deputy O’Callaghan will accept that a series of issues arises as to the scope, purpose and administration of the scheme. The question of double payments arises because the recommendation of the Ombudsman refers to applications already received from women who were in a training or industrial school located on the same grounds as one of the 12 named institutions. However, I wish to assure the House that all of these issues are under consideration with a view to having matters resolved at the earliest opportunity. I would be happy to keep both the Deputy and the House fully informed but these are not issues that can be dealt with overnight.

Deputy Jim O’Callaghan: One of the proposals that the Ombudsman has reluctantly accepted is the one from the Department that women who lack capacity should be made wards of court. However, it is important that we do not allow that process to proceed in a very slow and difficult manner from the point of view of the applicants. I suggest that the Minister proactively provides practical support to those women who are seeking to be made wards of court so that their applications can be made promptly. The Department should work closely with the Courts Service to ensure that any wardship applications are processed in a timely and sensitive manner. Otherwise, the wardship application process will drag on. In many instances we are talking

about women who are in their elder years and they need to have this process finalised as soon as possible. The State should be assisting them with their wards of court applications.

In order to ensure that any future restorative justice or redress schemes benefit from the learning from the operation of this and other schemes, guidance should be produced in respect of the development and operation of such schemes generally.

Deputy Charles Flanagan: To date, 830 applications have been received and of these, 694 have been paid an award. A total of 106 applications were refused because the applicants were not admitted to and working in one of the 12 named institutions covered by the scheme.

The Deputy raises the issue of lack of capacity in particular. I readily accept that there has been a delay in making payments to certain women where there have been issues as to capacity and vulnerability. In some cases the applicants were vulnerable to a form of financial exploitation. In that context, the Assisted Decision-Making (Capacity) Act is relevant. It was felt that the passage of the then Assisted Decision-Making (Capacity) Bill in 2015 would provide an appropriate vehicle but new administrative processes and support measures, including the setting up of the decision support service within the Mental Health Commission, must be in place before the substantive provisions of the Act can be commenced. That said, I have noted what Deputy O’Callaghan has said and wish to assure the House that every effort will be made to deal with the recommendations of the Ombudsman. I am happy to report progress as matters are addressed.

Garda Commissioner Appointment

39. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality his views on the appointment process for the position of Garda Commissioner; if he has considered the concerns expressed by the Commission on the Future of Policing about making such an appointment before the commission has finished its work; and his further views on whether it might be premature to make such an appointment before that process is completed. [51979/17]

Deputy Donnchadh Ó Laoghaire: My question relates to the Commission on the Future of Policing. The Minister and his Government have put a great deal of store by the commission in terms of the reform of policing and justice more generally and in its ability to deliver significant change. If the commission is to deliver the kind of change hoped for by the Government, it is essential that it be given the proper space and time it deserves to finish its deliberations.

Deputy Charles Flanagan: The Policing Authority under section 9 of the Garda Síochána Act 2005, as amended, has responsibility for nominating persons for appointment by the Government to the post of Garda Commissioner. In the meantime, we have an excellent acting Commissioner in Dónall Ó Cualáin who is exercising the full powers of a Garda Commissioner.

This will be the first time that the new legislative process is utilised and I have consulted with the chair of the authority about a process to identify and appoint a permanent Commissioner to An Garda Síochána. We are agreed that it is crucial that a deliberate and considered recruitment process takes place so that the best possible candidate is appointed following a selection process. We are also agreed that an excessive delay in the appointment of a new Commissioner would not be optimal for the organisation in terms of performance and morale.

As I have previously stated the authority has, over the past number of months, undertaken some essential ground work for the recruitment process in advance of the formal triggering of the statutory process by Government. This work has included the conduct of some research into aspects of the appointment process and engagement with my Department and with the Public Appointments Service which will undertake the competition on behalf of the Policing Authority.

Having regard to the progress made by the authority I would expect that the Government will be in a position to formally approve the authority issuing an invitation to the Public Appointments Service to conduct the selection process very shortly. Once this is done, I would anticipate that it could take up to six months to identify and appoint a successful candidate. In the interim I have authorised a deputy Commissioner to exercise all of the functions of the Garda Commissioner during the term of the vacancy.

As the Deputy is aware, the Commission on the Future of Policing in Ireland is undertaking a comprehensive review of all aspects of policing in the State and is not due to complete its work until September next. I am sure the Deputy will agree that it would not be in the public interest, or in the interests of An Garda Síochána as an organisation or its members, to allow uncertainty to surround the leadership of the national police service for such a lengthy period.

Deputy Donnchadh Ó Laoghaire: Sinn Féin has long been of the view that what we need in the South is a Patten-type approach which was so central to the reform of policing in the North. It is in that context that we welcome the establishment of the Policing Authority, for which we had long called, and the Commission on the Future of Policing in Ireland. If there is to be the Patten-type shift that apparently is desired by all, including the Government, the commission needs to be given full scope to consider all of the matters in question. They include what role the Garda Commissioner and senior staff in An Garda Síochána should have.

The Minister's response confirms what I received in response to a written question a number of weeks ago. The commission is to finalise its work in September 2019. It is likely to be six months from a point a number of weeks from now before a Garda Commissioner will be appointed; therefore, realistically we are talking about June or July next year when a Commissioner will be appointed. Within weeks of that happening, the Commission on the Future of Policing in Ireland will come forward with its report which potentially will contain radically different proposals for the role of the Commissioner, thus creating greater uncertainty. It is my view that the full scope of the role will be better understood once the commission has completed its work.

Deputy Charles Flanagan: I am not sure I agree with the Deputy's contention. It is important to bring certainly to this issue at the earliest opportunity. I acknowledge that the commission is not due to complete its work until September, but I am sure the Deputy will agree that it would not be in the public interest, or in the interests of An Garda Síochána or its members, to allow uncertainty to surround its leadership for such a lengthy period. From my engagement with the chairperson of the commission, Ms Kathleen O'Toole, I know that she shares my concern that a careful and deliberative process be taken to the recruitment process in order that the best possible candidate will be selected and also my concern that the process not be prolonged beyond what I would regard as being a reasonable timeframe. I welcome the willingness on her part to bring the commission's wealth of experience and expertise to the process being undertaken by the Policing Authority. I know that there has been contact between the two bodies, which I welcome. The approach I have outlined has allowed the authority to engage with

the commission on how the future role and responsibilities of the Garda Commissioner. As I said to the Deputy, this will assist in ensuring potential candidates will have as much information as possible on the future landscape and the role and functions of the Garda Commissioner.

Deputy Donnchadh Ó Laoghaire: It is anticipated that the process will begin in a matter of weeks, before or around the time the call is made for submissions on the Commission on the Future of Policing in Ireland. What is not in the public interest is what is probably the most crucial appointment of a Garda Commissioner in the almost 100-year history of An Garda Síochána not being approached in the right way. It is essential to get the appointment right and if the Government is serious about the Commission on the Future of Policing in Ireland - I believe this is the test - we need to get the appointment right.

The chairperson of the Commission on the Future of Policing in Ireland wrote to the Minister and the Policing Authority about this matter and said it was unlikely a credible candidate would come forward and apply for the role when there was so much uncertainty hanging over the future of the Garda and the Commissioner's role. As I understand it, she also wrote that so much change was required that it would not be possible to draw up accurately a specification for the role of Garda Commissioner before the group's recommendations were published next September. Furthermore, she maintained that it would be a serious mistake if a Garda Commissioner was appointed without clarity on what the job would entail. This is a crucial appointment and it would be a serious error by the Minister and the Department if they were to proceed with it before this job of work was completed. If we are serious about the Commission on the Future of Policing in Ireland and its ability to transform policing and justice, we should wait and see what it has to state.

Deputy Charles Flanagan: I advise the Deputy, as I did in the context of my earlier reply, that the process has moved on somewhat. In recent days the Policing Authority submitted its assessment of the package that will be required to attract candidates of the desired calibre. It has engaged external expertise in that regard. It has also submitted its views on the pool of candidates available and whether eligibility should be limited in any way. Its views will, of course, be taken into full consideration by the Government. At this stage, it is anticipated that Government approval will be sought to formally trigger section 9. That will take place before the end of the year in tandem with the granting of approval for certain policy choices concerning the requirement for the appointment of a Commissioner.

On the timeline which I understand is the issue being raised by the Deputy, both the Policing Authority and the Public Appointments Service have in recent days advised that the selection process will take in the region of six months to complete, that is, from the granting of Government approval to trigger section 9 to the Public Appointments Service submitting the name of the successful candidate to the Policing Authority. The authority will then, under law, have to consider whether it is satisfied about the person's suitability and then make a nomination to the Government. Having regard to the fact that the acting Commissioner is operating with the full powers available under law to the Garda Commissioner, in the context of the future of An Garda Síochána and the reform programme under way, any inordinate delay would not be in the best interests of the police service.

Garda Training

40. **Deputy Jim O’Callaghan** asked the Minister for Justice and Equality the extent of training and continuous professional development provided for members of An Garda Síochána when amending or new legislation is passed; and if he will make a statement on the matter. [51990/17]

Deputy Jim O’Callaghan: Being a member of An Garda Síochána is an extremely demanding and professional job and it is not comparable to the job performed by members, say, 30 or 40 years ago. Part of the reason for this is the vast array of legislation that passes through the Houses. It is even difficult for lawyers to keep up with the amount of law being generated, not just in the Houses but also in the European Union. Obviously, gardaí need to have knowledge of the law. What is being done to provide training for or for the continuous professional development of members of An Garda Síochána?

Deputy Charles Flanagan: As the Deputy will appreciate, it is the Garda Commissioner who has statutory responsibility for arranging for the training of personnel and I, as Minister, have no direct role in the matter. I am informed by the Commissioner that each Garda division has a continuous professional development school which provides for professional development on a variety of topics and issues, ranging from procedural to legislative changes and the implementation of new initiatives. The Garda College also designs and delivers a range of professional development programmes for members of An Garda Síochána, including leadership, management, applied skills and crime training.

The Commissioner’s modernisation and renewal programme for the period 2016 to 2021 which is under way recognises that it is critical that all personnel are kept up to date on relevant policies and changes in the law and that continuous professional development must be a constant within An Garda Síochána. I have been informed by the Commissioner that, as part of this programme, investment in learning and development in An Garda Síochána will be enhanced in order that all personnel will receive the training, mentoring and leadership development they require to continue to develop their skills in order that they can perform more effectively in their roles and will be in a position to progress and advance their careers.

As the Deputy will be aware, the Crowe Horwath report on mandatory alcohol testing checkpoints and fixed-charge notices emphasised the need for mechanisms and training for informing and updating Garda personnel on developments in legislation and changes to the systems and procedures for processing the notices and all other offences. In addition, the Policing Authority, in its third progress report on the implementation of the Garda Inspectorate’s report, highlighted the lack of an organisational training strategy in An Garda Síochána. In that regard, I understand the preparation of a learning and development policy for all Garda personnel is at an advanced stage and expected to be published early next year. I fully expect the development of this policy to facilitate an examination of whether further enhancements are required to the mechanisms in place for informing and updating Garda personnel on developments in legislation, practice, procedures and system changes.

Deputy Jim O’Callaghan: I am conscious of the fact that it is the Garda Commissioner who is responsible for the training of personnel. I am also aware that the Policing Authority has a crucial role to play in changing the manner in which training in the Garda is amended. Notwithstanding that, it is important that the Minister and the Department play a part in emphasising the need to ensure that there is greater training within the force to deal with the vast array

of legislation that is coming down the tracks.

As the Minister mentioned, the Crowe Horwath report found that a fundamental cause of the errors in the mandatory intoxicant testing was the lack of appropriate, timely and effective training for gardaí in the processing of road traffic offences. In fairness to members of the Garda, that is not surprising. Road traffic law changes with considerable frequency and road traffic Bills pass through the House regularly, and gardaí are responsible for ensuring that a new law, as introduced, is applied on the ground. For that reason, it is important that the Government recognises, and the Department emphasises, the requirement for there to be greater ongoing training on that matter. I do not know whether the Minister believes there is a requirement for him to emphasise the need for that training or for legislation to emphasise it.

Deputy Charles Flanagan: Yes. While I do not have a direct role in the provision of training, I am conscious of my role as Minister in exhorting and advising that the various training options are adequately resourced and duly taken up by gardaí. In this regard, all gardaí recruited since the reopening of the Garda College in Templemore in September 2014 have undertaken a two-year training programme, leading to a BA in applied policing accredited by UL. Participants are required to sit and pass mandatory academic examinations and professional assessments if they are to progress to the conclusion of their programme. I am advised by the acting Commissioner that the provision of material to Garda trainees within this programme is constantly monitored and reviewed by staff in the Garda.

As to gardaí who work in stations, it is appropriate and essential that there be opportunities for training and retraining, particularly in the context of the changing environment of legislation processed in the House as well as our investment in ICT systems and, recently, the fleet. In light of this and the Crowe Horwath report, every effort must be made to ensure proper and adequate training in the Garda.

Deputy Jim O’Callaghan: One of the advantages of formalising training to a greater extent than it is now is that it would encourage gardaí to develop expertise in individual areas. We might find that gardaí wish to emphasise and grow their expertise in particular areas.

I noted the Minister’s comments on the House not being responsible for training gardaí, but we could make their lives simpler. For instance, the Road Traffic Acts are all over the place. There are so many pieces of legislation. We need to try to consolidate them. It would make the life of a garda much easier if we had a simplified, consolidated Road Traffic Act that concisely and precisely set out the law on road traffic offences as opposed to having to look up whether, for example, the 2003 Act was amended by a 2013 Act. We have a responsibility, not just to ensure that there is greater training, but to ensure that the legislation, which is primarily used by the Garda, is more easily digestible by its members.

Deputy Charles Flanagan: I will say something about this from facts within my own knowledge. One of the earliest publications that I acquired in my District Court practice some years ago was an up-to-date copy of the Garda Síochána guide, which was specifically designed to assist gardaí in prosecutions. It was so good that it was also a vital publication for those engaging in defence matters, as I am sure Deputy O’Callaghan will be aware.

I wish to state the importance of the Garda College in delivering a training programme for new recruits and providing continuing professional development, CPD. There is always a benefit in taking stock to see whether things can be done in a better or different way. In this

regard, the Commission on the Future of Policing is examining all aspects of policing in the State, including training. I understand that commission members recently met people in UL. They also had an opportunity to visit the Garda College as part of their work. The commission is due to report in September 2018. If it is in a position to make recommendations on training or CPD prior to that date, I will be more than happy to receive those and have them considered by the House.

Departmental Reform

41. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality his views on the implementation of the Toland report and the need for comprehensive reform of his Department; his further views on whether structural and cultural reform is required in his Department; and his plans for same. [51980/17]

42. **Deputy Sean Sherlock** asked the Minister for Justice and Equality when the recommendations of the Toland report will be implemented. [51992/17]

Deputy Donnchadh Ó Laoghaire: Revelations in recent weeks have raised serious questions about the Department of Justice and Equality, its culture, its fitness for purpose and the need for a structural reform that takes in, but is not limited to, the Toland report and the reforms outlined therein. Will the Minister outline how he intends to reform the Department and implement this report?

Deputy Brendan Howlin: Are we taking my question now as well?

An Leas-Cheann Comhairle: Yes. I will take a first supplementary question, then Deputy Howlin, and then Deputies Ó Laoghaire and Howlin again. Deputy Howlin will have two questions.

Deputy Charles Flanagan: I propose to take Questions Nos. 41 and 42 together.

Following the Toland review in 2014, the Department of Justice and Equality began a process of consultation and engagement to develop a delivery plan to implement the recommendations. I am informed that approximately 80% of those have since been implemented. As the Taoiseach outlined to the House last week, a change implementation group is to be appointed to assess the implementation of the Toland report and to provide continued external oversight of progress on this and any other measure that it deems appropriate. I expect the terms of reference and membership of this group to be finalised in the next week.

The Toland report recognised that one of the key strengths of the Department was the “willingness, flexibility and can-do attitude of many of its loyal staff” as well as the experience and depth of knowledge across a complex range of issues. Since my appointment as Minister, I have found the management and staff in the Department and across the justice and equality sectors to be capable, adaptable and fully committed to public service.

Change is a continuous process and, in keeping with best international practice, my Department contracted external management experts earlier this year to undertake a stock-take of progress to date and assist the Department’s management board in prioritising further reform measures for the next three years.

The Deputies will be aware that the culture of the Department has been highlighted as a key area requiring reform. I understand that, following a wide-ranging consultation with staff and external stakeholders, a culture and values charter was published in 2016 with the objective of fostering a more outward facing, listening organisational culture. These values form the core of all induction and leadership training with a view to informing the way in which the Department engages with the public, staff and stakeholders. Work is ongoing to ensure that this continues to be embedded in the organisation. A positive outcome of the response to the Toland report is an increasing engagement with internal and external stakeholders, including the justice committee of these Houses.

I have outlined my concerns to the House about the sheer scale and breadth of the Department's responsibilities. The Toland report recognised this and called for a detailed analysis with a view towards dividing the Department. This analysis was conducted by external experts in 2016 and this year and concluded that such a restructuring should be progressed. I welcome and support this process.

I envisage that the stock-take process, which has been in train since my appointment in the summer, and the structures review will be helpful to the work of the change implementation group. I intend to support the management and all in the Department fully in completing this challenging change agenda.

As I said last week when responding to questions, I would be happy to keep the House fully informed of developments in this regard by way of progress reports or otherwise, for example, in plenary form if Deputies believe it appropriate to do so or if they feel it would be better addressed by me at the justice committee.

Deputy Donnchadh Ó Laoghaire: The Toland report, published in 2014, followed much of the same kind of controversies which An Garda Síochána and the Department found themselves in at that stage. The report found there to be a closed, secretive and silo-driven culture and that there was a deferential relationship with An Garda Síochána, with a lack of proper strategic accountability being brought to bear on it by the Department. Unfortunately, the developments of recent months confirm that is still very much the case. The revelations were extraordinary.

The Minister has outlined that there are many committed staff. However, there are still issues with culture and structure, something which became apparent following the developments of recent weeks. I do not find it credible that the emails which were the source of so much controversy were not found by the scoping exercise carried out by Iarfhlaith O'Neill or the discovery order from Charleton. I find extraordinary that the email which was discovered on 9 November was only brought to the attention of the Minister on 13 November and read much later. In the context of the culture and the Department, is it acceptable that the Department allowed the Taoiseach to put the wrong information on the Dáil record three times over the course of scarcely a week?

Deputy Charles Flanagan: A process is under way, to which the Taoiseach referred earlier. An investigation is about to commence, headed by an eminent senior counsel with experience, which will deal with the issues raised by the Deputy. Further to that, a report setting out progress on the implementation of the Toland report will be furnished to the Taoiseach and, I am sure, will be available to the House.

I met with the management board in my Department on Wednesday. Where appropriate,

new or revised protocols were agreed which would support my office and the management of the business of the Department, in particular the bringing of matters to my direct attention and that of my office in a way which can be regarded as appropriate and timely. There is a shared understanding of the urgent need and commitment to restore confidence across the sector, as well as an awareness of the challenges in so doing. The challenges were adverted to by Toland.

The work of the change and implementation group will involve reviewing progress and advising on the next steps needed, including communications, organisational culture and the relationship with An Garda Síochána

Deputy Brendan Howlin: The Minister will recall that the Toland group was set up by a Government of which we were both members to deal with fundamental issues of concern in the Department of Justice and Equality. I listened with some dismay to the initial response from the Minister. The five issues the independent review group first identified were a closed, secretive, silo-driven culture; significant leadership and management problems; ineffective management processes and structures; a management advisory committee which was not sufficiently focused on key strategic priorities and their impact on the Department or its key agencies; and that relationships with key agencies tended to be informal, unstructured and without strong management. In terms of findings, they are damning.

The notion that since 2014 80% of the Toland recommendations have been implemented, given what we have gone through in the past couple of weeks, beggars belief. We have had an acting Secretary General in the Department, who is a very fine person and whom I know, for much of the period since the Toland report. As the Minister knows, the person who took on the position on a full-time basis could, one could say, be described as being less than enthusiastic about applying for the job. In real terms, what can we do to bring about the fundamental structural changes set out by Toland? If we have any notion of complacency, we will fall back into our old practices.

Deputy Charles Flanagan: As I said last week, I acknowledge criticisms of a specific nature which were the subject matter of controversy. I do not believe that should cast a shadow of a dark nature over the Department of Justice and Equality.

Deputy Brendan Howlin: Does the Minister reject Toland?

Deputy Charles Flanagan: I acknowledge that there are areas where progress has been limited. It is my job to ensure that these reforms are undertaken in a way which ensures the rate of change can be accelerated. While some aspects of the recommendations relating to the structure of the Department have been addressed, such as the establishment of a corporate secretariat office to support the management of the Department, there is not yet clear division between the justice and home affairs portfolios.

While a detailed analysis of how the Department should be restructured has been completed and agreement has been reached in principle to proceed with restructuring, the practical implementation of that recommendation now needs to be prioritised. Also requiring further attention is the recommendation relating to the need to increase focus on external communications which would improve transparency around key issues. This is an area where I acknowledge there has not been the type of programme I would have liked and where a renewed level of focus is required.

On the relationship between the Department and An Garda Síochána, the Department must

be structured in an appropriate way so that it can operate in a way which ensures accountability. In that regard, let me readily admit that will involve better performance standards.

Deputy Donnchadh Ó Laoghaire: I welcome that the review is to be undertaken by a senior counsel, which was a welcome change on the part of the Minister and Government. It is still my view that it is difficult to credit that the emails could not have been found simply as a result of accident or error. That is why I was of the view that the tribunal should consider amending the terms of reference.

The short document released last week on the review of the Toland report dealt with some of the structural issues to which reference has been made. It moved quite quickly through some of the cultural issues, but the points in the Toland report relating to culture were quite specific. They included focusing on changing a closed and secretive cultural model to one which is as open and inclusive as possible and to define clear, specific behaviours and actions to be underpinned by a new model. A number of other similar points were made.

Does the Minister accept that as well as structural change there is a considerable need, as evidenced in recent weeks and months, for comprehensive cultural reform and change within the Department?

Deputy Charles Flanagan: I acknowledge that. It is quite clear, given the references in the Toland report to the culture of the Department, that it is a key area requiring change and reform. I am anxious to follow through and ensure that the process is completed in a way which meets the concerns of the Toland report.

Following wide-ranging consultation with staff and external stakeholders a culture and values charter was published last year, with the objective of fostering a more outward-facing and listening organisational culture within the Department of Justice and Equality. These values form the core of all induction and leadership training, with a view to informing the way in which the Department engages with the public and all stakeholders.

I want to recognise that changing the organisational culture requires a sustained effort over time. A cross-grade team, led by a former Secretary General and deputy secretary, is working to ensure that this continues to be the case and that we embed that across the organisation, with a view to ensuring that change is real and lasting.

Deputy Brendan Howlin: The Minister opened by saying he was informed that 80% of the Toland recommendations have been implemented. He concluded by saying that the Department is now outward-looking and there has been cultural change, as if the realities of the past two weeks have not happened. If that is the mindset, I despair. The Minister said all the work of reform is well under way and is, in fact, well accomplished. I was one of the people who had the privilege of having an input to the Toland report. I was interviewed in that regard to give my analysis. Does the Minister accept the recommendation that the Department of Justice and Equality be divided into a Department of home affairs and a Department of justice? If he does, when does he envisage that happening?

Deputy Charles Flanagan: I support it, but I am not in a position to put a clearly defined timeframe on it. The Deputy is aware, perhaps more than most, given his experience as Minister for Public Expenditure and Reform and specifically of the reform remit, that of all Departments, the Department of Justice and Equality deals with challenging matters to a degree and of size that may not be experienced by other Departments

Deputy Brendan Howlin: Yes, that is correct. There are too many such matters.

Deputy Charles Flanagan: The Department deals with matters of crime, security, policing, public safety, human rights, the reform of the criminal and civil law, asylum and refugee law and practice, the support and promotion of inclusion and equality-----

Deputy Brendan Howlin: We know all of that. What is the Minister going to do about it?

Deputy Charles Flanagan: There is also the regulation of land. I am engaging at this level to ensure the recommendations contained in the Toland report on the splitting of sections of the Department can be dealt with in a way that will ensure we will not add to the difficulties. The challenge is to manage the strategic objectives in a way that will be as effective as possible as work is ongoing. I invite Deputies to revert to this matter when there is any future opportunity to do so in the House, but it is my intention, duty and obligation as Minister to ensure every effort will be made to meet this big challenge.

Other Questions

Garda Deployment

43. **Deputy Eugene Murphy** asked the Minister for Justice and Equality the number of gardaí in each Garda station in counties Longford and Roscommon as of 1 November 2017; the number of community gardaí in the division; and the number of Garda Reserve and new recruits assigned to the division since recruitment resumed in 2014. [51668/17]

Deputy Eugene Murphy: I ask the Minister the number of gardaí in each Garda station in the Longford-Roscommon division on 1 November 2017-----

Deputy Charles Flanagan: These are more mundane matters. They are the bread and butter of the Department.

Deputy Bobby Aylward: It is where the votes are.

Deputy Eugene Murphy: -----the number of community gardaí in the division and the number of members of the Garda Reserve and new recruits assigned to the division since recruitment resumed in 2014. I represent the Roscommon-Galway constituency, but, as the Minister understands, this issue relates to the Roscommon-Longford division.

Deputy Charles Flanagan: The distribution of Garda personnel is exclusively the statutory responsibility of the Garda Commissioner. Notwithstanding the Commissioner's responsibility for the distribution of gardaí, I have provided a breakdown, in tabular form, of the detailed information requested by the Deputy. The Garda strength of the Roscommon-Longford division on 31 October 2017 was 309, of which ten were community gardaí. There are also nine Garda Reserve and 29 Garda civilian staff attached to the division. When appropriate, the work of local gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the armed support unit, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

As the Deputy is aware, the Government is committed to ensuring a strong and visible

police presence throughout the country, including in Longford and Roscommon, in order to maintain and strengthen community engagement, provide reassurance for citizens and deter crime. To achieve this, the Government has put in place a plan for an overall Garda force of 21,000 personnel by 2021, comprising 15,000 Garda members, 2,000 Garda Reserve members and 4,000 civilians. I am informed by the Garda Commissioner that since the reopening of the Garda College in September 2014, close to 1,400 recruits have attested as members of An Garda Síochána and been assigned to mainstream duties nationwide. Of these, ten have been assigned to the Roscommon-Longford division. I look forward to attending the graduation of another 200 trainee gardaí on Friday which will see Garda numbers, taking account of projected retirements, increase to around the 13,500 mark by year end, a net increase of 500 since this time last year.

I am also pleased that budget 2018 maintains this high level of investment in the Garda force and ensures the vision of an overall workforce of 21,000 by 2021 remains on track. I acknowledge that the moratorium on recruitment introduced in 2010 resulted in a reduction to a significant degree in the strength of An Garda Síochána. We are now rebuilding the organisation and providing the Garda Commissioner with the resources needed to deploy increasing numbers of gardaí across every Garda division, including the Roscommon-Longford division, about which the Deputy is rightly concerned.

Additional information not given on the floor of the House

STRENGTH OF THE ROSCOMMON/LONGFORD DIVISION 31 OCTOBER 2017

DISTRICT	STATION	TOTAL
CASTLEREA	BALLAGHADERREEN	9
	BALLINLOUGH	2
	BOYLE	26
	CASTLEREA	37
	ELPHIN	2
	FRENCHPARK	2
	KEADUE	1
	ROOSKY	3
	STROKESTOWN	5
	TULSK	2
	TOTAL	89
GRANARD	DRUMLISH	2
	EDGEWORTHSTOWN	11
	GRANARD	33
	SMEAR	1
	TOTAL	47
LONGFORD	BALLYMAHON	9
	KENAGH	1
	LANESBORO	6
	LONGFORD	72
	TOTAL	88
ROSCOMMON	ATHLEAGUE	1

DISTRICT	STATION	TOTAL
	CLONARK	6
	ROSCOMMON	78
	TOTAL	85
ROSCOMMON / LONGFORD	TOTAL	309

Deputy Eugene Murphy: I thank the Minister for the reply. There is some positive news in it, but in 2010 in the Longford-Roscommon Garda division there were 301 full-time gardaí. The Minister has given a figure of 309, ten of whom are community gardaí. That means that there are 299 full-time gardaí. We can compare that number with the figure in 2010 and see that it has decreased, albeit slightly. In the meantime, there have been many extra challenges for An Garda Síochána which we all know is doing a wonderful job. I accept that the Garda College was closed for a while, that there were some tough years and that in the past three years or so there have been improvements, but we need to put more effort into this issue and recruit more gardaí. I welcome the Minister's comments that new recruits will be deployed in the near future. In 2010 the Boyle Garda district had 41 full-time gardaí. There are 18 there today. I accept that there have been some minor adjustments in the locality, but there has been an overall drop in the number of gardaí serving there. In the Castlerea Garda district there has been a major drop in numbers. There are some new recruits who are badly needed.

Deputy Charles Flanagan: I thank the Deputy for raising this matter. The number of gardaí in the Roscommon-Longford division, as of 31 October 2017, was 309. This time last year the figure was 301; in 2015 it was 292; in 2014 it was 285; in 2013 it was 285 and in 2012 it was 280. There are now more active Garda members in the Roscommon-Longford division than at any time since 2009.

On the particular stations referred to by the Deputy, in Castlerea there is a total complement of 37 gardaí. In Edgeworthstown there are 11 gardaí; in Ballymahon there are nine, while in Boyle in north County Roscommon which has been referred to and which is a very busy station there are 26, giving a total complement as of 31 October of 309. I will attend a ceremony in the Garda College in Templemore on Friday and it is fair to say that, of the new recruits, a number will be spread across the country, including Longford and Roscommon.

Deputy Eugene Murphy: When he initially answered the question, I understood the Minister indicated that there were 309 gardaí in the district, including ten community gardaí. Is that correct?

Deputy Charles Flanagan: Yes.

Deputy Eugene Murphy: If it is, we are talking about a lower figure of 299 full-time gardaí. I will not get into the figures, but the point I wish to make is that as far back as 2010 we had 301 full-time gardaí in the division. If we subtract the ten community gardaí from the figure of 309, there are 299 gardaí. There will be new recruits and the Minister might give some indication that some of them will be deployed to Castlerea Garda station as there is grave concern in the area that there is not enough manpower available because of the size of the district that must be covered. This point has been made by members of the community and the Garda Representative Association. Will the Minister give an indication that some of the new recruits will be deployed to counties Longford and Roscommon, with particular reference to Castlerea Garda station?

Deputy Charles Flanagan: I will be happy to provide that information for the Deputy. The figure of 309 includes the ten community gardaí who, of course, are fully fledged members of An Garda Síochána. To be added to this figure are the members of the Garda Reserve.

The Deputy referred to Castlerea Garda station. As he is aware, the work of local gardaí is augmented by support from the national divisions. I am happy to provide the Deputy with specific information on the garda complement in Castlerea. As I said, the total number of gardaí in the division is 309. I want to see more members of the Garda Reserve coming into that area. I acknowledge the work of the local joint policing committee, which feeds directly into decisions of the Garda Commissioner regarding the distribution of gardaí.

Garda Deployment

44. **Deputy Shane Cassells** asked the Minister for Justice and Equality the number of gardaí in each Garda station in County Meath as of 1 November 2017; the number of community gardaí in the division; and the number of Garda Reserve members and new recruits assigned to the division since recruitment resumed in 2014. [51660/17]

Deputy Shane Cassells: My question is in the same vein as that of Deputy Eugene Murphy, except that I am seeking data in regard to County Meath. I make no apologies for pressing the case for my county, because I see the pressure the division is under. This year, for example, the chief superintendent has had to pull the traffic corps from the north of the county and apply it in places like Ashbourne because of the increasing threat from gangland crime and the activities of persons operating in the drugs trade. I look forward to the Minister's reply.

Deputy Charles Flanagan: As at 31 October 2017, the total number of gardaí stationed in County Meath was 304, of whom seven are community gardaí. There are also 16 members of the Garda Reserve operating in the county, as well as 30 Garda civilian staff attached to the division. Where appropriate, the work of local gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the armed support units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

The Government stands committed to ensuring a strong and visible police presence throughout the country, including in County Meath, in order to maintain and strengthen community engagement, provide reassurance to citizens and deter crime. I am aware that the Deputy engages with the joint policing committee in Meath. It is the reports of these committees
5 o'clock that inform the Garda Commissioner and his or her team as to the appropriate level of recruits for distribution in each division. Since the reopening of the Garda College in September 2014, close to 1,400 recruits have attested as members, 46 of whom were assigned to the Meath division. I look forward to attending the graduation of almost 200 newly attested, fully trained, energetic and ambitious new gardaí, all of whom will be assigned to stations across the country between now and the end of the year. Taking into account annual retirements of fewer than 300 to date in 2017, I expect the garda complement to be 13,500 at year end.

Deputy Shane Cassells: I thank the Minister for his response. This is the third occasion in the past month on which I have raised directly with him the issue of garda numbers and crime-related matters in County Meath. I fully appreciate that in our earlier exchanges, the Minister dealt with the macro issue of Garda resources on a national level. I will continue, however, to

press the case for Meath for the simple reason that it has been left behind when it comes to the core principle of the deployment of resources. The figures for the county clearly show that. I stated in my earlier conversations with the Minister that I am not here to try to score political points but to articulate the real concerns of the chief superintendent, Mr. Fergus Healy, who is crying out for the allocation of additional resources.

I have brought to the attention of two different Garda Commissioners at two separate meetings of the Committee of Public Accounts this year the shocking incidence of gangland crime in the county, conscious that it is the Commissioner who has legitimate power when it comes to the deployment of resources. I am asking the Minister to engage with me in a new way on this matter and to look at it with fresh eyes. The traditional way of allocating resources, by way of the Commissioner, does not reflect the changes in settlement patterns in this country. As a result, places like Navan, Trim, Oldcastle and Athboy have been left under-resourced. Given the settlement patterns along the eastern coast, we must acknowledge the pressures under which gardaí in those areas are operating and that the traditional methods of resourcing are not doing the job.

Deputy Charles Flanagan: As the Deputy said, we have discussed this issue on several occasions and I am aware of his concern regarding the manner in which decisions are made as to the distribution of Garda personnel around County Meath. There are currently 304 members of An Garda Síochána in the county, following on from an increase in the complement each year since 2014. In fact, the number is the highest it has been since 2010, the year in which the Garda College was closed. The distribution model that is used takes into account a number of factors, including population, crime trends and the policing needs of each division. It is the responsibility of the divisional officer to allocate personnel within his or her district as appropriate.

Deputy Shane Cassells: I am a politician, not a garda, but I hear what the chief superintendent in Meath is saying clearly on behalf of our county. I do not dispute the progress we have made. I attended the launch of the consultation paper on the processes associated with future policing in the State, which was attended by the Minister and Ms Kathleen O'Toole, head of the Commission on the Future of Policing in Ireland. I listened carefully to what the Minister had to say on that occasion. If his words are to count for something, we must find a better way of utilising the gardaí coming out of Templemore. We have seen how the deployment of additional gardaí brings significant benefits to communities.

The threats posed by gangs and their wanton disregard for life is a very real issue in my county. Last Saturday, a young man in his 20s was found dead in Dunboyne, having been shot through the head. I noticed the former Taoiseach, Mr. John Bruton, in the Gallery earlier. He lives in that village and knows the threat that exists there. My colleague, Councillor Damien O'Reilly, articulated very well the fears of local people, which have been heightened by the discovery of that young man's body last Saturday morning. We are dealing with the type of high-level crime more usually associated with cities and we must have the resources to combat it.

Deputy Charles Flanagan: I acknowledge the strong and positive commitment of An Garda Síochána to combatting crime, with particular reference to the type of gangland crime mentioned by Deputy Cassells. There have been significant arrests and successes in recent times, which show that our appreciation of the dedicated work of the force is well warranted. Using ratios such as the number of gardaí per head of population is not always an appropriate tool when considering the allocation of Garda resources because it fails to take into account that

crime levels may vary significantly between communities.

I assure the Deputy of our commitment in this area, in line with the programme for Government. The Garda Inspectorate, at the request of the Policing Authority, is carrying out a review of the dispersal and usage of resources available to An Garda Síochána in delivering a policing service to local communities. The authority has informed the inspectorate that the review should take account of a range of issues, many of them adverted to by the Deputy today. It will be a comprehensive exercise, incorporating a consultative process with local communities. I invite the Deputy to make a submission to the Commission on the Future of Policing in Ireland. I want to see the review completed in the first half of 2018 and am happy to engage further with the Deputy in this regard.

Garda Commissioner Appointment

45. **Deputy Mick Wallace** asked the Minister for Justice and Equality the status of the recruitment process for the post of Garda Commissioner; the timeframe to fill the post; and if he will make a statement on the matter. [51744/17]

Deputy Mick Wallace: It will be three months this weekend since the resignation of Nóirín O’Sullivan as Garda Commissioner. She was on leave before that, since 17 July, which makes it almost five months since she has performed her role. The Policing Authority told us on 11 September that it had commenced consideration of and research into the process to identify and appoint the next Commissioner. The Minister often points out that it is the Policing Authority which runs the appointments process, but we have heard nothing from the body since last September. If it is running the process, why did Ms Kathleen O’Toole, head of the Commission on the Future of Policing in Ireland, write to the Minister stating that the process is suspended until the commission has completed its report?

Deputy Charles Flanagan: The Policing Authority under section 9 of the Garda Síochána Act 2005, as amended, has responsibility for nominating persons for appointment by the Government to the post of Garda Commissioner. In the meantime we have an excellent acting Commissioner in Dónall Ó Cualáin.

This will be the first time that the new legislative process is utilised and I have consulted with the chairperson of the authority about a process to identify and appoint a permanent Commissioner to An Garda Síochána. We are agreed that it is crucial that a deliberate and considered recruitment process takes place in order that the best possible candidate is appointed following a selection process. We are also agreed that an overly long delay in the appointment of a new Commissioner would not be optimal for the organisation in terms of performance and morale. In the interim I have, of course, authorised a Deputy Commissioner to exercise all of the functions of the Commissioner during the term of the vacancy.

As I have previously stated, the authority has, over recent months, undertaken some essential ground work for the recruitment process in advance of the formal triggering of the statutory process by Government. This work has included the conduct of some research into aspects of the appointment process and engagement with my Department and with the Public Appointments Service, which will undertake the competition on behalf of the authority.

Importantly, the intervening period has also allowed the authority to explore with the Com-

mission on the Future of Policing in Ireland, as the Deputy mentioned, how it sees the future role and responsibilities of the new Commissioner. As the Deputy is aware, the commission is undertaking a comprehensive review of all aspects of policing and is due to report in September 2018. The Commission has a wealth of experience and expertise and the timeframe that I have outlined will facilitate the authority in exploring with the commission how it sees the future role and responsibilities of the new Commissioner. This will assist in ensuring that potential candidates have as much information as possible in relation to the future direction of policing in the State.

Deputy Mick Wallace: Does the Minister not agree that Robert Olson's report was a blueprint for how we should do policing? Why in God's name are we paying Kathleen O'Toole €170,000 a year probably to regurgitate the same thing? Can the Minister justify the fact that she is double-jobbing? She will continue to be involved with the Seattle job until January. We do not have to reinvent the wheel. I do not understand this for the life of me.

The Minister said "we have an excellent acting Garda Commissioner". I am not so convinced that he is excellent. Why does the Minister not answer the letters concerning the same gentleman which came into his possession in the last while? I am also disappointed that the same acting Commissioner cannot find time to appear before the Oireachtas Joint Committee on Justice and Equality this week. We are not getting the Commissioner or an acting Commissioner, we are getting an acting acting Commissioner. I do not agree that he is an excellent acting Commissioner. There is no one in charge of An Garda Síochána. Given the number of problems going on around the country it is pretty obvious that there is nobody running the ship.

Deputy Charles Flanagan: I do not accept that the current vacancy at the level of Commissioner has been damaging to An Garda Síochána. Suggestions from Deputy Wallace and others that all of Garda top management should be replaced are unrealistic, irresponsible and unfair to many of the individuals involved in An Garda Síochána. The gardaí have a most important job to do in this State. They do it day in day out, on a 24-7 basis, fighting crime, fighting terrorism, dealing with people around the clock, ensuring safer streets and communities. They have had many successes. No responsible Government would jeopardise the safety of our communities by removing expertise, as Deputy Wallace would like to see. It is important that we acknowledge the role and function of the Commission on the Future of Policing in Ireland. Deputy Wallace should consider making a submission to that commission. It is open to hearing from people, from stakeholders and certainly from public representatives with information that Deputy Wallace appears to have.

Deputy Mick Wallace: I find it mindboggling that the Minister is prepared to kick this down the road for so long. He might have noticed the comments of Denis Bradley the former vice chairman of the Northern Ireland Policing Board who went to the nub of the issue when he stated that the Patten commission worked because there was clarity as to who was in charge: "The Northern Ireland Policing Board would be the hub and the driver of change, appointing all senior police officers and holding the chief officer to account for delivery and change." We do not have that here. We watered down what we were going to do with the Policing Authority. It is a creature of Government. It does not have the independence it requires to do its job properly.

We are not making progress and the Minister says it would be so unfair to move people from the hierarchy but it is unfair to most of the gardaí of Ireland to leave them in place. The Minister could give them a different job. I am not saying put them on the dole but the majority of gardaí would like a change of hierarchy because they know they would have a better police force with

a good authority. The fish rots from the head, as the Minister well knows. We need change. Does the Minister disagree with what was done with the Patten report because it recommended removing the hierarchy and starting again? We have to start afresh or we will not do things any differently than we have done for a long time. There are serious problems.

Deputy Charles Flanagan: One of the great attributes of the democratic process is the answering of questions by a member of the Executive on a daily basis. It throws up the type of challenges that we see on the matter of Deputy Wallace's intervention. I am accused on one side of the House of not acting smartly enough-----

Deputy Mick Wallace: I never accused the Minister of that.

Deputy Charles Flanagan: Deputy Wallace accuses me of kicking the can down the road.

Deputy Mick Wallace: Yes.

Deputy Charles Flanagan: The Chairperson of the Policing Authority and I are agreed that the process of the appointment of the new Commissioner must be approached in a careful and considered manner to ensure that it delivers the outcome that will provide for the calibre of a person required to lead our national police service. It could well be along the lines suggested by Deputy Wallace but I believe that to rush at this, simply to have a person in a post would be a mistake. We must allow for the authority to take adequate time to complete its preparatory work. We must allow it to engage with the Public Appointment Service, the Department and the Commission on the Future of Policing in Ireland. I do not accept that is can-kicking. The authority has over the past few days submitted its views to me on the various aspects of the process and I expect to see real progress on this matter between now and the end of the year.

Garda Strength

46. **Deputy Bobby Aylward** asked the Minister for Justice and Equality the number of gardaí in each Garda station in counties Carlow and Kilkenny as of 1 November 2017; the number of community gardaí in the division; and the number of Garda Reserve and new recruits assigned to the division since recruitment resumed in 2014. [51634/17]

Deputy Bobby Aylward: How many gardaí are in each Garda station in Carlow-Kilkenny as of 1 November 2017; how many community Garda are in the division as a whole, how many Garda reservists and new recruits have been assigned to the division since recruitment resumed in 2014?

Minister for Justice and Equality (Deputy Charles Flanagan): Notwithstanding the Commissioner's responsibility for the distribution of gardaí, I have provided for the Official Report a breakdown, in tabular form, of the detailed information requested by the Deputy as of 31 October 2017, the latest date for which information is readily available.

The Garda strength of the Kilkenny-Carlow division on 31 October 2017 was 324, of whom 91 are community gardaí. There are also 26 Garda Reserve and 31 Garda civilian staff attached to the division. When appropriate, the work of local gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the armed support units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

As the Deputy will be aware this Government is committed to ensuring a strong and visible police presence throughout the country. To achieve this our overall plan is to have a Garda workforce of 21,000 personnel by 2021 comprising 15,000 Garda members, 2,000 Reserve members and 4,000 civilians. We are making real, tangible progress on achieving this goal, having regard to the fact that the Garda college in Templemore was closed for a period in 2010.

I am also pleased that budget 2018 maintains this high level of investment in the Garda workforce to ensure that overall plan is implemented. I would be happy to provide the Deputy with detailed figures for Carlow-Kilkenny in the table.

The figures come to a total of 324. Some 86 are in Carlow town; 15 in Tullow; 130 in Kilkenny city; and 11 in Castlecomer, the Deputy's own area. Garda figures for the Thomastown district come to a total of 62, including Bennetsbridge, Glenmore, Goresbridge, Graigue-namanagh, Kilmoganny, 12 in Mooncoin, Mullinavat, Piltown and 38 in Thomastown.

Additional information not given on the floor of the House

STRENGTH OF THE KILKENNY/CARLOW DIVISION 31 OCTOBER 2017

DISTRICT	STATION	TOTAL
CARLOW	BALLON	1
	BORRIS	1
	CARLOW	86
	HACKETSTOWN	1
	MUINEBHEAG	10
	MYSHALL	1
	RATHVILLY	1
	TULLOW	15
	TOTAL	116
	KILKENNY	CALLAN
CASTLECOMER		11
KILKENNY		130
URLINGFORD		1
TOTAL		146
THOMASTOWN	BENNETSBRIDGE	1
	GLENMORE	1
	GORESBRIDGE	2
	GRAIGUENAMANAGH	4
	KILMOGANNY	1
	MOONCOIN	12
	MULLINAVAT	2
	PILTOWN	1
	THOMASTOWN	38
	TOTAL	62
KILKENNY/CARLOW TOTAL		324

Deputy Bobby Aylward: I recognise the increased provision of gardaí, particularly in south

Kilkenny, which the Minister has mentioned. In my own parish, Ballyhale station and Stoneford station, which were unmanned for a few years, are now manned. Both of those stations are situated in my locality and were stretched for resources in previous years. I acknowledge that. I am delighted to see that we are operating at full potential again and are seeing a stronger, more robust Garda presence in these communities and the surrounding areas. I recognise the work of the chief superintendent of the Carlow-Kilkenny division and the local superintendent in Thomastown station, which the Minister mentioned. The lines of dialogue between the Garda and the local community get stronger by the day and I am delighted to see the proactive work being done to improve community policing for these areas.

There is a need for an increase in Garda Reserve numbers for Carlow and Kilkenny. The Garda Reserve has an important function, assisting the work of the main force and interacting with local communities. It also allows citizens to make a positive contribution to their communities and enhances the effectiveness of community policing. There needs to be more members of the Garda Reserve to assist the main force. This will free up the main force's resources. As of 1 December 2016, there were only 695 members of the Garda Reserve. Of these, only 303 claimed their allowance, which is to say that they had completed the full 208 hours of service. Will the Minister comment on that?

Deputy Charles Flanagan: I advise the Deputy that I have concerns about the operation of the Garda Reserve and I see great potential to increase numbers to help support communities and An Garda Síochána in the delivery of a service. There are 26 Garda Reserve members in Kilkenny. I expect the strategic review that is currently under way to be completed and with me by the end of the year and I would be happy to inform the House further about the plan for that. Kilkenny has been favoured with 44 new Garda recruits from Templemore, bringing the number in the Kilkenny-Carlow division to 324, higher now than any year since 2008. It is important in the context of ongoing policing that further consideration is given to Garda numbers, having regard to the submissions of the Deputy, who I know is in contact with the joint policing committee in Kilkenny and I would be happy, as Minister, to assist him.

Deputy Bobby Aylward: We must ramp up our response to rural crime. The national statistics showing a reduction in burglaries and related offences do not reflect the situation in rural Ireland. The people of these communities feel isolated and forgotten. It is only a matter of time before we begin to see serious incidents of vigilantism occurring around the country. This is not an exaggeration. This is an old hobby horse of mine. I mention it often, as recently as last week, in the Dáil. There has been a failing by the Government to honour the commitment in the programme for Government to provide CCTV cameras at all major junctions leading to motorways. I heard that every time I raised the issue. I am not talking about the community-based CCTV grant aid scheme launched last April but the roll-out of a CCTV-based crime-fighting system on our motorways which are being used by criminal gangs, which terrorise areas, to get in and out of communities. There are two motorways in Kilkenny which come from towns and cities, and gangs come in on them, commit robberies, and are gone half an hour later. We need CCTV camera systems on all junctions leading off our motorways to counteract this.

Deputy Charles Flanagan: I am conscious of what the Deputy says. My constituency has a similar profile to that of my neighbours in Kilkenny and Carlow and new challenges are being faced with the way that the motorway network has helped mobility. I assure Deputy Aylward that there will be a significant Garda presence throughout Kilkenny and Carlow over the winter months. Operation Thor, involving a broad range of activities to tackle organised crime in urban and rural areas, works with communities to prevent crime. It is a comprehensive operation

supported by enhanced Government investment in Garda resources, including almost €100 million for Garda overtime. We have also invested heavily in the Garda fleet and there are many new vehicles in the Kilkenny-Carlow area, with a total of 720 coming on-stream since the start of 2015, and the provision of €46 million for new Garda vehicles under the capital plan for 2016 to 2021. Under Operation Thor, we have had 92,000 targeted checkpoints and 71,700 crime prevention patrols nationwide. However-----

Deputy Bobby Aylward: What about CCTV?

An Leas-Cheann Comhairle: We have to give other Deputies a chance. I call Deputy Pat Casey.

Deputy Charles Flanagan: I would be happy to advance the issue of CCTV in communities.

Garda Strength

47. **Deputy Pat Casey** asked the Minister for Justice and Equality the number of gardaí in each Garda station in County Wicklow as of 1 November 2017; the number of community gardaí in the division; and the number of Garda reserves and new recruits assigned to the division since recruitment resumed in 2014. [51663/17]

Deputy Pat Casey: My question is to ask the number of gardaí in each Garda station in County Wicklow as of 1 November 2017; the number of community gardaí in the division; and the number of Garda reserves and new recruits assigned to the division since recruitment resumed in 2014.

Deputy Charles Flanagan: I thank Deputy Casey for his question. Notwithstanding the Garda Commissioner's responsibility for the distribution of Garda personnel, I am happy to provide a breakdown, in tabular form, of the detailed information requested by the Deputy for County Wicklow.

The Garda strength of the Wicklow division on 31 October 2017 was 301, of whom 13 are community gardaí. There are also 20 Garda reserves and 26 Garda civilian staff attached to the division. When appropriate, the work of local gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the armed support units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

The Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens of County Wicklow and to deter crime in the Wicklow area. To achieve this, the Government has put in place a plan for an overall Garda workforce of 21,000 personnel by 2021, which will comprise 15,000 Garda members, 2,000 Garda Reserve members, which will be a significant increase from those currently in the Garda Reserve, and 4,000 civilians which will allow for the freeing up of sworn gardaí to do duties on the street on patrol, which is the primary function of An Garda Síochána.

I am informed by the Commissioner that since the reopening of the Garda College in September 2014, almost 1,400 recruits have attested as fully fledged members of An Garda Síochána.

na and have been assigned to mainstream duties nationwide, 21 of whom have been assigned directly to Garda stations in the Wicklow area. I look forward to attending the graduation of a further 200 trainee graduates on Friday this week, which will see Garda numbers, taking account of projected retirements, increase to around 13,500 by the end of this year, a net increase of 500 since this time last year.

STRENGTH OF THE WICKLOW DIVISION 31 OCTOBER 201

DISTRICT	STATION	TOTAL
BALTINGLASS	BALTINGLASS	32
	BLESSINGTON	23
	CARNEW	4
	DUNLAVIN	2
	SHILLELAGH	1
	TINAHELY	2
	TOTAL	64
BRAY	BRAY	108
	ENNISKERRY	3
	GREYSTONES	27
	NEWTOWN-MOUNTKENNEDY	3
	TOTAL	141
WICKLOW	ARKLOW	35
	ASHFORD	3
	AUGHRIM	1
	AVOCA	1
	RATHDRUM	3
	ROUNDWOOD	3
	WICKLOW	50
	TOTAL	96
WICKLOW TOTAL		301

Deputy Pat Casey: I thank the Minister for his response. I welcome the recent announcement of the reopening of Donard Garda station in Wicklow. It did not quite achieve the same national profile as Stepside but we welcome it and the increase of the number of gardaí by 21. I sought these improvements to the Garda strength in Wicklow with both the Minister on his appointment and with his predecessor in the Chamber. It is a positive development and I thank the Minister for the commitment. However, the increase in Garda numbers and reopening of the station must be followed by further action at this time of year, specifically in relation to Operation Thor. Wicklow sees hardened criminal gangs targeting the county, specifically with thefts from Christmas tree farms, robberies of cash from businesses and various attacks on isolated, elderly members of our community. We are all aware of the violent attacks this year on vulnerable and elderly people in Arklow and Kilboy in rural south Wicklow. All of us must be extremely vigilant and conscious of elderly neighbours living in our towns and communities. There needs to be a discussion about how we deal with people who engage in these repulsive and senseless attacks on vulnerable people and our emergency services personnel.

Deputy Charles Flanagan: I assure the Deputy that my remarks in response to the question tabled by Deputy Aylward ring true to the same degree as far as County Wicklow is concerned. Operation Thor continues and Garda overtime will continue in order to ensure that every effort is made to police rural communities in particular. I acknowledge rural aspects of Deputy Casey's constituency.

I want to point to crime prevention days at locations identified for high volume throughput, including shopping centres, public transport hubs and *termini* and other high visibility locations. I acknowledge the existence of high visibility patrols on foot by personnel as well as in cars and on mountain bikes and high visibility public order patrols in areas of urban concentration and rural areas. I am also conscious of the legislative reforms, in particular the priority to strengthen provisions through the enactment of the Criminal Justice (Burglary of Dwellings) Act 2015 and others. I have a table containing the information relating to County Wicklow which I will gladly pass on to the Deputy.

Deputy Pat Casey: I wish to inform the Minister specifically about Wicklow and the Baltinglass division which currently has only a part-time inspector on loan from Bray. Further, the superintendent was transferred out of the county with no permanent replacement. As the Minister might be aware, the Baltinglass division is almost half the geographic area of the whole county but it is sparsely populated. It stretches from Blessington all the way to County Wexford. Will the Minister inquire as to the stage at which the replacement of both the superintendent and the inspector are with the police authority and the commission?

An application for CCTV systems was made for Main Street, Arklow. This is an essential deterrent and would be a useful tool in bringing criminals to justice. Deputy Bobby Aylward and the Minister spoke about CCTV and access off motorways into rural areas. I think this is crying out to be delivered.

Deputy Charles Flanagan: I assure the Deputy of the existence of funding in respect of community CCTV. The application process is open and I have €1 million at my disposal for local communities. I am anxious to ensure that local public representatives are actively engaged in the provision of this information to local communities and would be happy to assist Deputy Casey in that regard.

As far as Baltinglass is concerned and, in particular, its Garda complement, there is a total of 32 active gardaí in the Baltinglass station and 23 in the west Wicklow town of Blessington. Budget 2018 maintains a high level of investment in the Garda workforce in order to ensure that my target of 21,000 members by 2021 is realised and achieved. A further 800 new Garda recruits will enter the Garda college next year. This will see Garda numbers reach the 14,000 mark by the end of this time next year. I can confirm that as of December 2017 we will achieve the 13,500 mark. A further 500 civilians will also be recruited to fill critical skill gaps across the organisation and to facilitate the redeployment of gardaí from administrative and technical duties to front-line operational duties. There are plans to strengthen the Garda Reserve and a new reserve is expected to commence training early next year.

Refugee Resettlement Programme

48. **Deputy Gino Kenny** asked the Minister for Justice and Equality if he will use his discretionary powers in a humanitarian manner to allow relatives of Syrian residents here, who

may be in equally dangerous situations as those of refugees, apply for family reunification under the family reunification humanitarian admission programme; his plans to redefine “family member” using the broader terms proposed in the International Protection (Family Reunification) (Amendment) Bill 2017; and if he will consider setting aside a budget to pay the administration and travel costs of bringing the family members of refugees that often have no means here; and if he will make a statement on the matter. [51496/17]

Acting Chairman (Deputy Frank O'Rourke): Deputy Kenny has 30 seconds to introduce his question.

Deputy Gino Kenny: I am happy for the Minister to answer the question.

Deputy Charles Flanagan: I thank Deputy Gino Kenny for raising this issue. On 14 November last, together with my colleague, the Minister of State, Deputy David Stanton, I announced the new scheme of family reunification in support of refugees and beneficiaries of subsidiary protection and their families. This new family reunification humanitarian admission programme will form part of the Government's commitment under the Irish refugee protection programme, IRPP. The family reunification humanitarian admission programme will see, over a two-year period, up to 530 immediate family members of refugees or beneficiaries of subsidiary protection from established conflict zones, including Syria, come to Ireland as part of our overall commitment to accept 4,000 persons under the IRPP.

I will operate this humanitarian admission programme under my ministerial discretionary powers and it will be in addition to the family reunification provisions provided for in the International Protection Act 2015. Officials in my Department are in consultation with the UNHCR and other stakeholders on developing the full operational details of the programme.

To allow the maximum number of families to benefit from the scheme, sponsors may be asked to prioritise a small number of family members for admission. I am conscious that the measure is being introduced at a time when our national housing supply is under strain and, to expedite the impact of the programme, priority may be given to sponsors whose eligible family members are in a position to reside with them.

As this new initiative falls within our IRPP commitment, I will examine if some limited IRPP funding can be made available to assist with the travel arrangements for eligible family members to Ireland in co-operation with the International Organisation for Migration and the Red Cross or Red Crescent.

Deputy Gino Kenny: I am sure the Minister is aware and that everyone in this House is cognisant of the human catastrophe that is the Syrian civil war which seems to be unabating. Hundreds of thousands of Syrians have fled Syria in search of refuge. In some cases, families have been split apart not by the chaos of war but the chaos of escaping it. The family reunification humanitarian admission programme is very prescriptive as it does not encompass family members such as brothers or sisters. I welcome the Minister's statement that he would consider providing for some costs of those seeking refuge here. The scheme should be widened, however.

Deputy Charles Flanagan: The scheme is aimed specifically at the families of those in Ireland who are in receipt of international protection and come from areas of current conflict, including Syria, as has been mentioned specifically in the question. Residents in Ireland who are not beneficiaries of international protection may apply to have family members join them

5 December 2017

under the guidelines set out in the policy document on non-EEA family reunification under the terms of the scheme operated by the Irish Naturalisation and Immigration Service. I assure the Deputy that I will continue to apply my discretion in the area of family reunification for those outside of the international protection process. My initiative under the programme is specifically aimed at those most in need and, in doing so, it will address many of the motivating concerns of Members of the House, including Deputy Gino Kenny.

Deputy Gino Kenny: The new scheme is very prescriptive. It does not include grandparents, parents or brothers or sisters of a Syrian refugee trying to make a new life for himself or herself here. I welcome the Minister's statement on the costs of relatives of those seeking refuge here. The Minister was correct when he said that we have a housing crisis. However, consider what we are doing about the arms trade and our budget under the PESCO agreement. A lot of money is going into fighting different people's wars, yet we cannot give people who are seeking to get away from war refuge in this country.

Deputy Charles Flanagan: As we approach the end of the year, I am keen to ensure that we meet our commitment to accept 4,000 people under the Irish refugee protection programme. It was with regard to addressing the balance of approximately 1,800 under the scheme, which arises largely due to the smaller number of asylum seekers eligible and registered under the EU programme, that I announced the establishment of a new family reunification humanitarian admission programme. The resettlement pledges are the largest commitments for resettlement that we have made in a calendar year since our programme began almost 18 years ago.

My priority is to ensure we can support the maximum number of families rather than having a smaller number of families being able to admit larger numbers of extended family members, which could well work to the disadvantage of others.

Additional details on the operation of the programme will be announced on my website. I will be happy to engage with the Deputy directly if he requires any further information or if he has any specific concerns.

Written Answers are published on the Oireachtas website.

Message from Seanad

Acting Chairman (Deputy Frank O'Rourke): Seanad Éireann has passed the Health and Social Care Professionals (Amendment) Bill 2017 without amendment.

Message from Select Committee

Acting Chairman (Deputy Frank O'Rourke): The Select Committee on Employment and Social Protection has completed its consideration of the Social Welfare Bill 2017 and has made no amendments thereto.

Estimates for Public Services 2017: Message from Select Committee

Acting Chairman (Deputy Frank O'Rourke): The Select Committee on Housing, Planning and Local Government has completed its consideration of the following Supplementary Estimate for Public Services for the service of the year ending on 31 December 2017 - Vote 34.

Topical Issue Debate

Drug and Alcohol Task Forces

Deputy John Lahart: I thank the Minister of State, Deputy Finian McGrath, for attending. Both Deputy Crowe and I were asked to raise this issue by Tallaght Drug & Alcohol Task Force. The Minister of State will be aware that considerable resources, although not all that were promised, have been channelled into Dublin's north inner city, a project championed by the former Taoiseach, Deputy Enda Kenny. As Fianna Fáil's Dublin spokesperson, I welcomed this initiative. What I disliked about it, however, was how the Government isolated its approach to supporting vulnerable communities to Dublin's north inner city. As the Minister of State knows, the most disadvantaged communities in Ireland, in spite of what Rural Independent Deputies might claim, remain in the capital city.

The cuts in recent years have had a huge impact on the provision of front-line support in the areas most affected by problem drug and alcohol use. I represent one such area, Tallaght. The role of Tallaght Drug & Alcohol Task Force in providing supports through projects and initiatives is essential. The effects of the cuts are not limited to, but have involved, the full removal of services in some cases; reductions in opening times of essential services; reduced staffing, with a resultant reduction in the quality of services; and pauses to pay increments for staff. The staff have endured these pauses since 2008. With the recent public pay restoration, projects are now experiencing a loss of essential staff to public bodies where pay and conditions are now far better than in our projects. There are rising costs in other areas, including insurance, and these issues must also be raised. An increase in drug-related deaths and suicides has been documented. The task forces lack the resources to deal with this. We are into December but there is still no allocation confirmed for task forces in the budget for 2018. If it were any other business, the staff would be put on protective notice at this stage.

Compliance visits were carried out in January of this year but the task force is still awaiting the report ten months later. These are just a few issues that I am able to raise in my two minutes. Deputy Crowe will address more.

Deputy Seán Crowe: We want to talk about the task force. It might surprise some of the Minister of State's Cabinet colleagues but it should not surprise him that, in parts of my constituency, there is open drug dealing. There is an increase in the number of drug deaths and the rate of intimidation. Families are being intimidated in the area. There are children acting as drug runners and they are destroying the hope and potential of a whole generation. There are people fleeing their homes and becoming homeless because of intimidation. It probably would not surprise the Minister of State that I am aware of eight-year-olds presenting at services with an addiction problem. I am not referring to an alcohol addiction but to an addiction to cocaine or another such substance. That is the background.

If the Minister of State went to my constituency, he would see that there are posters up referring to Crimestoppers. The organisation encourages people to telephone in if they see drug dealing in the area. The campaign has been successful. The Garda is saying it has already had some successes with it but the difficulty is that, with the posters going up, people's expectations rise. The Garda tells me it does not have the resources to follow up on many of the reports of open drug dealing.

There is currently no superintendent. There are two uniformed inspectors and one plain-clothes inspector. There used to be five. We are short of nine sergeants. We have a reduced drug squad and a reduced number of gardaí in the area. Robbed cars can be seen in the constituency again. We believed this was a thing of the past.

With regard to the drugs task force, who is sitting at the table?

Minister of State at the Department of Health (Deputy Finian McGrath): I will be taking this matter on behalf of Minister of State, Deputy Catherine Byrne. I thank Deputies Lahart and Crowe for raising the important issue of funding and governance requirements in regard to the Tallaght Drug & Alcohol Task Force.

Local and regional drug and alcohol task forces play an important role in the development of drugs initiatives at local level to provide a targeted response to the problem of substance misuse in local communities. I can assure the Deputies that every effort has been made to protect the budgets of drug and alcohol task forces in recent years. The overall allocation to local drug and alcohol task forces for community-based drugs initiatives from the Department of Health and the Health Service Executive in 2017 was €27.65 million. The Minister of State, Deputy Catherine Byrne, is committed to ensuring that funding at this level is maintained in 2018 and to providing new opportunities for task forces to contribute to tackling the drug problem in the years ahead.

In July this year, the Taoiseach, together with the Minister of State, launched Reducing Harm, Supporting Recovery: A health-led response to drug and alcohol use in Ireland. This document sets out the Government's strategy to address the harm caused by substance misuse in our society up to 2025. The vision of the strategy is to create a healthier and safer Ireland. In recent days we have all heard about the horrific killings. The country is not a safe place to be for many involved or indirectly involved, or people being abused owing to the drugs issue. Reducing Harm, Supporting Recovery emphasises a health-led response to drug and alcohol use in Ireland that is based on providing safe person-centred services that promote rehabilitation and recovery.

A key element of the strategy is the introduction of a performance-measurement system for drug and alcohol task forces. The aim of the system is to help the Government assess whether drugs initiatives, including measures developed by task forces, are leading to an improvement in problem substance use across the country. The system also incorporates a resource allocation model to enable funding to be allocated on a more equitable and rational basis that takes account of underlying need in areas covered by the task forces and targets those communities that face a higher risk of substance misuse.

The Minister of State, Deputy Catherine Byrne, is well aware that a significant amount of work needs to be done in consultation with relevant stakeholders and sectors, including the task forces, to bring the performance measurement system into operation. Building the capacity of

task forces to participate in the performance measurement system will be a key factor in the overall success of the framework. Supporting task forces to operate in accordance with good governance will be an important part of the process. In order to start the process, the Minister of State, Deputy Catherine Byrne, intends to announce details of a range of new funding initiatives early in the new year to strengthen the capacity of task forces to support the implementation of Reducing Harm, Supporting Recovery during 2018.

On behalf of the Minister of State, Deputy Catherine Byrne, I acknowledge the important role played by task forces, including the one in Tallaght, in providing a targeted response to the problem of substance misuse in local communities. Working with task forces through the structures of the new strategy to strengthen the inter-agency model has been a key factor in the success of Government policy in this area to date.

Deputy John Lahart: The response was banal and irrelevant. When the funding is eventually received - it has not been received - the HSE has the final say over where the funding is allocated. There is no level of communication apparent and that irks the task forces because the HSE personnel are not the ones on the front line and they do not have the insight into where the gaps and duplications are. Requests are sent regularly to the HSE and it does not respond. I mentioned the compliance visits that were carried out last January but there is still no report. The HSE's relationship with the task forces must change dramatically from what I would regard as a paternalistic, hierarchical one to one of partnership with projects at the coalface, and other stakeholders such as local authorities and, critically, the Department of Employment Affairs and Social Protection.

There are huge compliance and governance requirements and responsibilities for board members and chairs with no resources or additional supports. How does the Minister propose to combine governance requirements with volunteer availability and time? Consistent, regular and continuous attendance at task force meetings would be a requirement. There is a real need for a co-ordinating leader to pull together all the strands that are needed to support users, local communities, families and projects themselves. Nothing is being done to address the continuing spate of suicides in west Tallaght and north Clondalkin. Could the Minister of State, Deputy Finian McGrath, ask what plans the Minister of State, Deputy Catherine Byrne, has to provide the essential connectivity that is required to make the drugs and alcohol strategy effective?

Deputy Seán Crowe: I do not know if the Minister of State, Deputy Finian McGrath, is embarrassed reading such a reply. For example, he stated "every effort has been made to protect the budgets of drug and alcohol task forces in recent years." We know for a fact that they have been gutted, in some cases by 20% or 30%. There is talk of reinstating the funding for drug task forces but what is needed is an increase in funding. As the Minister of State said, the problem is getting worse. If we are serious about tackling the drug problem the pillars must be in place. Let us examine who is sitting around the table. More often than not the Garda is not present. The HSE has not been present at the past two meetings and it has been said it might not be there in the future. The Department of Employment Affairs and Social Protection is not present and neither is the Department of Education and Skills. The people involved in all those key elements in terms of policy to tackle drugs are not sitting around the table with the community. Those in the community ask what will be done. We do not have confidence in the Minister of State, Deputy Catherine Byrne. The problem is getting worse and we do not see anyone trying to come up with new ideas or trying to support communities that are trying to combat the drug problem in their area. The situation is getting worse not better and that is due to the Government.

Deputy Finian McGrath: I value and acknowledge the work of the task force and I accept the point that more needs to be done. However, Deputies Crowe and Lahart must accept that in 2018 we intend to spend €27.65 million so it is wrong to say nothing is being done. When one breaks down the funding it is apparent that €24,250 was allocated to Fettercairn estate management-----

Deputy Seán Crowe: That used to be a full-time job.

Deputy Finian McGrath: A total of €24,250 was allocated to the Killinarden community safety forum.

Deputy John Lahart: It is not just about the money.

Deputy Finian McGrath: A total of €5,416 was allocated to St. Dominic's community response. The sum of €37,775 was received by Brookfield addiction support programme. Swan family support received €43,951. Barnardos Rivendell project was allocated €233,596. Those are examples of actions that are happening on the ground. I accept the point the Deputies made but we also have a broader societal issue as well in relation to drugs. Another aspect is that one must deal with the health addiction aspect, which I fully support, but there is also the criminal aspect where people are being slaughtered on the streets. That is a security aspect. There are two dimensions involved. We need to develop the national drugs strategy and to ensure the health promotion sector provides services for people on the ground. The Government intends to do that. I will bring the major concerns of the Deputies back to the Minister of State, Deputy Catherine Byrne, because I accept there is a problem in tackling the issue overall.

Community Employment Schemes Administration

Deputy Donnchadh Ó Laoghaire: Community employment schemes offer people significant opportunities in terms of experience and getting back to work and they also offer a considerable benefit to the communities in which they are located as a result of the services they provide. It has been drawn to my attention by people involved in the scheme, both at administrative level and by participants, that the manner in which CE schemes are being managed currently is making it very difficult to match up those offering positions with people who want to fill the positions. The main difficulty is the manner in which the positions are advertised and in particular the manner in which applicants are to apply.

It is my view that the changes introduced in recent years fail to understand the nature and value of community employment schemes. They undermine the intended outcome, in particular in terms of giving people work experience, reintroducing people to work, and adding to the value of community projects and associations who find excellent uses for people on the schemes, that are of value to both employee and employer.

In particular, I draw attention to the fact that all scheme supervisors must now advertise each position that becomes available on the Intreo website. Any applicant interested in a position, who wants to take part in a community employment scheme must register with Intreo and apply online for each position. While generally there is a certain sense to online advertisement of positions in terms of transparency, the specific context of the scheme has to be taken into account. My concern, which is shared by many CE supervisors, is that many of the people who would potentially benefit from community employment schemes, who might have been out of

employment for a considerable period, will not register or apply and will not be aware of the opportunity that may exist. The reality is that a considerable proportion of people who seek employment in a community employment scheme have problems with literacy skills or have limited IT skills. CE schemes give people the opportunity to return to work, perhaps after a period out of work, and to gain skills and experience. That is invaluable to them and allows them to get further work.

The work involved in CE schemes is extraordinary. Requiring applicants to register in the manner I outlined is a hurdle which will put many people off applying for schemes, and will also mean that they are unaware of the opportunities that exists. That is discrimination against people without the necessary literacy skills, and potentially against older people. Just as significantly, many supervisors are finding that very few are registering or applying online, and because they are restricted in terms of other ways to get the word out, positions are going unfilled for extended periods, which undermines the projects and the work they do. I urge the Minister to give the issue serious consideration and to change the system so that the CE scheme is not allowed to be downgraded or undermined, that people can continue to benefit, and the schemes can find people who want to be involved. We should take every opportunity to join up those who wish to work, and those who wish to employ them and not to make it harder, as has been the case in recent times.

Deputy Finian McGrath: I thank Deputy Ó Laoghaire for raising this important issue concerning community employment schemes. The aim of the community employment programme is to enhance the employability of disadvantaged and unemployed people by providing work experience and training opportunities for them within their communities.

The programme helps to break the cycle of unemployment and improve a person's chances of returning to the labour market. That is the objective. Community employment scheme sponsors advertise vacancies free-of-charge on the Department's www.jobsireland.ie website. Posting vacancies is a relatively simple process and a dedicated video tutorial is available on the site to assist sponsors. Anyone requiring further assistance can contact the Department's national contact centre by telephone at lo call 1890 800 024 and (01) 248 1398 or by email at jobsireland@welfare.ie. It is important that this information is available for the many people who are interested in these schemes.

Sponsors can also promote scheme vacancies within their local communities. At a local level, various methods of promoting CE scheme vacancies have been arranged between the Department and local CE scheme operators, including targeting potentially eligible jobseekers for attendance at a CE job fair, where details of CE scheme vacancies and employment opportunities are provided.

No recent changes have been made to the recruitment and applications procedures for CE schemes. Jobseekers receive information about all available employment support options, including CE, through the Intreo service. Jobseekers receive one-to-one support from a case officer and all available and suitable options are discussed. Jobseekers can view CE vacancies online at www.jobsireland.ie as well. Eligible candidates are referred to sponsors by case officers in their local Intreo centres. I trust that this clarifies the matter for the Deputy.

My experience of the Intreo offices is very positive, especially in respect of the disability sector. Over 60 people are trained in our social welfare offices throughout the country and provide an important service in respect of my personal portfolio. The role of the community

employment scheme is important. The idea is to train people with the objective of securing a more reasonable job.

Deputy Donnchadh Ó Laoghaire: I agree with what the Minister of State has outlined as the function and value of the community employment scheme. To an extent, this boils down to common sense. We are forcing people to jump through hoops that should be unnecessary. We are making it far more difficult to connect people who want to work and participate in the scheme with those who want to give such people a job. I call on the Minister of State to reflect on this and bring back my message to the Minister for Employment Affairs and Social Protection, Deputy Doherty. The scheme could have a position available that could be advertised locally. Someone could contact the provider of the job in question. Yet, someone who might have been out of work for two or three years may not be given a chance on a community employment scheme. At the moment, the person seeking the opportunity must spot the vacancy online and apply for it online. The context of the CE scheme has to be borne in mind at all times. Some people have had difficulty in getting work for a significant period. They may have literacy skills, they may be older or they may have limited computer skills. It is unreasonable, impractical and inflexible to force everything to go through the online process. It should be possible to advertise the positions online but it should also be possible to make the provider and employers use other means, whether advertising locally or whatever, to fill positions and to offer such positions to people who want to work.

Part of the problem is that positions are now becoming available but no one is applying for them or filling them. I have been informed of this from those responsible for projects in my area and from talking to supervisors who maintain the problem is coming up in other areas as well. The problem is that candidates are not aware the positions exist and they have no knowledge of how to apply for them. People can go to the Intreo offices and be walked through it, but that is a slow and laborious process for every application. It is simply unreasonable. I believe it is holding people back from getting jobs in the community employment scheme.

Deputy Finian McGrath: I take the points made by Deputy Ó Laoghaire on the need for more information. If there is a CE scheme experience with particular difficulties in recruitment, the sponsor should contact the local Department of Employment Affairs and Social Protection offices to enable the matter to be reviewed.

It is important to know that there are 1,422 CE vacancies advertised on *www.jobsireland.ie* at present. These schemes are designed to break the cycle of unemployment and maintain work-readiness, thereby improving a person's opportunity of returning to the labour market.

A second point is important. International evidence does not advocate long-term dependency programmes. While researchers accept the role of such programmes in times of high unemployment, they advise that prevalence should be reduced as unemployment falls and employment prospects grow. Some of the evidence points to longer duration interventions being prone to locking unemployed people into programmes rather than engaging them in active jobs.

Those aged between 21 years and 55 years are entitled to one year on the scheme with the potential to extend the period to two years. Those over 55 years can remain on the scheme for three years.

The schemes make a contribution, but now that we have unemployment down to 6% it is a developing situation. In any event, I will bring back the issues raised by Deputy Ó Laoghaire

to the Minister, Deputy Doherty.

Garda Deployment

Deputy Peter Burke: Councillor Paul Ross in Longford has consistently raised the issue of Edgeworthstown Garda station with me in my office. Today and on several previous occasions he has pointed out that Edgeworthstown is now the second largest town in County Longford. The population increased between the 2006 and 2011 census by 42% and there was an additional increase of 19% by 2016. The population now is in excess of 2,500. The town is a centre of connectivity because the N4 and N55 essentially meet in the town and it has a busy railway station as well.

There is concern among residents about an increase in the number of burglaries in the Granard district. Obviously, this has come to the attention of residents. They have examined the Garda numbers assigned to the Edgeworthstown station in greater detail. The population in Edgeworthstown has increased significantly and there has been a major shift in the diversity of the population. This has taken an additional toll on resources in the town, as one would expect in a town of such a size.

I submitted several parliamentary questions, in particular, No. 52 of 23 May 2017, No. 278 of 4 July and No. 255 of 1 November. In the last two parliamentary questions I made clear that I was looking for the numbers of active gardaí at Edgeworthstown station. I was advised in the parliamentary questions that 11 gardaí are assigned to Edgeworthstown station. However, closer analysis of the facts suggests this is not the full picture. I have a list before me with some detail. It seems that one of the 11 is currently on long-term sick leave. Another has been transferred to Dublin. Four are assigned to other towns within County Longford. Essentially, currently only 4.5 gardaí are active in Edgeworthstown.

Councillor Ross has pointed out to me that the gardaí are visible and are doing an incredible job under strained resources. A sergeant is in charge and three gardaí are on the beat. We also have one sergeant who is responsible for crime investigation. I understand he is 50% allocated to Granard Garda Station and 50% allocated to Edgeworthstown Garda Station.

My principal concern is that the population has exploded in the town. Closer analysis of the facts indicates that only 4.5 gardaí are on active duty. We have been told a total of 11 gardaí are assigned to the station. That makes a strong statement. If 11 have been assigned but we have seen an explosion in the population, then we need far more gardaí. This co-relates with the facts raised at the recent joint policing committee meeting on the increase in crime.

I have discussed the matter with people and I have checked the numbers. I have a detailed statement on the numbers assigned and why there is a disparity in the figures. People who have been transferred out of the station, who are on long-term sick leave or working in other towns or who have been assigned to other areas are included in the figures. As a public representative, my job is to respond to concerns raised by residents. Councillor Paul Ross has been putting me under considerable pressure to obtain accurate information on what lies behind the figures. I would be grateful if the Minister set out such detail. I also thank him for coming to the House to respond to this Topical Issue.

Minister for Justice and Equality (Deputy Charles Flanagan): I thank the Deputy for

raising the important matter of policing in County Longford. The Government is committed to ensuring a strong and visible police presence throughout the country to maintain and strengthen community engagement, provide reassurance for citizens and deter crime. To achieve these objectives, it has put in place a plan for an overall Garda workforce of 21,000 personnel by 2021, comprising 15,000 Garda members, 2,000 Garda Reserve members and 4,000 civilians. We are making real and tangible progress in achieving this goal.

As the Deputy will appreciate, the Garda Commissioner is responsible for the distribution of resources, including personnel, among the various Garda divisions and I, as Minister, have no direct role in the matter. Garda management keeps this distribution of resources under continual review in the context of crime trends and policing priorities so as to ensure the optimum use is made of these resources.

I am informed by the Commissioner that, with regard to the deployment of Garda personnel, a distribution model is used which takes into account all relevant factors, including population, crime trends and the policing needs of each individual Garda division. Where a deficiency in resources is identified, the matter is considered fully and addressed accordingly. In addition, as the Deputy will appreciate, to deliver an effective policing service, it is essential that Garda management have the flexibility to deploy Garda resources to meet operational policing needs and address critical issues as they arise. For this reason, the number of gardaí available in any one Garda station on a particular day is subject to the operational requirements of the overall division.

Edgeworthstown Garda station, to which the Deputy referred, forms part of the Granard district in the Roscommon-Longford division. I am informed that the number of gardaí assigned to the division on 31 October 2017, the latest date for which figures are readily available, was 309, of whom 47 members were assigned to Granard district and 11 to Edgeworthstown Garda station. I note the Deputy's point that 4.5 Garda members, namely, one sergeant and three gardaí, are available at the station. This figure is somewhat at variance with the figure given to me of 11 gardaí being assigned to the station. There are also nine Garda Reserve members and 29 Garda civilian staff attached to the Roscommon-Longford division.

I listened carefully to the Deputy's comments on crime in the locality. When appropriate, the work of local gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, armed support units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau. I am also informed that the divisional traffic corps and the drugs unit carry out patrols in the area.

I am conscious that the Deputy cited the Longford-Westmeath constituency which is similar in profile to the adjacent constituency of Laois-Offaly. I acknowledge the challenge facing the region, with particular reference to the motorway, ease of travel and mobility. In so far as the number of gardaí on active duty is concerned, the Commissioner has advised that for operational and security reasons, An Garda Síochána does not comment on the number of personnel on sick leave in a particular station.

The district headquarters at Granard is open 24/7 and members stationed at the headquarters are available to attend to calls for assistance by members of the public when Edgeworthstown Garda station is closed to members of the public or in circumstances where members may require back-up or assistance.

I am further informed by the Commissioner that since the reopening of the Garda College in September 2014, close to 1,400 recruits have attested as members of An Garda Síochána and been assigned to mainstream duties nationwide. Of these, ten have been assigned to the Roscommon-Longford division. I look forward to attending the attestation of another 200 trainee gardaí this Friday, which will see Garda numbers, taking account of projected retirements, increase to approximately 13,500 by year end, a net increase of 500 since the end of 2016.

I assure the Deputy of my ongoing attention to this issue.

Deputy Peter Burke: I thank the Minister for his reply. I also appreciate the work he is doing with regard to various Garda operations and the funding assigned to them. I welcome the reopening of the Garda College in Templemore and the recruitment of more gardaí. The Minister has advised that 11 gardaí are assigned to Edgeworthstown Garda station and made it clear that the Garda Commissioner makes decisions on the deployment of gardaí for operational duties. It is vital that Deputies are given information on which they can rely and stand over in their constituencies. Unfortunately, I will be unable to stand over the information provided as I have been clearly advised that 11 gardaí are not assigned to Edgeworthstown Garda station.

The Minister has stated he cannot give figures for the numbers of gardaí on sick leave. I have been informed that one garda has transferred to Dublin, with a further three transferred to different areas. I ask the Minister to provide some clarity on this issue and would appreciate it if he reverted to the Garda Commissioner on the figures provided. It will be difficult for me to return to my constituency with figures that are being genuinely contested. From the information provided for me and visiting Edgeworthstown and speaking to residents of the town, they clearly believe they are under serious pressure in terms of resources. If Edgeworthstown Garda station requires a complement of 11 gardaí, it shows the considerable demand for Garda resources in the town and I expect this demand to be met. We fully accept that gardaí will sometimes be on sick leave and that other circumstances will obtain. I hope we will be able to get a clearer picture of the position in Edgeworthstown. For that reason, I would appreciate it if the Minister reverted to the Garda Commissioner to seek further information and present an update to us thereafter.

I compliment the Minister on the good work he is doing in reforming the Department of Justice and Equality and providing key resources to fight crime in rural areas where they are most needed.

Deputy Charles Flanagan: Whatever about having no direct input into the distribution of Garda numbers or operational matters which are wholly under the jurisdiction and domain of the Garda Commissioner and Garda management, I have responsibility for the provision of accurate information for Deputies. Having regard to the Deputy's comments, I will, immediately following this debate, ensure the issues he has raised are fully checked out, with a view towards accurate verification. I assure him that, with regard to the Government's plan for an increase in Garda numbers and having regard to the fact that the Garda College in Templemore was closed during the years of the great recession, with the economic recovery having taken hold, we are now in a position to ensure a progressive stream of new Garda recruits. Ambitious, energetic gardaí are taking up positions in Garda stations across the country. I look forward, on Friday next, to the attestation and graduation of a further 200 gardaí, all of whom will, I expect, be assigned to Garda stations before 1 January 2018. I assure the Deputy that the Longford-Roscommon area which includes Edgeworthstown will have a certain focus in that regard.

5 December 2017

I note that €330 million, including €205 million under the capital plan, is being invested in Garda information and communications technology infrastructure in the period from 2016 to 2021. This major investment will allow An Garda Síochána to deploy the latest cutting edge technology across the country.

In terms of the Garda fleet, the Deputy will be aware that new vehicles were recently provided in the midlands. In the period from 2013 until the end of this year, almost €44 million will have been invested in the Garda fleet, with some 2,000 vehicles coming on stream in that period. This investment will facilitate the provision of a more effective policing service. I expect County Longford and the Roscommon-Longford division, like all Garda divisions, to benefit from these new resources becoming available. I will revert to the Deputy on the specific issue he raises concerning the verification of the figures supplied.

UN Conventions

Deputy Gino Kenny: I seem to have been struck by the curse of *Dáil déjà vu* because I recall raising the issue of Ireland's ratification of the United Nations Convention on the Rights of Persons with Disabilities with the Minister of State, Deputy Finian McGrath, this time last year, almost to the day. One year on, we appear to be in exactly the same position, unless the Minister of State is about to tell the House otherwise.

Last Sunday was International Day of Disabled Persons and after 11 years, we still have not ratified the UNCRPD. In fact, Ireland is the only country in Europe not to ratify the convention. Over 200 countries in the world have ratified the convention. Last year, I emphasised that key legislation underpinning the convention could be passed by this House even before the convention is ratified.

The Minister of State, Deputy Finian McGrath, has a track record on this, but he has staked his reputation on this matter and it has still not been ratified. Waiting for the convention to be ratified is like "Waiting for Godot". This is a human rights issue. This is about equality in Ireland.

Last week, as the Minister of State will be aware, a good campaigner, John Doyle, who was incredibly vocal on disability, passed away. I will read what he stated in a blog about the non-ratification of the UNCRPD because it is poignant. He wrote:

December 3rd is International Day of Disabled People. I hate this day for what it has become. It was to be a day of celebration of inclusion and equality but instead every year we get an endless parade of politicians lining up to put a positive spin on having done nothing to really address the inequalities faced by disabled people.

The United Nations Convention on the Rights of Persons with a Disability (UNCRPD) was signed in 2006 by the Irish Government and a full ten years later and several governments on, it has still not been ratified. The lack of ratifying this document has left disabled people with no recourse to enforceable laws which would have given some protection against the myriad of institutional abuses we have seen over the last 10 years.

We still have not ratified the UNCRPD. It is incredible. People in this country are extremely angry and they will voice their protest on Saturday at 12 o'clock at the GPO. Has the

Minister of State any good news for the 600,000 people with disabilities in this country who want to see this ratified?

Deputy Finian McGrath: I have just come from a Cabinet meeting. The Cabinet has agreed to formally ratify the Convention on the Rights of Persons with Disabilities.

Today's Government decision is a significant milestone. I am delighted that my colleagues in government have supported me in deciding that the Convention should be ratified by Ireland. We will be returning to this at the next Government meeting to put the formal process in train and I am confident that all the necessary administrative processes will be completed within a few weeks.

My focus, as the Members all know, has been to promote and protect the enjoyment of human rights by all of our citizens and in this case, on the UN Convention, for all people with a disability.

I also welcome the progress made in recent weeks and months on the drafting of legislation by the Department of Health on the deprivation of liberty. It is a positive development and testament to the fact that genuine progress on meeting the needs and rights of people with disabilities is being made.

Deprivation of liberty is a sensitive and important matter which goes to the heart of fundamental freedoms and human rights. Legislative proposals in this area will have significant implications for families, the operation of the health services and the courts. It is important the people fully understand what is being proposed. In this regard, I will be inviting submissions from stakeholders and the general public.

We are making good progress in making all of the Convention's requirements operational in Ireland in an appropriate manner. Considerable progress has been made to overcome the remaining legislative barriers to Ireland's full implementation of the Convention as set out in the 2015 roadmap. The Assisted Decision-Making (Capacity) Act 2015 was signed into law on 30 December 2015 and is a comprehensive reform of the law on decision-making capacity. Section 5 of the Criminal Law (Sexual Offences) Act 1993 was reformed through a 2017 Act of the same name to facilitate the full participation in family life of persons with intellectual disabilities and the full expression of their human rights.

There are two further priority implementation issues. These are the enactment of the Disability (Miscellaneous Provisions) Bill 2016 and the commencement of the Assisted Decision-Making (Capacity) Act 2015 which requires the Decision Support Service to be operational and ready to roll out the new decision-making support options. The 2018 budget provided an allocation of €3 million for the establishment of the Decision Support Service. I am also delighted to announce that we appointed the director of the Decision Support Service in October.

In the meantime, I am continuing to take a wide range of practical measures to improve the lives of people with disabilities. The report of the Make Work Pay Group was published in April of this year and already action, as announced by the Minister, Deputy Harris, has been taken on its recommendations. We have a comprehensive employment strategy in place and 2017 has seen positive action measures being taken to support public sector recruitment of people with disabilities. In July of this year I published the disability inclusion strategy containing a wide range of practical commitments to improve the lives of people with disabilities. There are over 114 recommendations and already many of these are being implemented.

I promised that we would ratify the UNCRPD and I am delivering on that promise tonight with the support of the Government.

Deputy Gino Kenny: That is all well and good - I do not want to be sceptical because I am not a sceptic by nature - but I heard all this, last year and in February. I asked the Minister of State when would this be ratified and he stated it would be a couple of weeks before Christmas.

The reply is ambiguous. Can Deputy Finian McGrath give an exact date when the UNCRPD will be ratified? To say that it will be as soon as possible could mean anything. I heard that last year. It could be another year. I am not questioning the Minister of State's bona fides but the reply is too ambiguous.

Deputy Finian McGrath must give an exact date when this Convention will be ratified. If he waits for all the legislation and by-laws, we will be waiting forever. The Minister of State even stated this morning in the media that does not have to happen, we would ratify it and then the primary legislation can be legislated for. Can the Minister of State give an exact date when this Convention will be ratified? As I stated, 600,000 people are relying on the Minister of State's words and they are very important words.

Deputy Finian McGrath: The major announcement today is that the Cabinet - I have just come from that Cabinet meeting - formally adopted and supported my proposal to ratify the UN Convention.

The other issues that are in place are as follows. As I stated previously, the €3 million for the Decision Support Service has been allocated. The legislation will be published tomorrow and we will move on from there. The key point here is we will move on this as quickly as possible and we will be bringing another memorandum to Cabinet before the Christmas break.

The direct answer to the Deputy's question is I see us formally ratifying the UN Convention in early January, and sooner if possible. However, it also has to do with logistics. We have got to bring a memorandum to Cabinet. We have to bring a formal motion before the Dáil.

Deputy Gino Kenny: It is the exact same.

Deputy Finian McGrath: It is not exactly.

Deputy Gino Kenny: It is the exact same.

Deputy Finian McGrath: We have moved on a significant distance over the past number of months. There have been major improvements, a major move in direction.

There is something important I want to point out to Deputy Gino Kenny on the key aspect here on the deprivation of liberty. I want to have space and time to have consultations with every disabled person, every civic group, every senior citizens' group, people with a mental illness and others who might come to me and propose amendments on the deprivation of liberty. I have an open door but I want to ensure that we consult. This is a sensitive matter, particularly for the vulnerable. I want to ensure that the legislation is right. The legislation will be published tomorrow and people will have an opportunity to examine it.

It is wrong to say it is the exact same. Two things have happened today. The Government formally agreed to ratify. That is the key message I want to send out today. The second message is we are moving on the legislation. We are moving on the consultation process.

Deputy Gino Kenny: The Minister of State said exactly the same last year.

Deputy Finian McGrath: I would say early in the new year.

Public Service Pay and Pensions Bill 2017: Committee Stage

Sections 1 to 3, inclusive, agreed to.

SECTION 4

Deputy Seamus Healy: I move amendment No. 1:

In page 8, between lines 14 and 15, to insert the following:

“(3) Subsection (2) of section 12 of the Financial Emergency Measures in the Public Interest Act 2013 is repealed.”.

There is significant opposition among trade unionists and trade unions to this anti-trade union legislation. The punitive and draconian consequences mapped out in the Bill are disproportionate and unprecedented. The measures include, for instance, a freeze on increments for three years, a nine-month delay of pay restoration measures and the iniquitous two-tier system of pay which discriminates against workers who commenced employment on or after 1 January 2011. The opposition and unrest are patently obvious outside the gates of Leinster House this evening where members of the Teachers Union of Ireland, TUI, including all of its national officers and the national executive, as well as members of the Association of Secondary Teachers of Ireland, ASTI, including its general secretary and president, are protesting. There is significant opposition to this legislation.

Amendment No. 1 seeks to repeal section 12(2) of the Financial Emergency Measures in the Public Interest Act 2013 because clearly there is no longer any emergency. The section requires the Government to bring forward, by the end of June every year, a declaration of a financial emergency, but clearly there is no such emergency and that is not just Deputy Seamus Healy speaking. A series of Ministers have said it, including the former Minister for Finance, Deputy Michael Noonan. At a meeting of the Committee on Budgetary Oversight on 21 September 2016 he said the opinions of the political parties during the general election were to the effect that the rates of USC needed to be reduced, that it was an emergency tax that had been introduced at a particular time and that “now that the emergency was over,” work should continue to phase it out. On 13 October 2015 when introducing the annual budget he said:

The forecast deficit for 2015 of 2.1% is well ahead of our original target of 2.7 % and our excessive deficit requirement of less than 3% of GDP. Consequently, we will exit the corrective arm of the Stability and Growth Pact and move into the preventive arm of the pact.

The then Tánaiste, Deputy Joan Burton, said in an opinion piece in *The Irish Times* that “while the emergency is over, the need for reform is not.” On three occasions Ministers indicated that the emergency was over. Also notable is the fact that in the last two budgets significant reductions in income tax and USC were granted to the top earning 5% of citizens whose incomes exceeded €180,000 per annum. If one looks at the situation nationally in terms of how very wealthy people are faring, we find that in terms of GDP per head Ireland is wealthier than Germany, the United Kingdom, the United States, France and Italy. In fact, Ireland is ranked

eighth in the world by this measure. The richest 12 individuals in the country have €50 billion in total assets, of which they have gained €6 billion in the last year. The top 300 richest individuals have €100 billion in total assets, of which they have gained €12 billion in the last year. The financial assets of the top 10% are now €37 billion above the peak boom levels of 2006. The top 10,000 personal income recipients have incomes totalling €6 billion per year or an average income of €600,000. There are significant gains being made in this country which is ranked as the eighth wealthiest in the world. In its pre-budget submission the Society of Saint Vincent de Paul told us that the income share of the top 1% had increased by 20% between 2014 and 2015. Ireland also has the luxury of not needing to collect €13 billion due to it from Apple. Today the Minister of State at the Department of Defence, Deputy Paul Kehoe, told the House that the Government wanted the country to join the PESCO arrangement. That will commit us to spending an additional 2% of budget or €1.5 billion extra per year in the next few years. It is quite clear that there is significant wealth in the country and various Ministers have confirmed that the emergency is over.

It is my belief the provision in the legislation regarding the declaration of a financial emergency is unconstitutional. It is being used to reduce pensions, increase pension contributions and control pay and conditions of employment. I questioned the former Minister for Public Expenditure and Reform, Deputy Brendan Howlin, about this at an Oireachtas committee. It is important to read his response. He said:

The bottom line is I agree with the thrust of what Deputy Healy said about pensions being a preserved property right. That has been determined by the courts. That is why we have taken very careful advices from the Attorney General, of which some have already been tested in the courts. The criteria required, as I have put on the record before, are that to sustain pension contributions, there needs to be an emergency which needs to be certified.

He went on to say the contribution had to be one towards addressing the emergency, that it needed to be proportionate in terms of a person's income and that it needed to be non-discriminatory. In other words, one cannot say one category of people should be deprived of a pension and that another category should not. Clearly, reductions in pensions and increases in pension contributions are subject to there being a financial emergency and it being certified every year. However, it is quite clear from ministerial statements, data for the incomes and assets of the very wealthy in this country and the fact that the country is now the eighth wealthiest in the world, that there is no such emergency. The declaration of an emergency is simply being used to deprive people of their pension rights, increase their pension contributions and reduce and control pay and conditions of employment. I commend the amendment to the House.

Deputy Mick Barry: I support Deputy Seamus Healy's amendment, the effect of which would be the complete repeal of the Financial Emergency Measures in the Public Interest Act 2013. It is hard to believe the legislation underpinning the declaration of a financial emergency is still in place in 2017. In less than a month we will be in 2018, but the first reports that the recession was bottoming out and that a recovery was under way in the economy were in 2014. Members can go back and look at the newspaper reports. We have had 2014, 2015, 2016 and 2017 and we will soon be in 2018, yet the Government still insists on keeping this emergency legislation in place. These are emergency measures to hold down the pay, pensions and rights of public servants at time when the landlords are creaming it and the multinational corporations and business generally are raking in record profits. To have emergency measures for public servants shows where the priority of this Government lies.

This legislation is being used as a big stick to beat young public servants and to enforce a denial of equal pay for equal work. We have had cuts to the starting salaries of those employed in the public sector since 2011 and the new pay agreement, the public services stability agreement, or PSSA, which the Minister hails as being a step towards ending two-tier pay, in reality copper-fastens it. Under this agreement, no change can occur in the essential character of the two-tier system during the duration of the agreement up to 2021 because the pay rates cannot be equalised within that period. This is outrageous. The idea that we would pay people less on the basis of the colour of skin, gender or sexual orientation would be outrageous yet how is it fundamentally different to discriminate against people on the basis of their age? While the Government will say it is not related to age but to new entrants, the overwhelming majority of those new entrants are young people. It is right and proper that the three teacher unions are opposed and I support them entirely in opposing that measure.

Is it not a scandal that those young workers continue to be discriminated against and continue to be paid lower pay for work of equal value, while this agreement will allow people who drove this country over the cliff in the interests of the builders, the developers and the bankers - people like Brian Cowen and Bertie Ahern - to have their pensions fully restored? It is one law for the likes of Brian Cowen and Bertie Ahern and something different entirely for young teachers and other young workers in the public sector. If those young workers, along with their fellow trade unionists, vote democratically to refuse to sign up to the new agreement, FEMPI kicks in and backs up the Government in saying that rather than recognising the right to free collective bargaining, it will enforce extra penalties on their head, increments will be frozen until 2021 and they will have an effective two years-plus continuation of the pension levy. This is anti-union and anti-worker legislation. It should not be tweaked or tampered with; it should be thrown out entirely. I completely support Deputy Healy's amendment.

Deputy Richard Boyd Barrett: I also wish to support Deputy Healy's amendment. The FEMPI legislation should be completely repealed. It has no justification whatsoever and it never did, by the way. It was based, in the first instance, on an enormous lie that was used to justify the austerity assault on working people after the collapse in 2008. The lie was that the reason we had a crash was that we had excessive public spending and that our public servants were paid too much. That was a total lie and utter nonsense. We had an economic collapse because of the reckless gambling by bankers and property developers, and the financial and governmental authorities which actively facilitated that with so-called light-touch regulation. This applies right from the European Central Bank to our own Central Bank, the financial regulators and the two main political parties in this country, and all of their cronies in the banking sector and the building sector - all of the people who now are enjoying an absolute bonanza. That is the irony. They never got punished for their criminal actions in stoking up the property bubble and the crash that followed and they are now the major beneficiaries of the recovery, creaming in astronomical profits from the property sector on the back of a massive homelessness crisis. Who paid the bill, however? It was the poor public servants who bore no responsibility, except maybe a few at the very top who were part of the permanent Government. It was ordinary public and civil servants who had no responsibility for that crisis who were made to pay, and pay savagely, with this FEMPI legislation, which was the main instrument through which to impose really vicious austerity.

Before getting on to the specifics of what this Bill perpetuates in that great injustice and unfairness that was inflicted on public sector workers, it is very important to set it in a wider context. The big hidden story of what is happening in this country, and has been happening for

approximately the last 30 years, is a massive redistribution of wealth from working people to capital. That is not something that is only said by the left and left-wing think tanks, although they have produced multiple papers on it, including those by Paul Sweeney, TASC and so on, which have shown there has been a consistent fall in the share of national income going to labour for the last 30 years. Paul Sweeney's paper in 2013 showed how the proportion of national income that went to labour in the 1970s in this country was in excess of 60% whereas it is now approximately 40%, so there has been a massive transfer. This was confirmed earlier this year by none other than the IMF, hardly the friend of working people, but even it has been forced to admit that this transfer is taking place. In fact, some of its figures are even more shocking, suggesting that average distribution of national income between capital and labour has moved from labour in the 1970s getting 75% of national income in advanced economies and only 25% going to capital, to a dramatic reversal of that today and with labour's share falling consistently.

Where this links to FEMPI is as follows. When the crash that was caused by the gambling bankers and developers and the politicians who supported them happened, rather than recognise that this was as a result of capital gone out of control and capital having too much control of our economy, the atmosphere of crisis was used to intensify an already ongoing assault on the share of national income going to working people. That is what has been done. Never waste a good crisis. Down to the letter, it was the shock doctrine that Naomi Klein had written about. My God, did Fianna Fáil and Fine Gael embrace the shock doctrine and target it at public sector workers with gusto, inflicting cuts on public sector workers they could not even have dreamt of before the crash in 2008?

When we think about what they have done, even with this so-called partial restoration of public sector pay the Government is trying to trumpet, after the savage assault that has been inflicted on public sector workers over the past ten years, at the end of 2021, under this legislation, public sector workers will still be earning less than they were earning when the austerity cuts were imposed. Therefore, in 2021, that is 13 years later, public sector workers will still be earning less than they were in 2008. My God. The most savage capitalist could not have dreamt of that before 2008 but the Government has managed to get away with it and is still trying to justify it as being reasonable under the guise of an emergency that the Government declared a few years ago to be over but which apparently still applies to public sector workers.

I am particularly infuriated by how, when we discuss the situation in the health services or housing, the Government mentions, to use the Taoiseach's term from today, "capacity restraints". We cannot solve the housing crisis because of "capacity constraints". The Government wants to restore the health service, but it is having difficulty recruiting nurses and so on. Why? It is because of this FEMPI stuff and because the Government turned the so-called pension levy into a permanent feature and wants to make pay apartheid permanent in terms of people who entered into the public service after 2011 or 2012 such that, even with this so-called restoration, new entrant teachers, nurses and others will, over the course of their lifetimes, earn approximately €200,000 less. It is worth considering what that means. If someone earns €200,000 less than somebody else who is doing the same job but just happened to be recruited into the public service before 2011, that is his or her ability to buy a house gone. With average house prices, a mortgage is actually in excess of that. If a worker loses €200,000, his or her capacity to purchase a home is wiped out by the pay apartheid that is imposed on post-2011 or post-2012 teachers, nurses and other public servants. How can the Government justify it? Spurious and dishonest justifications were given a few years ago, but the Government is still claiming it to be justified now when that factor, among other matters, is contributing signifi-

cantly to the housing and homelessness crisis facing us to the extent that tenured lecturers who are homeless are attending my clinic. That is how bad it is because of what the Government has done to pay.

Then the Government wonders why we cannot get people to return to the country and why we have a shortage of nurses, teachers and skilled workers in other areas of the economy. Unless it restores pay, we will not be able to get people to return and there will continue to be a brain drain out of the country of teachers, nurses and other educated professionals. It is shocking.

Even worse, this legislation continues the punishment of those who simply voted against it. It is the sort of action expected of tyrannical governments. We will have on our books emergency legislation that punishes people who put something in their union ballot boxes to say that they would not accept this legislation or the justification for it. The Government wants to punish them by denying them their increments up to 2021. It is disgusting. There is no other word for it. That word was misapplied to Garda Sergeant Maurice McCabe once upon a time in the Houses, but FEMPI is disgusting. For the Government to perpetuate this and punish people who stand up against it is unjustified.

I commend the bravery of the ASTI, the TUI, the INTO, the nurses' unions and so on who have spoken out against this. I hope that the revolt against this pay apartheid and emergency legislation will escalate until we begin to reverse the injustice that has been imposed on public sector workers and, as a critical part of that, reverse the transfer of wealth from working people to the rich and capital that has been ongoing for the past 25 or 30 years and is causing significant social tension and polarisation. Albeit slightly weakly, the IMF commented on that last point when it had to admit that income inequality and the unjust distribution of income in the world was significantly contributing to social tension. That was putting it mildly. People are fed up with it and will not take it for much longer.

Deputy Paul Murphy: I support Deputy Healy's amendment. I remind the Minister of State and the Government of the slogan that I am sure they now want to forget, namely, "Keep the Recovery Going". How can they justify having gone to the people almost two years ago with that slogan while continuing with measures that were implemented under the guise of a supposed financial emergency? How can they square the two at once? I am intrigued to know how the Minister of State can stand over it.

The so-called financial emergency was a crisis of the capitalist system, bankers and bondholders, who were bailed out by ordinary workers, with public sector workers in particular being blamed and facing the price of that. As Deputy Boyd Barrett stated, that emergency was used as a shock doctrine. Around the world, people saw the opportunity presented by the crisis to shift wealth from labour to capital, to shift the terms of the relative power between working class people and the capitalist class and, on those bases, to restore profitability from the point of view of the 1%.

The legislation before us takes some of those attacks, which were supposedly temporary, and enshrines them in an obvious way. The Bill makes no mention whatsoever of No. 1 among those attacks, namely, the pay apartheid between long-standing members of the public service and new entrants. "New entrants" is now a broad term encompassing a large number of workers. Not only was that about the savings generated by penny-pinching and not paying young workers the appropriate rates for their jobs, but it was also about undermining solidarity

between workers, thereby creating an intergenerational divide between younger workers and older workers in the trade union that could be exploited in future in order to undermine workers and their ability to fight back. The Bill enshrines that pay inequality and continues that pay apartheid.

Similarly, it continues the pension levy, which is being slightly amended but made permanent. It is a pay cut, and always has been. It was a pay cut dressed up in the language of “What good pensions public sector workers have.” They paid for those pensions. That pay cut is now being made permanent, which illustrates that the levy was always a pay cut for public sector workers.

The most substantial issue is the draconian and undemocratic nature of refusing the right of workers to reject deals that are put to them. It is an attempt to undermine the basis of free collective bargaining, under which workers have the right to negotiate collectively with their employers - in this instance, the State - and to reject a deal that is put before them. Instead, a gun is put to their heads and they are told that they can accept the deal or reject it, in which case it will be imposed on them in any event and the State will punish them even further. That is incredibly draconian, repressive and undemocratic, and it is one of the victories for the 1% stemming from the crisis period.

Unfortunately, it has been acquiesced to by a significant section of the trade union leadership. Being able to point to how other unions that refuse to take bad deals are being treated assists that section of the leadership with keeping its own members quiescent when it tries to sell them bad deals. It is scandalous behaviour.

Think back to the language used about public sector workers at the time and how attention was turned away from the bankers, bondholders and developers who were responsible for the crisis for which all workers were paying. Think about the demonisation of public sector workers that the Government of the time engaged in and the attacks in which Fianna Fáil, Fine Gael and the Labour Party participated. It reminds one of the quote from Malcolm X: “If you aren’t careful, the newspapers will have you hating the people who are being oppressed and loving the people who are doing the oppressing.”

The FEMPI legislation, the attack on public sector workers and dressing up pay cuts as pension levies were all part of an attempt to divide and rule working class people between private and public sector workers in order to undermine the collective position and power of workers as a whole for the benefit of the rich in our society.

Low paid workers who are seeking a decent standard of accommodation face a financial emergency. Low paid public or private sector workers who are trying to pay for crèche fees face a financial emergency. There are real financial emergencies from the point of view of ordinary people, but that is not the case in the economy as a whole.

Household net wealth has risen by 45% since mid-2012. Household net wealth totals over €650 billion, but the problem is it is not going to ordinary public or private sector workers.

7 o'clock Rather, it is going to the top 5% and 1% in our society. Let us think about the fact that the richest 300 people have doubled their wealth over the course of the crisis.

Their wealth increased from €50 billion in 2010 to over €100 billion in personal wealth right now. The same applies to profits, which doubled over the same period of time from €75 billion to €150 billion. Companies such as Apple, Google, Facebook and others can make

massive profits and avoid paying any tax, facilitated by the Government.

It is not credible for the Government to reject the amendment and suggest that in some way a financial emergency is continuing. Of course, it exposes the reality of what happened. This Government and previous Governments saw an opportunity to attack the interests of all workers and took it. The only way to defeat that is for the union movement as a whole to take a stand against this, and to say it rejects all such Draconian legislation, apartheid pay inequality, which is a significant blow against the solidarity that is necessary to defeat employers and the State, and the ongoing pay cuts to public sector workers which the so-called pension levy represents.

Deputy Danny Healy-Rae: I understand pensions are being paid to people who live abroad. That is fine, because people worked in this country and made the payments which entitled them to receive pensions. Is that retrospective? If people from Ireland worked abroad are they paid pensions when they return home? Fair is fair. If we are paying people in other countries we need to be sure that other countries are paying pensions to people who return to Ireland. I need to know the answer to that.

We have all discussed women who have lost out because of the averaging of their social welfare contributions for pension purposes. Women who left work for a number of months or years to rear families have lost out. The Government has not rectified that situation. Are those who worked in other countries and then returned to Ireland being paid pensions by those other countries, in the same way as Ireland pays pensions to those who worked here and then returned to their home countries?

Minister of State at the Department of Finance (Deputy Patrick O'Donovan): I thank Deputy Healy for putting forward the amendment. It would effectively reduce the Minister's current obligations to the Oireachtas. Section 12(2) of the FEMPI Act 2013 which, in turn, replaced subsection 13 of the FEMPI Act 2009, obliges the Minister for Public Expenditure and Reform to carry out an annual review of the operation, effectiveness and impact of the FEMPI Acts.

In light of this, the Minister must decide whether the Acts are still required and make any recommendations which might be appropriate. This review must be made before the Houses of the Oireachtas before 30 June each year. When dealing with such strong emergency legislation, it is entirely appropriate that it is subjected to a regular annual review. This was never intended to be normal legislation. While it exists, it should be subjected to extraordinary annual review. I also believe that in the interest of the checks and balances required in a parliamentary democracy, the report should be submitted to the Oireachtas for Deputies to scrutinise. In this regard, we have serious engagement with Deputies on the issues in debates occasioned by the annual review.

The process of the annual review and, in particular, the detailed examination of the continued necessity of FEMPI legislation by civil servants and my Oireachtas colleague has informed my thinking on the complete dismantling of the FEMPI legislative architecture which the Bill aims to achieve. On that basis, I cannot accept the amendment.

An Ceann Comhairle: How stands the amendment?

Deputy Seamus Healy: The response from the Minister of State is incredible. He dealt with none of the issues raised by any speakers nor any of the queries about Ministers who, in recent years, declared the emergency over. He did not address wealth in this country, the reduc-

tion in pensions, the increase in pension contributions, which is in effect a cut in pay, or the pay apartheid introduced by the Government.

The facts are very simple. Any individual with common sense would know that those who are already wealthy made a killing during the crisis in Ireland and afterwards. They have made huge gains in terms of personal income and assets. As a result, Ireland is the eighth wealthiest country in the world.

Teachers, nurses, doctors and gardaí are all affected by the pay apartheid in the Bill, which the FEMPI legislation introduced. The Minister has not referred to any of those issues. He simply read out a very short script given to him by officials. He made no attempt to explain why emergency legislation must be kept in place when his Government and party went to the people in February 2016 and declared that we must keep the recovery going.

Deputy Patrick O'Donovan: I again thank Deputy Healy. The response I gave to the House was a response to the amendment as tabled. A number of amendments on Committee Stage cover many of the issues raised. I want to show respect to the House and the Deputies who have raised those issues, and deal with them in the order in which the amendments will be discussed which is what the Ceann Comhairle has asked us to do.

On what is and what is not an emergency, it is worth pointing out that the full-year cost of repealing the FEMPI provisions pertaining to public service employees as they currently stand would be in the order of €1.4 billion.

Deputy Seamus Healy: That is because the Government wants to pay for PESCO.

Deputy Patrick O'Donovan: We want to see an orderly unwinding of the emergency position in which the country found itself and to which many Deputies have referred. We want to do this as much as everybody else and nobody has a monopoly of those concerns. We want to do it in an orderly fashion that is affordable and manageable. We want to do it in discussion and dialogue with the representatives of the public servants at the heart of this process. That is from where the public service pay agreement came, as well as the consequent legislation. That is the basis on which we are proceeding.

Amendment put:

<i>The Committee divided: Tá, 16; Níl, 40; Staon, 49.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Barry, Mick.</i>	<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>
<i>Boyd Barrett, Richard.</i>	<i>Breen, Pat.</i>	<i>Aylward, Bobby.</i>
<i>Broughan, Thomas P.</i>	<i>Brophy, Colm.</i>	<i>Breathnach, Declan.</i>
<i>Collins, Joan.</i>	<i>Bruton, Richard.</i>	<i>Buckley, Pat.</i>
<i>Collins, Michael.</i>	<i>Burke, Peter.</i>	<i>Burton, Joan.</i>
<i>Connolly, Catherine.</i>	<i>Cannon, Ciarán.</i>	<i>Butler, Mary.</i>
<i>Daly, Clare.</i>	<i>Carey, Joe.</i>	<i>Calleary, Dara.</i>
<i>Fitzmaurice, Michael.</i>	<i>Corcoran Kennedy, Marcella.</i>	<i>Casey, Pat.</i>
<i>Harty, Michael.</i>	<i>D'Arcy, Michael.</i>	<i>Cowen, Barry.</i>
<i>Healy-Rae, Danny.</i>	<i>Deasy, John.</i>	<i>Cullinane, David.</i>

Dáil Éireann

<i>Healy-Rae, Michael.</i>	<i>Doyle, Andrew.</i>	<i>Curran, John.</i>
<i>Healy, Seamus.</i>	<i>Durkan, Bernard J.</i>	<i>Doherty, Pearse.</i>
<i>Kenny, Gino.</i>	<i>English, Damien.</i>	<i>Dooley, Timmy.</i>
<i>Murphy, Paul.</i>	<i>Farrell, Alan.</i>	<i>Ellis, Dessie.</i>
<i>O'Sullivan, Maureen.</i>	<i>Fitzgerald, Frances.</i>	<i>Ferris, Martin.</i>
<i>Wallace, Mick.</i>	<i>Fitzpatrick, Peter.</i>	<i>Fleming, Sean.</i>
	<i>Flanagan, Charles.</i>	<i>Funchion, Kathleen.</i>
	<i>Griffin, Brendan.</i>	<i>Gallagher, Pat The Cope.</i>
	<i>Harris, Simon.</i>	<i>Haughey, Seán.</i>
	<i>Heydon, Martin.</i>	<i>Howlin, Brendan.</i>
	<i>Humphreys, Heather.</i>	<i>Kelleher, Billy.</i>
	<i>Kehoe, Paul.</i>	<i>Lahart, John.</i>
	<i>McEntee, Helen.</i>	<i>MacSharry, Marc.</i>
	<i>McGrath, Finian.</i>	<i>McDonald, Mary Lou.</i>
	<i>McHugh, Joe.</i>	<i>McGrath, Michael.</i>
	<i>McLoughlin, Tony.</i>	<i>Martin, Micheál.</i>
	<i>Madigan, Josepha.</i>	<i>Mitchell, Denise.</i>
	<i>Mitchell O'Connor, Mary.</i>	<i>Moynihan, Aindrias.</i>
	<i>Murphy, Eoghan.</i>	<i>Moynihan, Michael.</i>
	<i>Naughten, Denis.</i>	<i>Munster, Imelda.</i>
	<i>Naughton, Hildegarde.</i>	<i>Murphy O'Mahony, Margaret.</i>
	<i>Neville, Tom.</i>	<i>Murphy, Catherine.</i>
	<i>Noonan, Michael.</i>	<i>Nolan, Carol.</i>
	<i>O'Connell, Kate.</i>	<i>Ó Broin, Eoin.</i>
	<i>O'Donovan, Patrick.</i>	<i>Ó Caoláin, Caoimhghín.</i>
	<i>O'Dowd, Fergus.</i>	<i>Ó Laoghaire, Donnchadh.</i>
	<i>Ring, Michael.</i>	<i>Ó Snodaigh, Aengus.</i>
	<i>Rock, Noel.</i>	<i>O'Brien, Jonathan.</i>
	<i>Stanton, David.</i>	<i>O'Keeffe, Kevin.</i>
	<i>Zappone, Katherine.</i>	<i>O'Loughlin, Fiona.</i>
		<i>O'Rourke, Frank.</i>
		<i>O'Sullivan, Jan.</i>
		<i>Quinlivan, Maurice.</i>
		<i>Scanlon, Eamon.</i>
		<i>Shortall, Róisín.</i>
		<i>Smith, Brendan.</i>
		<i>Stanley, Brian.</i>
		<i>Tóibín, Peadar.</i>
		<i>Troy, Robert.</i>

Tellers: Tá, Deputies Seamus Healy and Paul Murphy; Níl, Deputies Joe McHugh and Tony McLoughlin.

Amendment declared lost.

Section 4 agreed to.

Section 5 agreed to.

SECTION 6

An Ceann Comhairle: Amendments Nos. 2 and 3 have been ruled out of order.

Amendments Nos. 2 and 3 not moved.

Question proposed: "That section 6 stand part of the Bill."

Deputy Seamus Healy: A series of important amendments have been ruled out of order, which makes a complete nonsense of the Oireachtas. The rule which states Members may not submit amendments which might effect an increase, or even a decrease, in the financial charge on the Exchequer is extraordinary and should be reviewed. In fact, it should be taken out altogether because it inhibits reasonable, proper and open debate on Bills brought before the House.

An Ceann Comhairle: To clarify, the ruling out of order of the amendments is related to the constitutional provision which states a charge on the people may only be imposed by the Government. The Standing Orders reflect the constitutional position.

Deputy Richard Boyd Barrett: As we proposed in the amendments ruled out of order, this section should include a provision to end the pay inequality imposed on new entrants to the Civil Service after 2011 or 2012. We will move on presently to a more detailed discussion of the pension levy and the punishment provisions of the financial emergency measures in the public interest, FEMPI, legislation. However, the pay apartheid that disadvantages new entrants, including teachers, nurses and other public servants, is one of the key concerns of the Irish National Teachers Organisation, the Teachers Union of Ireland and the Association of Secondary Teachers of Ireland. It is a concern that will continue to grow and give rise to increased anger. Teachers have been one of the most vocal groups in opposing this ongoing pay inequality. The moratorium on public sector recruitment was never completely imposed on education, and teachers recruited during that period are in the vanguard of those affected by this injustice, this pay inequality, to the point that those recruited between 2011 or 2012 have lost to date between €26,000 and €28,000. If they started in 2013, they have lost €25,000; in 2014, €20,000; in 2015, €13,000; and in 2016, €6,000. Those losses in earnings and income for new entrant teachers will continue and increase as the years go on as long as this pay apartheid structure, two different pay scales, persists.

When the issue of pay apartheid is put to the Government and it is pointed out how wrong it is that one teacher will be working beside another teacher doing exactly the same job but on a different pay level simply because of the year he or she entered the profession, it dishonestly implies that is all to do with increments and says all teachers who enter the profession are paid differently according to the year. Yes, they are, but the issue is the pay scale. They are on different pay scales when they come in.

By the way, this affects the people who work in here. The ushers and service officers who come in after 2011 or 2012 will be on a lower pay scale than people who were recruited before that, doing the same job. Is that fair? It is completely unfair. It means that over their lifetime of employment they will earn considerably less than people who happened to be recruited earlier

than them. For many of them, given the amount that will accrue to them over their working lives, that makes the difference between being able to buy a house and not being able to buy one. It is absolutely wrong.

The Government has never even acknowledged the injustice of it. It has never stated this is unfortunate but that at some point it will get rid of this, that there will be one pay scale. I would not accept it all, but many of those who have been campaigning against it have said if they at least had a cast iron commitment that there would be a return to a single pay scale, there would be light at the end of the tunnel. There is no commitment and that leads me and, I suspect, many new entrant teachers and public servants to believe there was never any intention to restore a single pay scale for public servants. It was a question of creating a new lower pay scale for public servants to generally reduce the levels of pay for public servants. That is absolutely wrong and the Government does not even have the honesty and bravery to admit that is what it is doing to workers. Instead, it dissembles and misleads as to the real impact and intent of this pay apartheid.

Progress reported; Committee to sit again.

Personal Explanation by Member

Deputy Enda Kenny: In the Dáil on 17 November 2004 statements were allowed on the abduction and murder of Margaret Hassan, an Irish national in Iraq. During the course of those statements I said Margaret Hassan had converted to Islam. This statement was untrue. Margaret Hassan was a devout Catholic who continued to practice her religion during the years she was in Iraq.

I wish, therefore, to have the Official Report for the Dáil of 17 November 2004 corrected to indicate that Margaret Hassan had not converted to Islam but was, in fact, a devout and practising Catholic. I regret not having done so prior to this. While her body has never been recovered, I hope some day that will happen and that she will receive a Christian burial.

An Ceann Comhairle: I am sure the family of the late Margaret Hassan will deeply appreciate the Deputy's comments.

Public Service Pay and Pensions Bill 2017: Committee Stage (Resumed)

SECTION 6

Question again proposed: "That section 6 stand part of the Bill."

Deputy Mick Barry: Those of us on these benches are often given lectures by the Deputies on the Government benches.

An Ceann Comhairle: The Deputy and his colleagues are able to give a few also.

Deputy Mick Barry: We are, but in a proper and balanced way I want to make a point to the House. We are told that we are extreme and that the Deputies on the opposite benches are the moderate Deputies, the parties of the centre.

Deputy Alan Farrell: The reasonable Deputies.

Deputy Mick Barry: “The reasonable Deputies”, that is right. Is it not interesting that, on the basic simple principle, which would have the support of the overwhelming majority of ordinary decent people in this country, equal pay for work of equal value, the people who are taking the extreme position are the Minister of State, Deputy Alan Farrell and members of their party, and the people taking the reasonable, sensible, sane position are the Deputies of the radical left on these benches?

The Government states it is making progress, that there is a big gap between the young workers and the others and it is going to try to narrow the gap, but this agreement, running for another four years, states very clearly that the gap will not be bridged in those four years. In other words, it intends to maintain pay apartheid, not just next year but for the three years after that. Then it will see. That is the Government’s position.

The idea that full pensions are being restored to Brian Cowen and Bertie Ahern under this agreement, while young teachers and workers will continue to be denied equal pay for work of equal value is absolutely scandalous. That is the end of my reasonable contribution.

Deputy Richard Boyd Barrett: Very moderate it was too.

Deputy Jonathan O’Brien: I know that the amendments have been ruled out of order and that I cannot speak to them, but I want to state my dissatisfaction at the lack of consistency in the way the amendments have been ruled out of order. Amendment No. 11, for instance, in the name of Deputy Dara Calleary - I am not picking on the Deputy, but I want to highlight the inconsistency - which calls for a report to be commissioned and within three months of the passage of the Bill to be prepared and laid before the Oireachtas, is in order. Amendment No. 5, however, tabled by the same Deputy, which also calls for the preparation and laying before the Oireachtas of a report within three months of the passage of this Bill has been ruled out of order. There is no consistency in what is happening. I do not know why of two amendments seeking reports to be laid before the Houses within three months of this legislation being passed, one has been ruled out of order and the other has not. Perhaps the Minister of State can indicate why that is because it is very frustrating when we draft and submit amendments to be told that they have been ruled out of order. There does not seem to be any consistency in that regard.

Acting Chairman (Deputy Alan Farrell): That is not a matter for the Minister of State.

Deputy Jonathan O’Brien: I have now stated there is inconsistency in the way the matter is dealt with.

Acting Chairman (Deputy Alan Farrell): I thank the Deputy. His point has been made
Question put and agreed to.

Sections 7 to 10, inclusive, agreed to.

NEW SECTION

Deputy Dara Calleary: I move amendment No. 4:

In page 11, between lines 2 and 3, to insert the following:

“Equal pay for new entrants

11. The Minister shall, within three months of the passing of this Act, prepare and lay before the Oireachtas a report on the cost of and a plan in dealing with pay equalisation for new entrants to the public service.”.

We were told that amendment No. 5 was not relevant to the Bill, which points out the contradiction in the way section 39 organisations and their employees are treated. That is the explanation I was given by the Bills Office.

Amendment No. 4 requires the Minister to lay before the House a report and plan dealing with pay equalisation for new entrants to the public service. The issues and frustrations that are being articulated relate to the central issue that is driving opposition to this Bill and the deal that underpins it. There is a sense, as has already been articulated by Deputy Richard Boyd Barrett, that the Government does not wish to deal with it or does not have an interest in bringing it to a head. Addressing pay equality needs to be a political priority and that is why I am proposing this. I know the Public Service Pay Commission under Mr. Kevin Duffy is currently compiling a report. That is not due until next June. In the meantime, we have 14,000 teachers at primary and secondary level who have been recruited since 2011 on different pay scales, on a pay scale which one would really need a map to try to resolve. Many of those teachers will never get to the top of it. Many will be tens of thousands of euro worse off than they would be had they started employment in 2010. Primary teachers have worked 171 days for free, based on comparisons with those who began work ahead of 2011. That is nearly an entire school year. As Deputies have said, it makes the difference between being able to afford a house and not.

At second level, an area the Minister of State, Deputy Patrick O'Donovan, worked in, there has been a significant fall this year in the number of people looking for what used to be the Higher Diploma in Education. There was a drop of over 50% in the Professional Master of Education, PME, applications, which is the new equivalent of the higher diploma. Are we serious as a country, when talking about STEM subjects, our presence in the world and the quality of our education system, when we are undermining that very system by making barriers to entry to teach that system through the different pay rates? Those that we educate and put time into, who are willing to give their patience and talents to teaching, are now going to England, the Middle East, Canada and Australia and we are not doing much to bring them back.

Three teaching organisations are very reasonable and have come together to work on this issue but there is equally an issue in nursing and health care. We are all dealing with issues where there are major vacancies in services across the country in occupational therapy, physiotherapy and speech and language therapy. There is a 97 week waiting list in County Mayo for access to occupational therapy because we cannot get it due to the unwillingness to engage with the pay equalisation issue and our reliance on HR policies that belong in the 1980s due to their lack of flexibility and lack of respect for people.

I will clarify that the agreement seems to state that there will be no further room for pay equalisation during the lifetime of the agreement but that is not in the legislation. If Mr. Kevin Duffy gives us a report, then there needs to be a commitment on the part of the Government to implement it and that the provisions contained in the report will be implemented in budget 2019. We are putting the Government on notice about that now. I get a sense that there is no political priority for this issue in Fine Gael which is why I propose this amendment to have a timeline to get a report on how this issue will be dealt with and to give a signal to every person affected by this within the civil and public service that as an Oireachtas we care about the situation and intend to resolve it.

Deputy Maureen O’Sullivan: I too am disappointed at the way in which amendments were ruled out of order. A number were amendments that I had tabled. I will speak to Deputy Dara Calleary’s amendment since it can follow from one of my previous two amendments that had been ruled out of order. I support the amendment. It is not ideal because the ideal is to have pay restoration and equalisation. That is needed in education. If this amendment is accepted, a process can begin which would allow that to happen. I proposed in my amendment that equalisation would apply by 1 January 2019; therefore, if the amendment is accepted, there is an opportunity that could still be realised. Overall, the discrimination is extremely unfair against those entrants appointed on or after 1 January 2011. It affects staff morale and it is a group that is already disproportionately affected by the cuts that came in the recessionary budgets.

Like others, I have been contacted by quite a number of teachers who are affected. Some of the emails came from people appointed since 2011 who are directly affected, but a significant number also came from teachers who were appointed pre-2011, so they are not directly affected. They are all concerned about the unfairness in this inequality. Nobody wants to take industrial action because there is obviously a loss of earnings but there are measures that unions and their members cannot tolerate. I hope there will be a commitment to the process suggested and that it is not going to be an empty gesture but will lead to real progress on the matter. There is a crisis in teaching, in finding substitute cover in primary schools, cover for career breaks and for many subjects at second level. We need to encourage people to go into teaching and I know there are difficulties with it. I had a question for the Minister for Education and Skills on this matter which came from my direct experience in chairing a board of management of a primary school. We spent two days, one in August and one in September, trying to cover posts and we were back again in October for another day. We are still struggling due to the situation. I know the Minister, Deputy Bruton, might think that these shortages are sporadic but the facts are present in surveys and reports done by various unions.

Pre-service training for post-primary teachers, for example, of which I was one, is now two years long. Instead of the one year Higher Diploma in Education, there is now a two-year programme, the fees are between €9,000 and €15,000 and there is a loss of income for one year. As they are starting a year later, they are at an immediate disadvantage in terms of their position on the scale. It is a matter of equality, fairness and attracting people into teaching. We must value education because everything else in society will follow from education. We have to restore pay. Nobody goes into teaching to make a fortune. I certainly did not back in the early 1970s. One goes into teaching because of the regard and love one has for children and one’s belief in the value of education. I hope the amendment, if it proceeds, will see a restoration of the fairness that has been lacking in the past few years.

Deputy Joan Burton: I support Deputy Dara Calleary’s amendment. A great deal of the focus in this debate has been on the past but if one wants to talk about education in a serious way, one has to talk about the future. It is the future of all children and young adults who are students. The world in which they hope to make their way has to be taken into account. The purpose of education is not only to allow them to develop themselves to the best of their potential but also to provide a mechanism through which they can hopefully contribute to the world, their country, society and community. What is amiss with the Government is that it is not up to speed with what is happening currently in the world of education. This morning I talked to somebody who was in the fourth year of degree studies to become a secondary teacher and is planning to go to England. That person feels that the remuneration will be better and that it will enable saving towards the purchase of a house and establishing a household.

Since my constituency, Dublin West, is such a huge area with developing schools and has an enormous number of children and young people, we employ thousands of teachers in the area. However, it is becoming increasingly difficult to find teachers at second level who teach the specific subjects required. I say this with disappointment, but we are making very little headway in training people to teach STEM subjects, although there is a great deal of conversation in the Department of Finance about it being one of the key areas in the context of our future economic development and prosperity. There is, however, no sustained focus on it by the Government.

I hope and I am sure the Government will agree to the amendment because it just calls for a study. However, one point that I hope eases the Government's path to agreeing to it is that yesterday's Exchequer returns were very good overall on the tax side. They show the Government as having a bounty in the taxation received and, importantly, a significant underspend on the expenditure side. We have moved out of the crisis period and must act as though we know it. We can start to build infrastructure again. Our educational infrastructure is vital.

Many of those entering the teaching profession are transferring from other degree courses. Notwithstanding what their first degree is or a number of years spent doing other work, they are deciding they that would like to be teachers, which is great. There are also people in their 30s and 40s who are deciding to convert to being a teacher. However, the courses are quite expensive, particularly for those who are self-funding and in another job while getting ready to transfer. If they are full-time day students, they will not receive any tax relief. The same applies to those who are studying later in life to become doctors. We want and need people in our expanding population to pursue these areas of study.

Let us consider the Exchequer returns and population growth together. We have healthy Exchequer returns, thanks partly to the sacrifices everyone made. However, they will not stay healthy unless we invest wisely to protect our future. This involves investment in the built infrastructure. Most of the older schools should be rebuilt. The Minister has moved extraordinarily slowly on the school building programme and left me puzzled as to why he would delay the building of new schools. Staff and students should be able to feel proud of the school in which they are teaching or attending.

Mature students will require the standard starting salary. The Minister has an opportunity to avail of a review to accelerate and bring forward restoration. In turn, it would send a strong message of confidence to those studying for education degrees in various colleges and universities. I hope it would then see them staying in Ireland to contribute their skills in the economy rather than feeling obliged to move away.

We also have to bear in mind that rents are sky high. I hear about this issue all the time when talking to teachers in staff rooms, particularly in the greater Dublin area, but I also hear it in most city areas and large towns. Those starting a teaching career could also be trying to pay rent, while ultimately trying to fund an affordable house purchase. Essentially, the Government will need to address the salary issue. Otherwise, people will inevitably be poached by the finance and IT sectors in which, within a number of years of taking up a role in these fields, they can expect to earn significantly higher salaries than those of teachers. In Ireland teachers have traditionally started on relatively high salaries, but they then face a salary scale that extends over a long period.

I also want to speak briefly about the position of those being recruited at third level. I say

this as someone who was a member of the Teachers' Union of Ireland for approximately 20 years and worked for 20 years in the Dublin Institute of Technology. What is happening to assistant lecturers and those on contracts needs to be addressed. Many of them have studied to PhD level or are studying for a PhD, but they are not getting a fair deal. A study such as the one suggested by Deputy Dara Calleary would allow for these anomalies to be addressed. I appreciate that the Government may not be able to address all of them at once. However, looking to the future, it could start to address them on a much faster scale than that set out. I say this in the context of yesterday's Exchequer results and the likely end-of-year figures which are robustly healthy owing to additional corporation tax and tax receipts under other headings. It is foolish to allow the teaching profession to be demoralised when the Government could address this issue and set out a better timetable and timeline for pay restoration.

Deputy Jonathan O'Brien: I would have liked to have supported Deputy Maureen O'Sullivan's amendment which I think would have dealt with this matter. Bar one or two Ministers, when asked about equal pay for equal work, Deputies on all sides of the Chamber all said they were in favour of it. If we are in favour of it, let us do something about the matter. I do not know if the Minister will accept Deputy Dara Calleary's amendment, but I hope he will. Perhaps he might indicate if that is the case because Deputy Dara Calleary is just looking to have a report commissioned and laid before the Oireachtas on the cost and formulation of a plan to deal with the issue of pay equalisation for new entrants to the public service.

What is ironic is that we had the biggest turnover of new Deputies after the general election in 2011 when I think there were approximately 70 of us here for the first time. If someone had told those 70 or so Deputies that they would be earning less than those who had been in the previous Dáil, it would not have been tolerated. However, in one minute Deputies will come into the Chamber to vote against pay equalisation for teachers and nurses, while at the same time not tolerating such a move for themselves. That is hypocritical of them. If we are to deal with this issue, let us deal with it.

As I said, I hope the Minister will accept the amendment. It is irrelevant whether he does because it will be passed if pushed by Deputy Dara Calleary. I hope it will be pushed by him because the Opposition has already indicated that it will support it. It would send a message from the Government benches if it were to support it. No one is saying the Minister has to bring about pay equalisation in the morning, but he should give some indication to newly qualified teachers and nurses that he is listening to them by telling them that the Government will come back within three months with a report on how much it would cost to pay them the same salary as someone who started pre-2011. Not only would it tell us the cost, but it would set out a plan for how the Government would achieve pay equalisation.

If he does not do so, he will be headed for more trouble down the line.

Deputy Róisín Shortall: I fully support the amendment tabled by Deputy Dara Calleary. It is regrettable that we have to go to these lengths to raise policy issues and give this House an opportunity to express what I expect is a majority view. If we were permitted to express that view and a motion were tabled calling for the immediate restoration of full pay for new entrants, it would undoubtedly be carried by the House. One has to ask, therefore, why this democratic view is not allowed to be expressed here this evening in this debate. We are forced to abide by the Standing Orders that apply, which, as other Members have said, are extremely restrictive.

It is important to consider the backdrop to this debate. During very difficult times, when

the country was in very severe economic difficulty, decisions were taken to introduce various austerity cuts. There is a very strong view that those cuts were introduced in a very unfair manner. Very often, the people who could least afford them were made to bear them. A cohort in comfortable financial circumstances was not affected to any great extent by the additional charges and taxes introduced in the austerity years.

A major embarrassment for much of the establishment during the time of the FEMPI cuts was the fact that so many of them went along with the idea of imposing even greater cuts on young public servants. In many ways, that was a shameful act. It was shameful on the part of the Government and also some of the social partners. It should not have happened. As a society, we are now paying a very significant price for it. A very large number of the younger generation feel very much let down and abandoned by their elders. Not only have they been saddled with very significant debt for the foreseeable future, not only was the housing situation brought to crisis point, where it continues, and not only do we not have properly funded public services but it is also the case that a cohort of younger public servants are expected to survive on significantly lower pay than their elders even though they are essentially doing the same work. To a large extent, they have the same living expenses, if not higher. This was a shocking act of betrayal for the younger civil servants and public servants generally. It is one reason so many people in their 20s and early 30s are working in London, Canada and Australia. They feel very alienated by the actions of the establishment in this country. They feel very let down and abandoned. That is a very dangerous situation for the country to be in. I stress to the Government that it and the establishment are obliged to make up to those people and right the wrongs that were done to them.

Unequal pay is a glaring anomaly. It is a glaring example of unfairness imposed on the younger generation and it continues under this legislation and the public service stability agreement. In normal circumstances, this should be very welcome legislation. It should be about reversing the FEMPI cuts in a fair and balanced manner. It does not do so. The public service stability agreement accords only a certain amount of priority to people on low pay. The unwinding of the FEMPI legislation for people earning in excess of €70,000, up to €150,000 and more, is happening quite quickly. On any grounds of fairness, there should be a longer delay in restoring pay for people at the higher end in order to speed up the restoration of pay for people at the lower end. Included in that, of course, should be the younger public servants.

This is not a good news story because it continues to leave behind and compound the wrong that was done to younger public servants. This agreement should be welcomed by all the unions representing public servants but it is not. The Minister is trying to implement a separate set of conditions for those who are not covered by the pay deal. We still live in a democracy and people should be able to express their view on whether they support a pay deal. Whatever about people who vote against a pay deal not being covered entirely by the provisions of the deal, the Government is going much further. It has very much set out to punish those people and unions that have not accepted the pay deal. That is completely unacceptable.

The unions did not refuse to sign up because they wanted more money. That is a very important point. It was not the reason the three teacher unions and Unite voted against the pay deal. They refused to sign because they wanted a fair deal for new entrant colleagues. That is a very legitimate demand to make. We have all talked to teachers all over the country who have made the point to us that they could not possibly continue to work alongside their younger colleagues and sit in staffrooms with them while they have been sold down the river by this pay deal. In fairness to and in solidarity with teachers' younger colleagues, the teacher unions voted

against the pay agreement. They were right to do so because the treatment of young entrants is absolutely indefensible. It would have created all kinds of difficulties, strains and stresses within workplaces if the older teachers had continued to abandon their new entrant colleagues.

This legislation leaves over 50,000 so-called “new entrants” on unequal pay scales with nothing but a promise of a review of their circumstances. A couple of meetings have taken place but they have not really got anywhere, as far as I can see. It is not adequate to respond to younger people in this way. They were very badly treated during the austerity years and there is now a need to make up for it.

The ASTI, the TUI, the INTO and Unite have rejected this deal. The teacher unions have specifically cited pay equality as a reason. It is not because they are greedy or looking for more. It is estimated that a teacher appointed in 2011 has already lost over €26,000 in earnings due to the two-tier pay scale. That is indefensible. We should not continue to stand by it. This matter will not be addressed regardless of whether those concerned are party to the pay deal. It is important to point that out.

It is simply not good enough to attempt to plámás new entrants by promising them an examination of the pay scale within 12 months, particularly when the examination will apply only to new recruits covered by this agreement. One has to ask why young entrants should be forced to wait a further 12 months to even begin having the circumstances examined.

The affected generation is constantly forced to bear the brunt of its elders’ mistakes. Now they are expected to continue to work on an unequal footing with their colleagues in order that the Government can claim that it has unwound the FEMPI legislation, but that is not the case. It is only the beginning of the process of addressing the impact of the FEMPI legislation on those affected by it.

It is all very well to say the Government has made savings in this area, but we are paying a very big price for it. It is only a couple of years since we had such a glut of teachers that there were not enough jobs for the number of qualified teachers available in the country, but now the position has changed completely. There is a serious shortage of teachers across the various sectors. We hear school principals talk on a regular basis about the difficulty in recruiting substitute teachers or say that even in cases in which there is a permanent post available the level of interest in applying for it is very low. We also regularly hear complaints from school principals that three, four or five members of staff have taken a career break and gone to work in Dubai or Abu Dhabi simply because they cannot survive on the reduced pay scales. We have an entire generation of teachers who are affected, but other public servants are also affected. They can no longer have the aspirations and dreams others have and that their parents would have had in getting to a point where, having qualified for a professional job, they are doing the job but find the remuneration is not adequate to enable them to live a reasonable life. The housing crisis plays centrally into this, but even allowing for it, it is extremely difficult for young public servants who are forced to accept unequal pay to have a decent lifestyle which would allow them to aspire to owning their own home or even renting a decent house, starting a family and doing the things their parents did. They can no longer aspire to doing the same things as them.

The actions of their elders have alienated an entire generation of younger public servants, which is shameful. What we should be doing as a matter of urgency to establish our faith with that generation of young people is moving immediately to restore the pay cuts they were obliged to suffer and which they continue to suffer. It is wholly inadequate to suggest to them

that there will be discussions on the matter in a year's time and that we will consider how it is to be done. For that reason, I very much support the amendment, but we should be going so much further. I believe the democratic will of a clear majority in the House favours a full restoration of pay for those who are forced to continue on unequal pay scales.

Deputy Richard Boyd Barrett: I have already spoken about the issue of pay inequality on the amendment that was ruled out of order. I am aware that quite a few teachers and other public servants are watching this debate and it is worth explaining to them because they probably do not know that our amendments and those of others - Deputy Maureen O'Sullivan, Solidarity-People Before Profit, Deputies Clare Daly, Mick Wallace, Joan Collins, Seamus Healy and others - were ruled out of order. They sought to end pay inequality. Therefore, we have been forced to table secondary amendments in an attempt to get around the provisions that allow amendments to be ruled out of order on this and many other issues dealt with in the recent Finance Act. We have had to resort to requesting reports to look at an issue because that is the only way we can have the matter discussed. Those watching must understand the ludicrous way in which Parliament works and that in many cases we cannot table amendments to legislation on the matters that really count for workers and other citizens.

To put it in very simple terms - it is an indictment of the regression in society that Fianna Fáil, Fine Gael and the Labour Party which all variously supported the FEMPI legislation passed legislation that will mean that new entrants to teaching, nursing and the public service will work longer and harder for less and that they will receive pensions of less value. That is the gift Fine Gael, Fianna Fáil and the Labour Party have bestowed on future generations, which is shocking when one thinks about it. Our bequest to future generations is that they will be worse off. They will work longer and harder and when they retire which will be later than previous generations, their pensions will be worth less. That says it all about the regressive, backward-moving direction of society.

One of the things that has not been mentioned but which is worth saying, given that Deputy Jonathan O'Brien referred to how angry Deputies might be if there was to be pay apartheid for them, is that in a supreme insult to the post-2011 and 2012 generation Deputies, Ministers and Taoisigh who were elected prior to 2011 will enjoy far superior pension entitlements than those who were elected afterwards. The Minister should not get me wrong; as far as I am concerned, the pensions and pay of Deputies, Ministers and Taoisigh should be further reduced, but it is very telling that the political architects of the unprecedented crash in the economy which inflicted a decade of austerity which, in the case of pay equality, will mean that a younger generation of public servants will feel the impact of their crimes for the rest of their lives, unless pay and pension equality is restored, insulated themselves against the impact of the measures taken, which is absolutely disgusting. I have had to use that word twice in this debate, but it really is and people need to know because I suspect they do not. Some Ministers and Deputies are still sitting in this House who, because they happened to be elected before 2011, will be insulated against the pension reductions that were rightly imposed on the political class after 2011. They are the one group of people who deserved to have some cuts imposed on them after the crash, but those most responsible insulated themselves and bestowed all of this degradation in the value placed on the work of a younger generation who will work longer and harder for less and who when they retire which will be later, will receive pensions of less value. It really is utterly shameful.

I will conclude as I made most of the broader points in my previous contribution. That generation should not forgive the people who have done this and are continuing to do it to them.

Their lives and even the value placed on their professions have been degraded as a result of the changes made which I do not think many of them will forget. It was noticeable at the demonstration outside last week of the young teachers from the ASTI, the TUI and the INTO just how angry and politicised they were by this injustice. What is terrible is that now we are in a so-called recovery, but there is no acknowledgment or apology from the Government to the effect that what is being done to the people in question is wrong. It simply will not admit it; rather, it tries to suggest the starting salary of teachers is actually improving, that it is not bad and so on. It is trying to gloss over the fundamental injustice, that is to say, the people in question will forever and a day be on lower pay scales than those who entered before 2011. That is the position, unless it is changed, something to which the Government will not commit. At least, it could apologise and acknowledge that it is an injustice and promise that it will get rid of it.

The Minister of State, Deputy Patrick O'Donovan, said it would cost €1.4 billion to do what some of us were proposing, that is, to get rid of pay inequality and ensure the full restoration of pay. That is less than the potential increase in expenditure if we meet the 2% requirement under the permanent structured co-operation agreement the Government is trying to ram through this week. Our current level of military expenditure is €900 million. To put it another way, military spending accounts for 0.5% of GDP. Under the deal the Government is trying to ram through this week, that figure will have to move progressively towards 2% of GDP. By the way, we cannot borrow to finance that spending. It will mean quadrupling military expenditure to a little under €4 billion. The precise figure is €3.6 billion. We can afford to support the military industrial complex and the armaments producers in Europe and sign up to it without much of a debate - the Government is trying to push it through under the radar - yet we cannot afford to provide for pay restoration for new entrant teachers. It is simply not true to say we cannot afford it; it is simply the case that the Minister's priorities are wrong. He believes building up the European military industrial complex and all of the military producers that lobbied the European Union on the PESCO arrangement are more important than restoring pay equality for young teachers, nurses and public servants. That embodies the distorted priorities of the Government.

Acting Chairman (Deputy Alan Farrell): Before I call Deputy Paul Murphy, I reiterate what the Ceann Comhairle said. The provisions in Standing Orders replicate the Constitution in the context of Members, other than members of the Government, introducing amendments that would impose a charge on the Exchequer. There is no prohibition on them debating matters related to amendments that have been ruled out of order. They can be debated on the question that the relevant section stand part of the Bill. That is what Deputy Richard Boyd Barrett has just done. Contrary to what he said, Members can make a contribution.

Deputy Richard Boyd Barrett: I said I could not move the amendment.

Acting Chairman (Deputy Alan Farrell): No; the Deputy said he could not make a contribution on the matter.

Deputy Richard Boyd Barrett: I did not say that.

Acting Chairman (Deputy Alan Farrell): The Deputy is not time-limited in such debates.

Deputy Richard Boyd Barrett: I was making a contribution at the time. Obviously, I did not say I could not make a contribution.

Acting Chairman (Deputy Alan Farrell): Therefore, the opportunity to contribute during the course of the debate on the section is actually more advantageous.

Deputy Richard Boyd Barrett: It is a matter of record that we cannot move the amendments to provide for pay equality. That is what we said.

Acting Chairman (Deputy Alan Farrell): I am so aware, but that is not quite what I heard. Deputy Paul Murphy is next.

Deputy Paul Murphy: I wish to clarify one point. Standing Orders do not replicate the Constitution. They are significantly stricter than it.

Acting Chairman (Deputy Alan Farrell): That is a matter of opinion.

Deputy Paul Murphy: People should go and read the Constitution.

Acting Chairman (Deputy Alan Farrell): I know it well; I have a copy in front of me.

Deputy Paul Murphy: That is great; I have a copy in front of me too. It states clearly that legislation cannot be enacted that would have the effect of imposing a charge on the people or the State without the consent of the Government, that is, on Final Stage. Standing Orders prevent us from even bringing them forward on Committee Stage to be discussed or debated to enable political pressure to build on the Government. It is an urgent democratic reform that needs to be addressed, not to mention the matter of the extreme use of the money message provisions by the Government to stop legislation such as the Cannabis for Medicinal Use Regulation Bill proceeding to the next Stage.

Acting Chairman (Deputy Alan Farrell): Will the Deputy, please, speak to the amendment?

Deputy Paul Murphy: Agreed. I support the amendment simply because our amendments and others that would have the effect of undoing pay discrimination and pay inequality have been ruled out of order. The amendment which calls for the presentation of a report is the best we can do. I put it to the Government that either way this amendment will be passed. The Minister will have to bring forward a report within three months. It would want to include a concrete plan for a quick ending of pay inequality or the Government will meet the wrath of many teachers, nurses and public sector workers who will not accept ongoing pay discrimination.

It is not surprising that the Labour Party would like us to look to the future, considering the role it played in the past in the implementation and standing over of the horrific creation of an edifice of pay inequality. It is an attempt to undermine solidarity between workers who are doing the same work but who happened to enter the workforce at different points.

A woman by the name of Ciara Kinsella wrote an article in *thejournal.ie* explaining why had taken strike action with the ASTI. It reads:

IN MY SCHOOL, just like in every other school around the country, there exists inequality.

Not inequality based on gender, although that fight is still on-going.

A new inequality has emerged – pay discrimination for younger teachers.

Since I began my first teaching job in 2007, I am on what is called the ‘pre-2011’ teachers’ pay scale, while my colleagues who began teaching ‘post-2011’ are on a much-reduced new entrants’ salary scale.

5 December 2017

I share the same duties and responsibilities as these new entrants, and we are both held equally accountable. Yet there will be a six-figure difference in our lifetime earnings.

It is unacceptable and wrong to accept this situation in any profession. Therefore, this autumn, as a member of the ASTI, I will be voting 'yes' to industrial action, up to and including strike action, to put an end to marginalisation and pay disparity.

We are not looking for a pay increase; we are demanding a pay restoration for our most vulnerable colleagues.

For the first time in six years, we have been given the opportunity to stand with our lesser-paid colleagues and show intergenerational solidarity.

That sums it up. It sums up the attitude of the vast majority of workers in the public sector, whether they are pre-2011 or post-2011 employees. They do not accept the division the Government is attempting to create through this pay discrimination. They reject it and see it for the danger it is. They would like to have the opportunity, without all of this draconian legislation, to struggle against it. It is worth looking at. When these points are made, Government Deputies try to retort by confusing the issue and talking about things that are different. There are different pay scales. The new entrant teachers will never reach the level of the equivalent earlier entrant teachers. The same applies in other parts of the workforce also.

The money involved is astounding. It amounts to a six figure sum. Over a 40-year period a primary school teacher could earn up to €200,000 less. A secondary school teacher could earn up to €300,000 less in the same period. Therefore, a phenomenal amount of money is involved.

As the new pension arrangement comes into being - it is based on lifetime earnings - it will hit people again. There will be a double impact, whereby people's pensions will also be affected. It is scandalous that the Government wants this to become a permanent feature of the landscape and it will spread. It is spreading already to some degree to the private sector. This pay inequality is based largely on age and its purpose is to save money and undermine the trade unions and collective solidarity.

Minister for Finance(Deputy Paschal Donohoe): I thank all Deputies for their contributions on this important section. I will make a number of overall points about the Bill that are pertinent to the section being debated. The first point is broad.

The Bill looks to deliver wage restoration for the overwhelming majority of public and civil servants. By the end of the lifetime of the agreement, 90% of State employees will have their wages restored to pre-crisis levels. All of the public service trade unions completed a ratification process in respect of the wage agreement and it was accepted by a large majority of those who voted, although not all the trade unions accepted it, as a number of Deputies pointed out. As a result of ratification, the agreement is being implemented in this legislation.

The amendment is exciting a great deal of interest because it addresses an understandable concern. However, it is worthwhile to put in context the overall importance of the Bill and the progress it will make in dealing with the restoration of wages, addressing the legal imperative facing us and trying to do so in an affordable and fair manner. As Minister for Public Expenditure and Reform, I must consider that any move made in one part of the public and Civil Service results in immediate calls being made to have the measure in question extended to everyone else who works in the public service. I have shared a number of times with the House figures

showing what the change in salary scales proposed to meet the definition of equality for those who are campaigning on this issue would mean for the teaching profession alone. The cost for education would be €70 million, while the cost of scaling out the increases to the entire public and Civil Service would be €200 million. To put the latter figure in context, it is higher than the cost of a 1% wage increase for every State employee.

The nub of the issue is that the changes made in salary scales gave the employer, namely, the Government, the ability to hire more public and civil servants and we have hired more teachers and front-line public servants in virtually every part of the public service. The changes in salary curves and to employees' position on the salary curve gave the State the ability to invest more in front-line services. Any change in the current position will have significant consequences for investments that we make elsewhere.

One of the particular aspects of my job is that while Deputies can make arguments on particular sectors or policy issues, I, as the Minister for Public Expenditure and Reform, must find a way to pay for everything. If I cannot do so, I must find ways of paying for nearly all or most of what the Oireachtas or citizens want. I have not been able to meet the demands placed on me by those campaigning for full pay restoration because of its cost and the consequences it would have for the entire civil and public service. In addition, I cannot provide for full pay restoration while meeting many of the other demands to improve wages for everyone. That goes to the heart of the challenge we face.

I appreciate and I am aware of the scale of feeling among those who are affected by this issue and on whose behalf the trade unions representing them have advocated. In recognition of this, we agreed a process to address this matter in the public service stability agreement. This process has begun and my officials have met representatives of the teaching unions in recent weeks to scope out the different issues involved and consider if or how progress can be made on this matter during the lifetime of the agreement. The Government is entering this process in good faith, as has been acknowledged by those with whom we are engaging. The costs and consequences of any change in this area are significant.

I reiterate that a process is under way with the teaching unions as part of the agreement ratified by the majority of public servants. I am obliged to complete this process with the trade unions to ascertain whether progress can be made on this matter. However, I cannot give a commitment to the House tonight that this will happen because a process is under way. We must await the outcome of the negotiations when we will learn what will be the costs, if these costs can be reconciled with the agreement we have and whether I can make a recommendation to the Cabinet and, ultimately, the Oireachtas about what to do. At this point, the process has only begun and it will take time to complete. When it is complete we will review the position and decide whether the Government can respond on the issue. Everything I say must be considered in the context that a process is under way and I can make a recommendation as to whether any change can be made only at the end of that process.

Given that Deputy Dara Calleary's amendment refers to costs and a plan without obliging me to state I am in a position to implement pay restoration, I will accept it. If there is a process under way on this matter with the trade unions, it is appropriate that at some point in the discussions, I should outline more fully to the Oireachtas what are the consequences of dealing with this matter and what issues will arise as we embark on the process to which I have committed in the public service stability agreement. I accept the amendment on the basis of the range of opinions articulated by Deputies. In doing so, I emphasise that this does not prejudice my

ability, acting as a Minister on behalf of the Exchequer, to reach an agreement, if any. At this point, given the costs and consequences that arise in respect of this issue, I cannot say whether that will happen. If I were able to do so, we would not have a process in the first place. We are engaging in the process for these reasons. Given the interest in the matter, I will be pleased to report to the Oireachtas, perhaps through the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach, where we stand and the broader costs and consequences involved in dealing with this matter.

Deputy Richard Boyd Barrett: The first thing that young teachers, nurses and other public servants should take from the Minister's response is that they should continue to campaign on this issue because their campaign is working. It is clearly the pressure of the ASTI, the TUI and the INTO, in coming together to oppose the latest deal which does not fully restore pay or deal with pay equality, that has forced the Government to acknowledge the depth of feeling and accept an amendment that at least proposes to examine the issue. Action works. That is the lesson. The fact that the unions, driven by their grassroots, have come together in a united front against this is having an impact. The lesson is also for the rest of the trade union movement, namely, that they need to stand up against this kind of stuff and not accept there is no alternative to the partial half-hearted restoration and failure to deal with these issues the Government initially proposed. The Minister should honestly answer the question I posed.

I will give him a few other suggestions. If the cost of pay equalisation for new entrants into teaching, nursing and the public service generally is €200 million, how can the Minister, Deputy Donohoe, not make a commitment on €200 million when he will propose on Thursday of this week that a commitment be made to increase substantially the proportion of national income that is spent on weapons? We do not know the cost but the Government wants Members to vote through the agreement in a week. This is an issue that has been debated and is relevant. The Minister asked where can we get the money. The Government states we cannot make a commitment on getting the €200 million necessary for pay restoration but wants the Dáil to make a commitment this week to increase annually military spending in real terms towards a 2% of GDP target. That will involve substantial and dramatic increases far in excess of the €200 million it would cost to restore equality for teachers, nurses and other public servants. How can the Minister give a commitment on one when he will not give a commitment on the other? I note the issue of pay equality is a far greater priority for the people, particularly young people in those professions and in the public service, than is boosting the profits of the European arms industry.

Another suggestion is a financial transaction tax. The estimated yield involved has increased because financial transactions have dramatically increased. I refer to the culprits for much of the crash that led to this pay inequality in the first place. Why will the Minister not levy a 0.1% tax on financial transactions? That would raise €500 million a year or more than twice what the Minister needs in this regard. Why will the Minister not even entertain it? The Minister could do that. The losses brought forward mean the banks are making big profits. AIB is one of the most profitable banks in Europe at present and is paying zero tax because of tax loopholes. What about closing that one down? That would give us the €200 million.

What about a wealth tax on the exponential growth in the wealth of the top 5% in Irish society? Wealth taxes are not unusual across the rest of Europe but in Ireland, of all places, there has been spectacular growth in household wealth. It has increased by 49% since 2012 and the overwhelming majority of that is concentrated in the hands of the top 5% or 10% of the population. The Minister will not even consider a wealth tax and states it is too difficult to impose.

It is not difficult to cut the pay of new entrant teachers but apparently it is complex to tax the extraordinary wealth of the richest 5%.

Another suggestion for the Minister is to take a little extra from the corporate profits that have more than doubled since 2008. A sum of €200 million is a drop in the ocean compared with the €70 billion plus in extra profits they are making now. There were €149 billion in aggregate profits in 2015, up from approximately €70 billion in 2008, on which they are paying on average 6% real effective tax. Could the Minister take a little bit more off them? That €200 million would be a drop in the ocean compared with that but the Minister has resolutely refused to consider that. Ultimately, €200 million is a small price to pay for pay equalisation and to provide fairness to new entrants in the public service including teachers, nurses and other public servants.

Deputy Dara Calleary: I welcome the Minister's acceptance of the amendment. The process he speaks about is important. It is being carried out through the Public Service Pay Commission, which was established to address all these issues in a constructive way. It was established through the confidence and supply agreement between both of our parties.

I note the qualifications and I respect them. I am confident that the commission will look at this. It is the first time we have a process. This issue has been raised in the Oireachtas consistently since 2011, not only in the past few weeks. It is important that the Oireachtas plays some sort of role as that process comes to a completion.

I had another amendment on this section that was ruled out of order. Can I speak to that amendment now or does the Acting Chairman want to deal with this amendment?

Acting Chairman (Deputy Alan Farrell): One cannot speak to an amendment ruled out of order.

Deputy Dara Calleary: I think I can.

Acting Chairman (Deputy Alan Farrell): The Deputy may not.

Deputy Dara Calleary: What has Deputy Boyd Barrett done for the past half hour?

Acting Chairman (Deputy Alan Farrell): One can speak on the section, which we have not yet discussed.

Deputy Dara Calleary: We are discussing the section. There is a second amendment on this section.

Acting Chairman (Deputy Alan Farrell): Let me be clear. One cannot discuss an amendment that is out of order but one can discuss the section, which we have not yet come to. We are only discussing the Deputy's amendment at present.

Deputy Dara Calleary: We are discussing the amendment because it is in the section.

Acting Chairman (Deputy Alan Farrell): Yes.

Deputy Jonathan O'Brien: When the amendment is passed, we then discuss the section.

Acting Chairman (Deputy Alan Farrell): Deputy Jonathan O'Brien is correct. We will come back to discuss and agree section 11.

Deputy Joan Burton: The Minister has made a sensible decision to accept Deputy Calleary's amendment as we need the information. While we need the facts and figures, as I stated before the Minister, Deputy Donohoe, came into the Chamber, we also need to look to the future and not just to the past, particularly in areas such as education and health.

The key point in education is we are beginning to experience a severe shortage of teachers. With rents now being so high, both in the greater Dublin area and in most large towns and cities as landlords have sought to maximise the returns from their rents, particularly for new tenants in the market, I constantly meet people who are taking up jobs on the fringes of Dublin, including in my own constituency in west Dublin, who are commuting on a daily basis to home because they simply cannot afford the rent. This is true in all the other cities. Because there is such population growth, which is wonderful, we need more teachers. We also are now mainstreaming children who have a disability in primary and secondary schools. That is a really positive development for this country that will require significant extra staffing. Unless the Minister accelerates the pace at which pay restoration will be provided, I fear that many of those teachers will go abroad.

Previously I raised with the Minister the issue of staff in hospices. I am not talking about a significant number of staff but these are employees whose pay is parallel to that of public servants. The Minister undertook earlier to review this issue. He stated he would be looking at it in the Department and I appreciate him doing so. It is really difficult for the hospice movement and other such section 39 organisations. I had it down in my notes to talk about this. These are public servants. For the information of Deputy Calleary, these are employees who are paid out of the public purse. Those who are working in the HSE began to get pay restoration some months ago. Because the staff come freely over and back between the HSE and the hospices, and almost all hospice staff in medical, nursing and other disciplines are recruited from and on similar terms to the HSE, there will be a serious problem in respect of recruitment. I hope that the Minister will look at this carefully and work on a solution although I am conscious of the fact that none of the potential solutions are particularly easy.

During Question Time with the Minister recently I pointed out that four banks, including Bank of Ireland and Allied Irish Bank, have €5.5 billion of deferred tax assets between them. On the basis of yesterday's Exchequer figures, the Minister appears to have some room for movement, which I am sure was welcome news on what was a difficult day for the Government. Alongside that, we have a situation now whereby the banks are very profitable again. They are including all of this in their briefing notes to investors and to the markets and so on. They have €5.5 billion of deferred tax assets, that is, losses that they will claim against their profits until such time as they are exhausted. I have proposed to the Minister that the banks should not be allowed to do that at a time when the economy needs more funding for both current and capital investment. It is also an offence to taxpayers who bailed out the banks that they should be boasting in notes to investors about the value of these deferred tax assets, which are very significant. The Minister wants to put more money into key areas like education, health, housing, social services and infrastructure. He cannot allow the banks to get away scot free in terms of contributing corporation tax.

I am sure the Minister must have been shocked by the statement from the Revenue Commissioners last week about up to ten very large companies. I do not think the statement was referring to the banks because it related to a period before the banks began to return to profitability. That is only happening now and that is why we are raising it now. Notwithstanding the bank levy, it is really wrong to let them get away with it. It is something that the Minister could ad-

dress and some of that money could be used to provide additional funding for education, health and other areas of badly needed social provision. Our increasing population and the fact that our economy is growing means that we need to invest.

The best thing in a growing economy is to see wages growing strongly. In that context, I would strongly recommend that the Minister reintroduces social partnership. I wish to refer to the teacher unions and the good work that their members did during the recession. In that context, Fine Gael should have a change of heart and positively embrace social partnership and collective agreements that provide for wage growth as well as for agreement on social investment and social provision. Fine Gael should also acknowledge the status of people who work in the public service. It is true that entrepreneurs work hard but so too do public servants. We have an economy that is a mixture of public and private and we want it to stay like that.

Acting Chairman (Deputy Alan Farrell): Does Deputy Mick Barry wish to speak to the section?

Deputy Mick Barry: Yes.

Acting Chairman (Deputy Alan Farrell): I would ask him to wait-----

Deputy Mick Barry: I wish to speak to the Minister's reply. There is a point that the Minister made-----

Acting Chairman (Deputy Alan Farrell): Does the Deputy wish to speak to the amendment then?

Deputy Mick Barry: Yes.

Deputy Paschal Donohoe: On a point of order, I have already said that I am accepting the amendment. At what point do we move on from debating an amendment that I have accepted to debating the section?

Acting Chairman (Deputy Alan Farrell): Technically, after Deputy Mick Barry has contributed to the debate on an agreed amendment.

Deputy Mick Barry: I will be brief. I welcome the fact that the Government will have to come back to the House and present a report which will give us an opportunity to continue the debate. It will also give young teachers and their unions an opportunity to exert more pressure on the Government on this issue. However, I want to comment briefly on a point that the Minister made in his speech which has not been challenged yet in this debate but which should be challenged. The Minister essentially said that while equal pay for equal work is a good idea and something to which we should aspire, it is something that he feels we cannot afford at the moment and he trotted out the figures: €70 million for the education profession and €200 million across the public service. As Deputy Boyd Barrett has said, the money is there if the Government is prepared to go after the wealth that is held by the wealthy and the elite in this country. I agree with that point entirely but there is another point to be made here. If a Government Minister can stand up and say that we cannot afford equal pay for work of equal value, what will he say next? Will he say that human rights are a good idea but we cannot afford them or that democracy is a good idea but we cannot afford it? Either one believes in the principle of equal pay for work of equal value or one does not. Clearly, on the basis of its comments and actions, the Government does not. Many young teachers and young public sector workers will draw

political conclusions from this. If Fine Gael Ministers and the capitalist system they defend say that we cannot afford to pay equal pay for work of equal value, a lot of people will draw the conclusion that they cannot afford to have Fine Gael in government or the system that it defends.

Deputy Dara Calleary: Before we move on, I tabled an amendment that was ruled out of order but Deputy Burton made reference to it a moment ago. The amendment relates to section 39 organisations including hospices and other care organisations where there is a complete disparity of treatment. Staff in those organisations experienced pay cuts in 2008 and 2009 equivalent to the pay cuts that would have applied to them had they been working in State organisations. Now that we are on a path to pay restoration, however, similar restoration is not been given to them. This is putting section 39 organisations which deliver vital services under enormous pressure in terms of their staff. We have a situation where the HSE is trying to poach staff from these organisations to make up for the gaps in its own service. I know the Minister is working on it and that a report is being prepared but I want to emphasise that we must address this issue. We cannot expect section 39 organisations to do the work while nobbling them with these rules.

Amendment agreed to.

Amendments Nos. 5 and 6 not moved.

Section 11, as amended, agreed to.

Acting Chairman (Deputy Alan Farrell): I note that Deputy Maureen O'Sullivan is opposed to section 12.

Section 12 agreed to.

Acting Chairman (Deputy Alan Farrell): I note that Deputy Maureen O'Sullivan is opposed to sections 13 and 14.

Sections 13 and 14 agreed to.

Acting Chairman (Deputy Alan Farrell): As it is 9 p.m., I must ask that progress be reported.

Deputy Jonathan O'Brien: Can we have an indication when the Bill is coming back as it is not scheduled for the rest of the week?

Acting Chairman (Deputy Alan Farrell): That is a matter for the Business Committee. I assume it will have to discuss it as soon as possible but, at the moment, I do not have a scheduled time.

Progress reported; Committee to sit again.

Message from Select Committee

Acting Chairman (Deputy Alan Farrell): The Select Committee on Education and Skills has completed its consideration of the following Estimate for public services for the service of the year ending 31 December 2017: Vote 26 - Education and Skills (Supplementary).

Situation in Syria: Motion [Private Members]

Deputy Clare Daly: I move:

“That Dáil Éireann:

condemns:

— the continued imposition of economic sanctions against Syria by the European Union and the United States of America; and

— the kidnapping of 54 children from the towns of al-Fu’ah and Kafraya in Syria, who went missing following an attack on 15th April, 2017, on a convoy of buses transporting evacuees from those towns; and

calls on the Tánaiste and Minister for Foreign Affairs and Trade to:

— advocate at the EU Foreign Affairs Council for the lifting of the EU’s economic sanctions against Syria;

— immediately make contact with the US Ambassador to Ireland, to raise the issue of lifting the US economic sanctions against Syria; and

— work with all relevant authorities for the return of the 54 missing children from al-Fu’ah and Kafraya.

I wish to share time with Deputy Mick Wallace.

Acting Chairman (Deputy Alan Farrell): Is that agreed? Agreed.

Deputy Clare Daly: The response to our motion is not acceptable in many ways. The motion we put before the House is not about the Syrian war or about blame. It is simply a humanitarian proposition dealing with the situation facing ordinary Syrian people at the moment. The response of the Government, Fianna Fáil and, indeed, some of the left parties to this shows the games that are being played around this issue, with Fianna Fáil and Fine Gael bending the knee to the US and EU establishments and those on the left thinking that a bomb or a bullet from Bashar al-Assad is somehow worse than one coming from ISIS. The only amendment we will be accepting is that from Sinn Féin, which encapsulates all of our issues, although, to be honest, we did not think it was necessary given our motion stood on its own.

This issue shows us the difficulty of interference from outside. This is about the people of Syria. They do not want our opinions; they want our help. I am conscious, when we talk about the impact of sanctions on the Syrian people, that at present there are 36 countries against whom the EU has sanctions in place. While we would certainly have a problem with many of those sanctions, there is a world of difference between sanctions imposed on a country outside a war and on a country in a war. We note, in particular, the devastation being meted out to people in Yemen at the moment and I think it is important not to diminish that situation. However, we want to state at the outset that to speak out against an injustice in one area does not make us silent with regard to other parts of the globe.

The reason we have tabled this motion and singled out Syria is because we had the honour and privilege to go there and experience it at first hand and to meet many people in that coun-

try over recent weeks. Of course, Syria is experiencing the biggest humanitarian emergency since the Second World War, with more than 400,000 people dead, the displacement of half of its population, 6 million people internally displaced and 5 million people driven outside of its borders, a country that has gone from self-sufficiency to dependency on aid in six years. This was a country that gave us the oldest inhabited city of Damascus, with seven UNESCO sites, and a country which made 14% of its GDP from tourism, employing hundreds of thousands of people. It is against this backdrop that we look at the impact of continued EU sanctions.

We went to a refugee camp outside Damascus at Sayyidah Zainab, where we had a meeting with the survivors of the Shia towns of al-Fu'ah and Kafriya. We met a doctor who made the point that Syria would be rebuilt. He said:

Hospitals have 100 times more people than they have resources. Here, in the cradle of civilisation, we are humans and love other humans. We hope this does not happen in your country.

We asked him what we could do, and he said: "Just see, and say what you see." That is what we are trying to do with this motion today. We think too many people are afraid of being cast on either side of the war but we want to report what we saw and to talk about that.

The theory is that sanctions are supposed to weaken the regime and put on pressure to undermine it. That is absolute rubbish. It was not the case in 1979 when sanctions were imposed and it certainly was not the case when they were massively escalated in 2011. The regime is not going to fall and the only thing being undermined by sanctions is the living standards of the population, who have already suffered severe hardship. Of course, we also know that sanctions are put forward with the idea that something is being done but we know since Iraq that sanctions have a terrible effect on people. Some 500,000 children died from the sanctions in Iraq. In fact, it was a crime against humanity. Denis Halliday, the head of the UN humanitarian programme in Iraq in 1997 and 1998, when he was resigning, made the following point:

I had been instructed to implement a policy that satisfies the definition of genocide: a deliberate policy that has effectively killed well over a million individuals ... We all know that the regime, Saddam Hussein, is not paying the price for economic sanctions; on the contrary, he has been strengthened by them. It is the little people who are losing their children or their parents for lack of untreated water.

It is exactly the same today as it was then. That is the situation we are also dealing with in Syria. Sanctions are a blunt instrument, with negative consequences for a sovereign state and often with unforeseen consequences for civilians. They seldom impact on the government and they are certainly not having an impact on the government of Bashar al-Assad. This policy, ironically, is actually serving to strengthen him. Deputy Wallace will make further points in this regard and I will also make further points when I sum up.

Deputy Mick Wallace: The war and sanctions have turned what was once an independent and self-sufficient country into one heavily dependent on international aid. The sanctions have had a disastrous impact even on the functioning of the aid programme itself. A report commissioned by the UN Economic and Social Commission for Western Asia, which analysed the humanitarian impact of the sanctions, describes the US and EU measures as some of the most complicated and far-reaching sanctions regimes ever imposed. The licensing system is incredibly inefficient, with seemingly no co-ordination among EU governments as to what criteria

should be applied when considering licence applications. EU sanctions and export controls prohibit the export into Syria of a range of dual-use items, so drilling equipment and pipes associated with water and sanitation projects are likely to require a specific EU licence. The related provisions of financing and brokering services in support of such exports are also prohibited by EU regulations.

Ireland has seen an increase in the value of licences for arms exports to countries like Saudi Arabia and Israel from €23 million to €132 million in the last six months of 2016 and the first six months of 2017. Israel, when it is not busy carrying out the ritual of what is called “cutting the grass” and bombing women, children and other innocent civilians in Palestine, is busy arming and funding Syrian rebels and pouring more fuel on the fire of the Syrian war. Saudi Arabia, our special trade partner, not even when it openly and intentionally makes air strikes on civilians in Yemen at markets, weddings, funerals, schools, mosques and hospitals, cannot make this Government question our growing relationship with this massively destabilising force in the region. The Saudi-led coalition has launched more than 90,000 air strikes on Yemen in the last two years. Those who have not been killed by the US and UK-made bombs are now starting to die from starvation in what human rights organisations are predicting will be the worst humanitarian disaster we have seen in decades. Despite this, our Government has no problem trading with Saudi Arabia or the United Arab Emirates, UAE, which is also complicit in war crimes in Yemen.

The situation in regard to essential medicines in Syria is dire and the sanctions are making it worse, as a UN commission report highlights. Prior to the conflict, Syria was known for being relatively self-sufficient in domestically produced medicines. Today, the majority of pharmaceutical factories are reported as either non-operational or destroyed. In the small number of instances where domestic production is still possible, major difficulties in procuring the raw materials required for local production of medicines have been reported. The resulting impact is a reliance on importing the necessary medical equipment, medicines and pharmaceutical products. That the US and EU would do so much in their power to block essential emergency assistance to dying people while the CIA, in its operation to train and arm rebels in Syria, has been directly shipping weapons to rebels at a cost of close to \$1 billion per year will be a lasting scar on the history of the West and its laughable pretence that it has the moral authority to be the policeman of the world.

The official EU and US position is that the sanctions against Assad, his backers and the regime deprive these actors of resources that could be used to further the bloody campaign. Why is the US not held to the same standard? In July 2016, it carried out devastating air strikes on the city of Manbij, killing approximately 125 civilians in a single attack. It flattened the cities of Kobanî in Syria and Ramadi and Fallujah in Iraq. According to Human Rights Watch, 140 civilians died of starvation in Fallujah while US-backed forces stopped aid from entering the city.

The simple fact of the matter is that the US Administration could not give a damn about how many women, children and innocents die for it to achieve its ends. The saddest aspect is that it could be argued that the never-ending war that has been waging for 16 years appears to be an end in itself. The US has sold \$42 billion worth of arms to the rest of the world in 2017, up \$10 billion on the previous year. Aerospace and defence industry shares have increased by more than 40% since 2016. More instability means more profits for a range of powerful actors connected to the arms trade. Whether it is the US threatening North Korea or the incendiary propaganda coming from Israel, Saudi Arabia and the US about the dangers of Iran in the

Middle East, every threat of further instability and warfare is potentially worth trillions of dollars to these warmongers. The US defence budget is more than \$600 billion per year. It has 50 million people at risk of poverty. Where is the sense of it all? This is not even to talk about the worldwide destruction that the US is causing. A group of physicians against nuclear armaments in America estimates that up to 2.1 million civilians who had nothing to do with any war effort have been killed in Afghanistan and Iraq since 2001, yet we talk about others causing destruction. When are we ever going to cop on?

Assad will not voluntarily stand down at the wish of the foreign powers who want him gone. The people of Syria have to determine who rules Syria. Assad is not in any way an exemplary democratic leader, but foreign interventions will not help. Our call for the sanctions to be lifted is not an argument for the continued reign of Assad, but for the will of the people of Syria to be respected, for the end of foreign meddling and profiteering in the region and for desperately needed medicines, medical devices and equipment, food, fuel, money and basic equipment that is essential to public infrastructure to be allowed into the country in order to save and improve lives. Sanctions in this kind of situation only hurt people who are already hurting and only kill those who need our help. The EU and the US are being merciless in their treatment of the people of Syria.

In the 1990s, the Clinton Administration pressured the UN Security Council to impose one of the most brutal sanctions regimes in the history of Iraq, supposedly to punish the former US puppet, Saddam Hussein, for his 1990 invasion of Kuwait. A UN report found that, from 1991 to late 1995, more than 500,000 Iraqi children had died because of those harsh economic sanctions. In 1998, Mrs. Madeleine Albright, the then Secretary of State, was asked whether the deaths of 500,000 Iraqi children had been worth it just to control the price of oil. She replied that, although it was a heavy price to pay, it was “worth it”.

Deputy Clare Daly referred to Mr. Denis Halliday, who worked as a UN humanitarian co-ordinator for 34 years. He resigned in 1998 in protest at the sanctions, saying that they amounted to genocide in Iraq. He stated: “We are now in there responsible for killing people, destroying their families, their children, allowing their older parents to die for lack of basic medicines.” The EU and US will be responsible for similar war crimes in Syria for as long as the current sanctions stay in place. It is not rocket science. We are doing an incredible injustice to many innocent people. The Government can think what it likes about Assad, but older people, women and children usually suffer the most. They are the ones who are being hit most by sanctions.

Going to Syria was an amazing experience. We were there for five days and I can safely say that I have never met such beautiful people in all my life. I hated leaving the place. It was an incredible feeling. We met Shias, Sunnis, Alawites, Druze, Christians and Kurds. We did our utmost to ensure that we were not identified as being from anywhere or part of any group. We travelled around and met as many people as we could in various areas - on the streets, in bars, in restaurants and all sorts of places. We wanted to talk to and listen to the people. We wanted to hear what they had to say. It would do anyone good to go there. I challenge Members to find a greater people anywhere. They are amazing.

We went to Homs and to two schools where 50 children had been killed by suicide bombers. Thirty were killed outside one school and 20 outside the other on the same day. A suicide bomber arrived at 3 p.m. when the children were about to leave school. Does the Minister of State know what the main problem the bombers had with these schools? It was that Sunni, Shia, Christian, Alawite and Druze children were attending them together. They were a mix of

peoples living together and in school together. Their parents were not fighting when they were dropping their children off at school.

One of Syria's major problems is that it has been a mosaic of the various groups. They have had their differences and problems for years, but they actually live together. The main instigators of the current war in Syria have been Saudi Arabia and Israel, two sectarian states that do not like the fact that Syria was not a sectarian state. They played on the groups' differences.

There is talk of the Free Syrian Army but, as the Americans found out, it was not able to fight. Instead, Jabhat al-Nusra and al-Qaeda did the fighting for them and were funded by them. These are the groups that Western forces ended up arming to do their fighting for them in Syria.

While we were in two sections of the suburbs of Damascus, mortar bombs dropped onto the city centre once every five minutes or so from 8 a.m. until 1 p.m. and then again for a couple of hours in the evening. There are two opposition enclaves left. There is not a Syrian in either. They are Saudi and Chechen members of Jabhat al-Nusra and al-Qaeda. This is not the Syrians fighting the Syrians. This is outsiders coming in and creating havoc to destroy a civilisation.

We were in the town of Maaloula, which is predominantly Christian, and we stayed in people's houses while we were there and listened to what they had to say to us. What we are hearing in the media here and across Europe about what is happening in Syria is not the true picture. We are following the US diktat. When are we ever going to stop it using Shannon Airport to drop bombs on people and create refugees?

We are great at saying that we are brilliant at bringing aid to people. Why do we not try to help to stop people becoming refugees in the first place? How can we still allow the US military to use Shannon Airport as a military base to cause untold destruction in other regions? For the life of me, I cannot understand it. The world is losing the plot.

The Americans are spending more than \$600 billion on their defence budget. The arms industry is one of the most powerful industries in the world. Were the Americans to stop bombing people, they would lose jobs at home. The four industries which helped to elect the President of America are the arms, oil, coal and pharmaceutical industries. One gets nothing for nothing. There has to be payback. The big payback is that the arms industry has to be kept going and increased. The world is going mad. I ask the Minister of State to have a rethink about Syria.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon): I move amendment No. 2:

To delete all words after "Dáil Éireann" and substitute the following:

"condemns:

— the ongoing violence in Syria which has to date resulted in the deaths of an estimated half a million people, particularly the continued brutal attacks on civilians perpetrated by the Assad regime;

— the blatant violations of international humanitarian and human rights law, as identified by the Independent International Commission of Inquiry on the Syrian Arab Republic, including the continued use of sieges against civilians, forced displacement under the guise of truces or evacuation agreements, the diversion and denial of humanitarian aid, and the targeting of civilian infrastructure;

5 December 2017

— the particularly abhorrent attacks on schools, hospitals and medical personnel which disproportionately affect children, the sick and injured; and

— the utterly barbaric use of chemical weapons against civilians;

and calls on the Tánaiste and Minister for Foreign Affairs and Trade to:

— continue to support the United Nations (UN) led Geneva talks process, based on the 2012 Geneva communiqué and UN Security Council Resolution 2254, which demands an end to violence, release of political prisoners, formation of a transitional governing body with executive powers and a constitutional reform process;

— continue to work, in European Union and UN frameworks, for an end to the conflict, including through the use of appropriate measures such as targeted sanctions, to put pressure on the Syrian regime to end the violent repression of civilians;

— continue to support efforts to ensure accountability for all war crimes and crimes against humanity committed during the Syrian conflict including supporting the investigation and prosecution of the persons responsible;

— continue to press through the UN and the Organisation for the Prohibition of Chemical Weapons (OPCW) for Syrian compliance with its obligations under the Chemical Weapons Convention; and

— to ensure that Ireland continues to provide appropriate humanitarian aid to relieve the suffering of the people of Syria.”

The situation in Syria is utterly horrifying. This conflict began with ordinary Syrians protesting police brutality against their children. Due to the unyielding and violent response of the regime, it has now continued for six and a half years and has taken an estimated half a million lives. A beautiful and historic country lies in ruins. Inside Syria, more than 13 million people are in need of humanitarian assistance and 3 million are living in besieged hard-to-reach areas. A further 5.5 million Syrians have fled to neighbouring countries and the wider region.

I take this opportunity to condemn unreservedly the abhorrent violence against civilians, through the use of siege tactics, withholding of humanitarian aid, forced displacement, including under the guise of truces or evacuation agreements, and the targeting of civilian infrastructure including schools, markets and hospitals. These actions are in contravention of international law, international humanitarian law and human rights law. I am particularly horrified that the Assad regime would use chemical weapons against its own people, as recently confirmed by the findings of the joint investigation by the UN and the Organisation for the Prohibition of Chemical Weapons, OPCW.

Those in need in Syria are often cut off from aid, due to shifting front lines, administrative hurdles and violence along access routes and against humanitarian workers. While a number of localised ceasefire initiatives have enabled some temporary aid, those in besieged and hard-to-reach areas are not receiving the regular assistance they desperately need. I call on all parties to lift barriers to humanitarian access, to allow relief to besieged areas and to let humanitarian actors cross conflict lines to deliver relief.

Clearly, a sustainable, peaceful resolution to the conflict is urgently needed and Ireland fully supports the UN-led Geneva process, based on the 2012 Geneva communiqué and UN Security Council Resolution 2254, which demands an end to violence, release of political prisoners, formation of a transitional governing body with executive powers and a constitutional reform process. I commend the efforts of UN special envoy for Syria, Staffan de Mistura. The Geneva process is the only way of achieving an inclusive, sustainable and peaceful resolution to the crisis in Syria. I assure Members that Ireland remains wholly committed to efforts to achieving that outcome.

Sanctions are one tool the international community can use to put pressure on those who commit violence against their own people. The EU sanctions in respect of Syria include an oil embargo, restrictions on investments, a freeze of Syrian central bank assets and export restrictions on equipment and technology which might be used for internal repression or interception of Internet or telephone communications. There are no sanctions on food, medicines or most other civilian goods.

The EU's basic principles on the use of restrictive measures state:

sanctions should be targeted in a way that has maximum impact on those whose behaviour we want to influence. Targeting should reduce to the maximum extent possible any adverse humanitarian effects or unintended consequences for persons not targeted.

Accordingly, the EU's Syria sanctions include specific exemptions for essential civilian needs and humanitarian assistance. The EU keeps the impact of sanctions under constant review and will regularly consider options to mitigate any unintended consequences. EU sanctions are not a barrier to the delivery of aid or a cause of civilian suffering.

In addition to these measures, targeted EU sanctions are in place against over 250 people and almost 70 entities complicit in the violent repression of the civilian population in Syria. The first person on this list is Bashar al-Assad, whose forces have been responsible for the deaths of hundreds of thousands of people. Ireland has consistently supported EU sanctions targeting the Assad regime and its supporters, and will continue to do so as long as the situation on the ground justifies these measures. I have no wish to see members of the Syrian regime free to travel to the EU while Syrian children live in daily fear of barrel bombs, nor do I wish to see assets held in the EU being used to fuel the conflict. That is what lifting EU sanctions would allow. It would be a signal of indifference to or encouragement of the brutal attacks on civilians which have characterised this conflict. I would like to put on record the Government's utter condemnation of the attack in April 2017 on a convoy of buses transporting evacuees from al-Fu'ah and Kafriya in north-west Syria. In a conflict characterised by despicable acts, this attack on fleeing civilians was striking in its callousness. It is extremely difficult to get reliable information on what has happened from contested zones in Syria and even harder to ensure accountability for the many appalling acts committed. Ireland takes all reports of violence against children extremely seriously, and I would invite anyone who may have any concrete information about reports of the kidnapping of 54 children from the scene of the al-Fu'ah and Kafriya attacks to share that information with my Department. Concrete, verifiable information from credible sources is essential if there is to be any follow-up, via those organisations that are mandated to act on missing persons cases.

This conflict will end one day and those who are guilty of crimes against their fellow Syrians must ultimately face justice. Ireland supports efforts on a number of different tracks to

ensure full legal accountability for all war crimes and crimes against humanity committed in Syria. We have consistently called for the referral of the situation in Syria to the International Criminal Court. Ireland supports the independent international commission of inquiry established by the Human Rights Council to investigate all alleged violations of international human rights law in Syria.

Last December, Ireland and a group of like-minded countries successfully pressed for the adoption of a UN General Assembly resolution to establish an international impartial and independent mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under international law in Syria. Ireland has contributed €100,000 to support the work of this mechanism this year.

Ireland is also a strong supporter of the fact-finding mission of the OPCW, which aims to establish facts surrounding allegations of the use of toxic chemicals, reportedly chlorine, for hostile purposes in the Syrian Arab Republic. Ireland has provided nearly €1 million to support its work since 2014, and a further €200,000 to the OPCW-UN joint investigative mission to eliminate chemical weapons in Syria.

Ireland is also making a significant contribution to the international humanitarian response to the Syria crisis, contributing over €90 million since 2012. This is Irish Aid's largest response to a single crisis in recent years. Through our annual EU contributions, Ireland also supports the EU's humanitarian response to the Syria crisis. To date, the EU and its member states have mobilised more than €9.4 billion in assistance to Syrians in the country and to refugees in neighbouring countries. Ireland will continue to prioritise the protection of civilians, particularly the most vulnerable of these, including children, in our response to the Syria crisis. I call on the House to support this amendment.

Deputy Brendan Smith: I propose to share time with Deputy Fiona O'Loughlin.

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

Deputy Brendan Smith: I commend Deputy Mick Wallace and his colleagues from the Independents 4 Change group on putting this very important motion before the House. It is to their credit that they bring to the floor of the Dáil a motion for debate on this awful and desperate crisis that has gone on for so many years. On behalf of the Fianna Fáil Party I will be moving an amendment that outlines our concerns and abhorrence of the current conflict in Syria and the ongoing humanitarian, security and political matters arising from the conflict of so many years. The amendment condemns in the strongest possible manner the terrible loss of life and tremendous human suffering caused by the conflict, as well as the systematic, widespread and gross violations and abuses of human rights and international humanitarian law by all parties involved with the conflict.

Understandably, we have consistently supported the work of the United Nations, the UN special envoy and the intra-Syrian talks in Geneva. We also support the European Union strategy on Syria and we want to see an inclusive transition in Syria involving all segments of society. Over the past number of years we have consistently called on the European Union to continue to intensify and increase its efforts to support the people of Syria. The European Union and all its member states must make every effort to bring the perpetrators of war crimes, human rights violations and violations of international humanitarian law to justice. They must ensure those found guilty of such crimes would face the full rigours of the law. Like everybody else in the

House and any right-minded person, we want to ensure all the international organisations increase their efforts to find a lasting political solution to this conflict and crisis.

As a member of the Oireachtas foreign affairs committee for the past six years, I can say we have discussed this matter on many occasions. We have also ensured different advocacy groups and representative organisations have had the opportunity to come before the committee and outline to us in great detail the humanitarian crisis and its basic denial of people's human rights. They have told us about the unbelievable suffering being inflicted on so many people. We have listened to many groups outline in great detail the abuse and denial of basic civil rights. We have also had the opportunity to ensure non-governmental organisations, NGOs, and representatives of Irish Aid could come before the committee to outline the work being carried out in those awful circumstances by so many people, including doctors, nursing staff, support personnel and others who are trying to provide humanitarian assistance to those people most in need. Deputies Crowe and Maureen O'Sullivan, who was here earlier, are members of the committee. On every occasion that we had an opportunity, we ensured that groups like Médecins Sans Frontières and others could come before us, allowing doctors and nurses to speak to the committee and outline in great detail the desperate conditions they have dealt with on the ground in such awful circumstances.

The conflict in Syria is now in its seventh year, as the Minister of State indicated. Since the war began in 2011, in excess of 400,000 people have lost their lives, with 5 million people fleeing Syria, 6.5 million people internally displaced and 13.5 million people in need of humanitarian assistance. Syria is one of the world's worst humanitarian crises of all times and it has been described as a living hell. It is incumbent, to say the least, on all of us to voice our vehement opposition to such heinous crimes. We must oppose flagrant violations of international law and seek a sustainable and lasting resolution to the conflict based on a political transition, a reconciliation process and the reconstruction of Syria.

The Fianna Fáil Party has consistently supported the EU's aim of meaningful and inclusive transition in Syria in line with the 2015 UN Security Council resolution 2254, which sets a roadmap for a peace process in Syria, as well as the 2012 Geneva communiqué through support for the strengthening of the political opposition. It is imperative and necessary for a more concerted effort to be made to bring a resolution to this conflict. After all, it is in its seventh year and hundreds of thousands of people have lost their lives. There has been and continues to be unbelievable human suffering. The European Union and the international community must redouble efforts and ensure this war is brought to a peaceful conclusion as soon as possible.

As I stated, the Syrian conflict has created one of the worst humanitarian crises of our time. Half of the country's pre-war population - more than 11 million people - have been killed or forced to flee their homes. The United Nations estimates 6.3 million people are internally displaced. Approximately 5.2 million people have been forced to seek safety in neighbouring countries, with 3 million Syrians having fled across the border into Turkey. Lebanon, Jordan, Egypt and Iraq are home to very substantial numbers of refugees.

Since the start of the conflict the European Union and its member states have collectively allocated approximately €9.4 billion in humanitarian and development assistance, as the Minister of State, Deputy Cannon, has noted. The EU's strategic objectives in Syria focus on six key areas. The first is an end to the war through a genuine political transition in line with United Nations Security Council resolution 2254, negotiated by the parties of the conflict under the auspices of the UN special envoy for Syria and with the support of key international regional

actors. The UN Security Council unanimously adopted resolution 2254 in December 2015 and reconfirmed its endorsement of the 30 June 2012 Geneva communiqué, also endorsing the Vienna statements in pursuit of the communiqué's implementation as the basis for a Syrian-led, Syrian-owned political transition to end the conflict. The European Union supports the work of the UN special envoy and the resumption of the talks in Geneva. Round eight of the intra-Syrian talks took place in Geneva on 28 November and the work plan for this round was framed by resolution 2254.

A second objective of the European Union is to promote a meaningful and inclusive transition in Syria in line with UN Security Council resolution 2254 and the Geneva communiqué through support for the strengthening of the political opposition. The political process must be fully inclusive to ensure all segments of Syrian society are involved with shaping Syria's future unity and reconciliation.

Another objective of the European Union is to save lives by addressing the humanitarian needs of the most vulnerable Syrians across the country in a timely, effective, efficient and principled manner. The European Union must seek to improve humanitarian access for the UN and other humanitarian organisations. On many occasions when we had representatives of NGOs and Irish Aid before us, we discussed in detail the difficulty in getting humanitarian aid to the most vulnerable and needy persons. Another objective of the European Union strategy is to promote democracy, human rights and freedom of speech by strengthening Syrian civil society organisations. Civil society must play a prominent role in post-conflict Syria, particularly in helping the reconciliation process. The European Council agreed to increase EU efforts to promote free speech, including through supporting free and independent media.

Another objective of the Council is to promote accountability for war crimes with a view to facilitating a national reconciliation process and transitional justice. The European Union will continue to work to ensure accountability for war crimes and human rights violations. The Council also condemns the use of chemical weapons. That phrase we all use when discussing these issues, "human rights violations", is not strong enough to describe the horrors that have been inflicted on innocent people in this conflict. Another objective of the Council is to support the resilience of the Syrian population and Syrian society. The EU must continue to provide resilience support through the provision of education, job creation and support for local civilian governance structures.

On 18 January 2012, the European Council adopted a package of measures aimed at addressing the continued brutal repression and violation of human rights by the Government of Syria. On 29 May this year, the Council extended EU restrictive measures against the Syrian regime until 1 June 2018. This decision is in line with EU strategy on Syria, which states that the EU will maintain its restrictive measures against the Syrian regime and its supporters as long as the repression of civilians continues. The sanctions in place against Syria include an oil embargo, restrictions on certain investments, a freeze of the assets of the Syrian central bank within the EU, and export restrictions on equipment and technology that might be used for internal repression, as well as on equipment and technology for monitoring or interception of Internet or telephone communications. While Fianna Fáil supports the EU's strategy on Syria, it is essential that such sanctions do not cause suffering to ordinary Syrian civilians and that the EU continues to monitor the impact of sanctions to ensure they do not have unintended consequences.

We unreservedly condemn the attack on a convoy of busses transporting evacuees from the

besieged towns of al-Fu'ah and Kafriya in north-west Syria last April that left more than 100 people dead, many of them children. It is imperative that the international community continues to gather and preserve evidence that can be used to bring those responsible for committing heinous crimes during this conflict to justice. Such evidence is needed for eventual use in fair and independent criminal proceedings, which we hope will take place in the future. It is imperative that the international community demonstrates that there are repercussions and a price to pay for those who commit war crimes and blatantly flout international human rights law. In this conflict, we have seen the use of chemical weapons, as referred to by Deputy Wallace, including in the chemical attack in Idlib on 4 April 2017 in which dozens of people were killed, including children. Those who have committed such atrocities should be formally investigated and, where found guilty, treated accordingly under the law.

We welcome Ireland's notable contribution to the humanitarian response to the Syrian conflict. Since 2012, the State has contributed more than €90 million to the humanitarian effort. The Government must continue to support the Syrian people and advocate at EU and international level for a political resolution to this conflict. We must seek to ensure the humanitarian aid we contribute to is delivered in an effective and efficient manner and that it gets to the people most in need. It is imperative that Europe does more to assist refugees who have been forced to flee and to uphold the rights of refugees and the international law that underpins those rights. When it comes to Ireland's contribution, we must ensure our words are matched by actions. At this juncture, however, it seems unlikely we will meet our commitment of accepting 4,000 refugees by the end of 2017. It will require every effort on the part of the Government to meet that target without further delay.

Peaceful anti-Government demonstrations began in Syria in March 2011 and quickly escalated following the violent crackdown by the state. Before long, armed opposition groups had begun fighting back. Divisions between secular and religious fighters, and between ethnic groups, continue to complicate the politics of the conflict. It is a conflict that has embroiled global and regional powers, allowed Islamic State to grab huge tracts of territory and caused the worst refugee crisis since the Second World War. The fighting is between soldiers who support the Syrian President, Bashar al-Assad, fighters known as rebels who do not want the President to be in power anymore, and the group calling itself Islamic State. Outside parties became involved in the conflict in 2015. In December 2016, fighting in Aleppo intensified as Government forces took control of most of Aleppo from rebel groups. Turkey and Russia then brokered a ceasefire for eastern Aleppo to allow civilians to be evacuated. On 22 December 2016, it was announced that Government forces had taken control of the city, thereby ending more than four years of rebel rule. During the fighting, Aleppo was described as a living hell.

Unfortunately, my time has run out and I must conclude.

Deputy Fiona O'Loughlin: I thank Deputy Brendan Smith for sharing time. We all remember the news bulletins and social media reports last year showing terrified men, women and children in Aleppo. We watched in horror as civilians were killed on the spot in their homes, as bombs rendered hospitals and schools out of service and thousands of people fled in search of safety. The fall of Aleppo demonstrated what happens when we fail to uphold international norms. All member states of the UN, including Russia and China, signed up to the responsibility to protect protocol in 2005, according to which individual states bear the primary responsibility to protect their own people from mass atrocity crimes. If a state fails to uphold this responsibility, as the Syrian Government has repeatedly done, then the other states have a moral and legal obligation to act.

The international community has failed the people of Aleppo. Now, less than a year since Aleppo fell, there is a major risk of other areas of Syria suffering the same fate at the hands of their own Government. In Idlib, for example, 2 million civilians, including many who fled in terror from Aleppo, are facing another major and indiscriminate offensive from the Syrian Government and its backers. The Irish Government must do all it can to prevent another Aleppo. The conflict in Syria, now in its seventh year, represents the worst humanitarian crisis of our time. Since the war began in 2011, more than 400,000 people have lost their lives, which is four times the population of my constituency of Kildare South. Approximately 5 million people have fled Syria, which is more than the total population of Ireland. In addition, 6.5 million are internally displaced and there are 13.5 million people in need of humanitarian assistance. Conditions in the country have been referred to as a living hell.

It is incumbent on all of us to voice our vehement opposition to such heinous crimes, oppose flagrant violations of international law and seek a sustainable and lasting resolution to this conflict, based on a political transition, a reconciliation process and a reconstruction process. The UN must regain centrality in the peace negotiations, for which it will require strong support from member states. The Government must do more, both publicly and privately, to support the Geneva process. We must make clear that the prominent role Russia now has brings not only influence but also responsibility. Putin must first enforce UN Security Council Resolution 2254 on which he shook hands at the United Nations almost two years ago to ensure a ceasefire and grant humanitarian aid.

Deputy Seán Crowe: I thank Deputies Wallace and Daly for bringing this motion forward. To our collective shame it is a long time since we had a debate on Syria in this Chamber and, unfortunately, the conflict has largely fallen off the international news agenda.

Sinn Féin has tabled an amendment to this motion not to score political points but because I did not feel the original motion went far enough to describe the humanitarian consequences of the sanctions and further issues surrounding the war. I tabled this Sinn Féin amendment to detail further the horrific and graphic nature of the Syrian conflict and to outline some concrete steps that need to be taken. Maybe I am being optimistic but I hope we can get cross-party support for our amendment and I urge Deputies to read our amendment. There is the genesis there of an idea or pathway to move away from conflict to a peaceful resolution.

Syria represents one of the worst humanitarian disasters in recent times. We know that approximately 500,000 have been killed in the conflict and countless numbers have been injured. An estimated 8 million people are displaced inside Syria and there are 4.5 million refugees beyond Syrian borders. From the very outset of the war Sinn Féin condemned the brutal reaction of the Syrian Government to democratic protests, the descent into all-out war, and the foreign interference which has bankrolled armed groups and elongated the conflict. We have spoken out against Turkey and Saudi Arabia's funding, arming, training and support of extremist jihadist groups in Syria. We have spoken out against Russia and Iran's military support of the Syrian army, and called on them to instead use their influence to broker a ceasefire and support a peaceful resolution of the conflict. We have also strongly criticised the USA, Britain, Israel and France and their decision to intervene militarily, directly and indirectly, in that war. We have also echoed the UN's abhorrence at the complete lack of adherence to the norms of international law by all the warring parties in Syria. Such crimes include the targeting of schools and hospitals, crippling sieges of civilian areas, and the use of chemical weapons. All these war crimes must be condemned without reservation, but words of condemnation are empty without action. All allegations of war crimes and crimes against humanity must be independently investigated

and those accused brought before independent and neutral courts. Ireland should play a positive and more meaningful role in these investigations, bringing the suspected war criminals to the International Criminal Court.

Syrians, like people all over the world, have a right to live in peace, free from fear, attack and hunger, free to practice their faith, and free to live in their own land. They also have a right to democracy and the highest standards of human rights. There can be no military solution to this conflict. The only way to stop the conflict is through inclusive dialogue and round-table peace talks that have the potential and credibility to lead to a real and lasting peace process.

World leaders need to use their considerable clout in a diplomatic offensive to secure a ceasefire and bring all sides to the table for discussions on a peace process with credible outcomes. Meaningful dialogue involving all sections of Syrian society must be established to address all of the key issues facing the citizens of Syria. As part of these talks, representatives of the de facto autonomous region of Rojava should be given their own seat at the negotiating table. They are a distinct entity and their voice must be heard and listened to. The EU's strategy towards Syria has added to the conflict and been completely counterproductive. Sinn Féin opposed the lifting of the EU arms embargo on Syria at the end of May 2013. We opposed it because we felt that flooding the country with more weapons would encourage and facilitate more violence and bloodshed and not bring about the end of the conflict. Our political analysis then was, unfortunately, correct. Such a move has also put Irish soldiers serving on the UN peacekeeping mission to the Golan Heights in greater danger. I expressed my concern that, as soldiers from an EU member state, they might be targeted because of the EU's lifting of its weapons embargo. There should be a total and complete international arms embargo on Syria.

Another element of the EU's response has been sanctions on Syria. I have no problem with targeted sanctions against high-level individuals and decision-makers who have committed or been involved in war crimes and crimes against humanity. I am, however, concerned about broad sanctions that result in humanitarian problems and issues for innocent citizens. We saw how sanctions supposedly against Saddam Hussein caused a humanitarian crisis and massive hardship for innocent civilians in Iraq in the early 1990s. Last year, the United Nations' Economic and Social Commission for Western Asia, ESCWA, published a report, entitled Syria at War: Five Years On, which has detailed the humanitarian consequences of sanctions that the USA and EU have placed on Syria. According to this report, the loss of civilian infrastructure due to the war, such as power stations, hospitals, water and fuel installations in Syria, has fuelled the need for the very types of investment and services, technology and dual use goods that are subject to such sanctions. The report also states that even though these sanctions provide exemptions for the export of humanitarian goods, the procedures involved can be opaque, unpredictable and time-consuming, and frequently require costly legal advice and action. This hinders the ability to respond fully to the humanitarian crisis. The sanctions are so broad that even where it is possible to deliver humanitarian aid on the ground, sending funds and goods to Syria without violating sanctions or the regulations of neighbouring countries can be fraught with difficulty. It is time consuming at a time when a speedy response is often needed. Therefore, US and EU sanctions that are unfit for purpose, harm civilians and hinder humanitarian aid need to be lifted immediately.

The original motion condemned the attack on the civilian convoy evacuating people from the besieged towns of al-Fu'ah and Kafriya. I too condemn this horrific attack which killed 126 innocent civilians, including 68 children. It was a war crime. They were mainly Shia Muslims and they were killed by Islamist and jihadi rebels. I understand Deputies Wallace and Daly

have met some of the victims of this attack, including families whose children were kidnapped in the attack. I support their call for their release and the release of all others who have been kidnapped in the conflict.

I welcome the fact that the Irish Government has continued to send aid to Syria and to support humanitarian efforts there and in neighbouring countries. We must, however, increase the number of refugees whom we are relocating and resettling in Ireland. We should be a leader in the response to the refugee crisis and in assisting the humanitarian response in Syria and neighbouring countries, but we should be more responsive and welcoming to the vulnerable and desperate refugees who are fleeing Syria.

The ongoing conflict in Syria has created one of the worst humanitarian crises in modern times and Ireland, as a priority, must assist efforts to end the conflict, prosecute those suspected of committing war crimes, and tackle the huge humanitarian crisis that this brutal conflict continues to cause people in Syria.

Deputy Brendan Howlin: I commend Deputies Daly and Wallace on using their scarce parliamentary time on this important issue. The conflict in Syria, as others have said, is the world's gravest humanitarian crisis since the Second World War. Millions of people have been displaced, both inside and beyond the borders of Syria, and more than half a million people are believed to have been killed since 2011, the vast majority by the Assad Government and its allies. The regime has also used chemical weapons against civilians.

It has prevented aid from reaching those affected on the ground. Syria has become a free-for-all. The belligerents have received political, military and operational support from Russia, Iran, North Korea, Algeria, Iraq, the United States, France, the United Kingdom, Turkey, Saudi Arabia and others. It was reported last week that China will deploy troops to aid President al-Assad. We saw the Syrian Administration's barbaric treatment of its own population, the large-scale breaches of international humanitarian and human rights law and, in particular, we saw civilian populations exposed to indiscriminate attack, loss of life and the destruction of essential infrastructural services and basic medical care. We saw the great powers return to Cold War-style fuelling of proxy wars in third countries. These conflicts have resulted in or contributed to the Syrian civil war, the rise of ISIL, the Yemeni civil war and the re-emergence of the Taliban.

Tensions between the United States and Russia have helped to stymie the efforts of the United Nations and others to broker a ceasefire. Both countries should have a vital role in resolving the Syrian conflict but they are at odds in their analysis and profoundly mistrust each other's motives and intentions. There can be no dialogue between them without a basic level of trust and understanding. The dispute between them predates the Syrian civil war. Russia believes that it has been treated unfairly since the 1990s and that after the fall of the Berlin Wall, it alone was not welcomed into the new community of nations but remained instead the focus of western distrust. This incorporation into NATO of countries formerly of the eastern bloc has been a major cause of increased tensions between East and West since the 1990s. Arguably, subsequent Russian aggression against Georgia, Ukraine and now Syria was fuelled, at least in part, by ongoing resentment about the continuing NATO expansion to the very borders of Russia, although Russia was left on the periphery of a post-Cold War Europe. It has literally fought its way back. It retreated from the world stage for a time but it is back with a vengeance now and is eager to restore itself as a global power.

The end of history brigade on both sides of the United States congressional aisle trumpeted the victory of western ideology and economics and, indeed, seems incapable of distinguishing between the two. They had a simplistic notion that all the West had to do was guide the aims and goals of the Arab Spring, directing it towards an inevitable western-style liberal democracy and that has proven to be disastrous. Look at Syria, Iraq, Egypt, Libya and Lebanon. The Arab Spring was a revolutionary wave of violent and non-violent demonstrations, protests, riots, coups and civil wars in north Africa and the Middle East which began in December 2010 in Tunisia. Early hopes were that these popular movements would end corruption, increase political participation in populations and bring about economic quality. Only the uprising in Tunisia has resulted in a transition to constitutional, democratic governance. Various commentators, anticipating a major Arab movement towards democratisation, spoke of an “Arab street”, of a young generation peacefully rising up against oppressive authoritarianism to secure a more democratic political system and a bright economic future for their countries. The real world is not that simple. On one hand, the Arab Spring caused the biggest transformation of the Middle East since the old colonial powers drew up the map of the region. At the end of February 2012, rulers had been forced out of power in Tunisia, Egypt, Libya and Yemen. On the other hand, by 12 June 2012, the United Nations peacekeeping chief in Syria had declared that Syria had entered a period of civil war.

There was a wave of violence and instability in the aftermath of the Arab Spring that became known as the Arab winter. It has been characterised by extensive civil wars, general regional instability, economic and demographic decline of the Arab League, and increased sectarian conflict between Sunni and Shi’ite Muslims. In Syria and Libya, the result of the Arab Spring protests has been a complete societal collapse. We must all use all diplomatic means and fora available to us to raise these important issues. We must incorporate into our views what is happening on the ground. We must co-operate with like-minded states in the European Union and United Nations. We must work towards a genuine cessation of violence and humanitarian aid access throughout each of the countries involved, particularly Syria. We must seek the withdrawal of personnel, support and other interference by all those states that are now active in Syria but which have no legitimate interest in what is going on in an independent state.

Deputy Bríd Smith: People Before Profit will support the motion calling for the lifting of sanctions on Syria. It is worth reminding ourselves that the last serious discussion we had on the question of sanctions was about the sanctions on Iraq. Within ten years, the sanctions on Iraq took the lives of 250,000 children, many dying due to the lack of simple medicines to cure things like diarrhoea and measles. As the Minister of State said, quoting the EU, sanctions should be targeted in a way that has the maximum impact on those whose behaviour we want to influence. History tells us that economic sanctions of this type do not target those we most want to influence. They target the most vulnerable, the poorest, the sickest and those like people described in a Reuters news agency report, which states:

In the cancer ward at Damascus Children’s Hospital, doctors are struggling with a critical shortage of specialist drugs to treat their young patients - and it’s not just due to the general chaos of the Syrian civil war.

Local and World Health Organization (WHO) officials also blame Western sanctions for severely restricting pharmaceutical imports, even though medical supplies are largely exempt from measures imposed by the United States and European Union.

The article continues: “Fewer than half of the country’s hospitals are fully functioning and

the numbers of doctors have dived.” The article quotes a World Health Organization spokesperson as saying: “The impact of economic sanctions imposed on Syria heavily affected the procurement of some specific medicine including anti-cancer medicines.” History has shown us that it is not that we have to reinvent the wheel and look at how economic sanctions might put manners on a regime that we do not like, but to recognise that sanctions hurt the most vulnerable and the most exposed.

It is worth remembering and reminding ourselves that the first time that Syria was mentioned in an international context for a long time was by none other than George Bush, when he declared that he was about to pursue an “axis of evil”. The first part of that axis of evil was Iraq, then Iran and Syria. I wondered at the time why he was so interested in that country, which is one of the most beautiful countries at the heart of the history of civilisation. Syria became a venue for the proxy war of the interests of the various imperialist powers. What we saw happen in Syria was not just a brutal reaction by a brutal regime to young boys painting a slogan on the wall that the people wanted the regime to go, the slogan of the Arab Spring in the city of Daraa, but what followed was a proxy war by the various interests of imperialism in the region to try to establish themselves as powerful influences, including France, Britain, Russia, to the European Union and the USA. All of them had their hands in some element of the conflict in Syria. Russia exported 10% of its total armaments to Syria during the war, making Syria the biggest recipient of Russian arms. The Americans, with the collusion of Saudi Arabia and Qatar, armed ISIS and al-Qaeda as so-called freedom fighters against the regime. There is another element to the Syrian conflict, which still exists, which is genuine resistance to the brutal regime of al-Assad, whose father was also a brutal dictator who killed 30,000 people in one week in the city of Homs in 1984. There is a history of brutal repression in this region by those dictators who do not wish any political opposition to emerge.

While we oppose the sanctions, we also have to say that there is a major hypocrisy on the part of the European Union, including us, in that we pay billions to countries such as Turkey and now Libya to hold onto refugees. We are witnessing an absolutely shocking repetition of history in Libya at the moment. Human beings are being sold. Strong boys are being bought in the slave trade. The regime is totally chaotic and using the resources the European Union is pumping into it to allow the brutal captivation of millions of ordinary people who are trying to flee war, destitution and famine. The hypocrisy of the EU imposing sanctions on Syria and pumping money into Libya is breathtaking. It is, therefore, crucial that we speak out against this and support the lifting of sanctions.

In our amendment, we propose to amend the motion by inserting the following after “evacuees from those towns; and”:

“— the slaughter of up to half a million of their own people by the brutal regime of President Bashar al Assad including the current bombing by Assad and Russian forces of Eastern Gouta, where up to 400,000 civilians are trapped and according to the United Nations facing ‘catastrophe’;

— the imperialist interventions in Syria by both the US and Russia, neither of whom are serving the interests of the Syrian people;

— all other foreign intervention in Syria whether by the EU, Turkey, Iran, ISIS or Israel, as the grievous problems of Syria can and must be solved only by the Syrian people themselves”.

Our amendment also proposes to insert in the motion the following after “missing children from al-Fu’ah and Kafraya;”:

“— increase substantially its intake of refugees from this appalling humanitarian catastrophe and put pressure on the EU to assist a speedy, dignified resettlement of refugees currently trapped in appalling conditions in camps in Greece, Macedonia and various border crossings in Europe.”

We saw recently a disgusting attempt by this regime to start arguing against the resettlement of a lousy few hundred Syrian refugees. We promised many years ago to take in 4,000. We have taken in way fewer and now we are talking about stopping the programme because of the housing crisis. It is despicable that anyone would use the housing crisis to argue against offering assistance and relocation of families coming here from a crisis such as that in Syria.

Deputy Simon Coveney: We are not.

Deputy Bríd Smith: It has been hinted at by many Ministers and it has been argued for. We have to stop it immediately and stamp it on the head.

Deputy Simon Coveney: Do not mislead the House. We are not changing our approach.

Deputy Bríd Smith: The Minister will get his chance to come back in.

Deputy Simon Coveney: Do not mislead the House, Deputy.

Deputy Bríd Smith: I do not wish and I do not think most people would want to see the assets of the EU being used to fuel this conflict. However, indirectly, that is what sanctions are doing and, quite directly, that is what EU funding of the Libya deal is doing. It is using human beings as shields against its own hypocrisy and the refusal to allow desperately needy people arrive on our shores. Then it uses the excuse of the crises which our system has created as an excuse not to further help them.

We will support the motion although we wish to amend it on the question of sanctions. We also seek to recognise that this has been a proxy war by imperialist forces on all sides and condemn all sides. Leave the Syrian people to sort out their own issues just as it needed to happen in this country. To a large degree, it still needs to happen in this country. This is a lesson that the world has learned. Imperialist intervention worsens the situation; it does not help it.

Deputy Mattie McGrath: I, too, am delighted to speak to this motion tonight on behalf of the Rural Independent Group. I compliment Deputies Daly and Wallace on tabling this important motion for debate in the House. We have had little or no debate on this issue or the issue of genocide in the Middle East despite many requests. I also compliment the Deputies on going out and spending their time there and seeing it first hand. I intend to travel there myself. I did travel to Lebanon but I have never been to Syria.

The devastation and the carnage that has been inflicted on the Syrian people over the course of recent years has caused untold misery. The Syrian civil war is now in its sixth year. It has been reported that more than 400,000 people have died, with more than 11 million people displaced from their homes, including 5 million registered refugees. It is an appalling crisis by any standard. The news agency Catholic World Report has said that civilian witnesses have given testimony to the carnage. Hospitals bombed, chlorine gas bombs unleashed and starvation are only some of the atrocities that have been inflicted. Families and entire communities have

been destroyed. It will be at least a generation before some hope of any renewal can take place within Syria, and that is provided the war is stopped.

Add to that the extremely complex geopolitical problems and one would easily be forgiven for thinking no resolution is possible. However, we must never despair. That is not a position we can or must adopt. We have seen in our country, although admittedly on a much smaller scale, how an internal conflict can scar a nation and fundamentally change it. We still see the baggage of it in our present situation regarding Brexit. When it comes to debating sanctions as a political option, the main problem is always the same: will the sanctions help to resolve the situation or will they hinder it. I note that in May of this year the United States House of Representatives passed a Bill that issues additional sanctions against supporters of Syria's Assad regime and those providing arms for the regime. An old saying I used to hear from my late mother and father was, "Those who live in glasshouses should not throw stones". We could apply this saying to our Yankee friends in this case.

The American House passed the Caesar Syria Civilian Protection Act of 2017, imposing additional sanctions on the Assad regime and its backers, especially human rights violators and those involved in the trade of weapons or weapons parts with the regime, which, as clearly outlined by other Members tonight, is a vast industry. As I understand it, those supporters include Russia and Iran - international allies of Assad. As is to be expected, Christian leaders in the area have denounced the trafficking of weapons into Syria as something which helps the conflict continue. Pope Francis has repeatedly denounced the arms trade. In his September 2015 speech to the US Congress, Pope Francis emphasised that Christians must ask why deadly weapons are being sold to those who plan to inflict untold suffering on individuals and society. He stated:

Sadly, the answer, as we all know, is simply for money: money that is drenched in blood, often innocent blood. In the face of this shameful and culpable silence, it is our duty to confront the problem and to stop the arms trade.

Last July, in a video message promoting peace in Syria, he lamented that, while the people suffer, incredible quantities of money are being spent to supply weapons to fighters. He also noted that some of the arms suppliers are also among those that talk of peace.

The questions of sanctions is complex. I note that the Council on Foreign Relations states that Governments and multinational bodies impose economic sanctions to try to alter the strategic decisions of state and non-state actors which threaten their interests or violate international norms of behaviour. The council also notes that critics say sanctions are often poorly conceived and rarely successful in changing a target's conduct, while supporters contend that they have become more effective in recent years and remain an essential foreign policy tool. I have my serious doubts.

For example, sanctions have become the defining feature of the Western response to severe geopolitical challenges, including North Korea's nuclear programme and Russia's intervention in Ukraine. What must be uppermost in our minds, however, are the questions around who really suffers when it comes to sanctions. Again, the Council on Foreign Relations has observed that economic sanctions may be comprehensive by prohibiting commercial activity with regard to an entire country such as the long-standing US embargo of Cuba or they may be targeted by blocking transactions with particular business groups or individuals. Since 9/11 there has been what is termed a pronounced shift towards targeted or so-called smart sanctions which aim to

minimise the suffering of innocent civilians. Perhaps if we were to make more decisive interventions, however, the need for sanctions would have been eliminated or reduced.

When it comes to Syria, I want to conclude by noting the Christian Aid work of the Open Doors organisation. It has stated:

The overall situation in Syria is characterized by heavy persecution of all types of Christians in areas held by IS and other Islamic militants. Many Christians have already fled areas that are held by Islamic militants (including IS) or that were destroyed during the conflict.

Many Christians have already fled the areas held by Islamic militants, including ISIS, that were destroyed during the conflict. Deputies Wallace and Daly told us what is happening tonight. We know ourselves that an entire region has been wiped out. It is not only the Christians who are being persecuted. As Deputy Wallace alluded to, other sects are being persecuted also. Schools catering for multiple Islamic groups were targeted. Deputy Wallace listed the various Islamic tribes that have been targeted. Imagine targeting schoolchildren at 3 o'clock in the afternoon. A suicide bomber pulled up with a car and handed out sweets and crisps to hungry people. He lured them to the car and destroyed dozens of them, blowing them to pieces. Some 50 or 60 are still missing. No one knows where they are held in captivity. That is appalling.

We have had no debates here. It was interesting to learn tonight the position of the Government parties, Fine Gael and Fianna Fáil. With the new confidence and supply arrangement, the pipe has been mended and the water is flowing again. They two parties are together opposing this motion. We must question this and why we have had no debates here in this Chamber. I said this last week about the EU policy on our armies. We have had no debate. I have been seeking a debate on this matter for five or six years. Deputy Grealish, Senator Mullen and I visited Lebanon. Last Holy Thursday evening, thanks to the Ceann Comhairle, we had a double slot during the Topical Issue debate. That is the only way we could raise this. Tonight we would not be able to do so only that Deputies Wallace and Daly used their own time in which to table a motion. We must sit up and listen. Genocide is being carried out in Syria. We must not add our name to what is being done or have blood on our hands because of it.

Deputy Maureen O'Sullivan: It is hard to believe that the Syrian conflict continues. It is also very hard to believe that this horrible conflict grew out of a very peaceful, pro-democratic demonstration. Syria, which has had a very troubled history since the end of Ottoman rule in 1918, has now come to this. Today, we see the effect of the conflict. I refer to the devastation and staggering loss of life. Cities, infrastructure and livelihoods have been devastated and there has been an impact on education, health services and culture. I visited Damascus before the conflict. It was an amazing city both culturally and historically. It was a vibrant city and it was inclusive. There was great respect for diversity in what was the Syrian capital at that stage.

We see the effects of war on everybody. I wish to refer specifically to the children, as mentioned in the motion. I must also mention those with a disability because they suffer even more horrifically in these disasters and because of sanctions. Let me refer also to those who, for various reasons, decided to stay in Syria. I had the opportunity to meet refugees at the Turkey-Syria border. Their desire was to go back home. They were holding on to their culture, way of life, food and education because they desired to go back. I see from a recent article that, as a result of bureaucracy, some Syrians are finding it very difficult to return to their country.

The motion is very straightforward and to the point regarding the conflict. It refers to what

is essentially a humanitarian disaster. Sanctions have been proven time and again to have a disproportionate effect on women, children and vulnerable groups, such as those with disabilities. What does it say about the people who impose and agree with sanctions if they know it is the most vulnerable who will be most affected? For too long the United Nations and the International Court of Justice have accepted the imposition of sanctions under international law. In my opinion, however, sanctions comprise a type of warfare that is criminal because they lead only to tremendous suffering in a country already devastated by war. Of course, the sanctions are affecting those people who had little or nothing to do with the political decisions that caused the conflict in the first instance. Sanctions should be illegal under international law. Not only do they defy the UN charter in so many ways, they also circumvent the most basic principle of international law, which is sovereignty.

The United States has a long track record of using sanctions to further its political goals and enact regime change in countries that do not suit it. That has been the case for Cuba for over 50 years. The sanctions there continue today and are still having an effect. We have seen the effects in Venezuela, Iraq and Iran. If one thing is clear from all of these cases, it is that the vulnerable suffer most severely.

A number of international relations academics used the sanctions imposed in Iraq after the Gulf War as a case study. It was clear from the study that it was through the imposition of sanctions that the overwhelming damage was done. I acknowledge the Minister has no involvement in US foreign policy but I urge him to make the case that we do not support the sanctions in question. They are immoral.

I, too, have reservations about the leadership of President Assad but believe that when we put our personal opinions aside and examine international law, we will realise, as we learned at a foreign affairs committee meeting some time ago, that the Russian intervention was in accordance with international law. Russia was invited into Syria by that country's Government. That is the reality, regardless of whether we like that Government. All the other interventions, however, are violations of international law.

One should think about the kidnapping of the 54 children. It was an absolute nightmare. It reminds me of the kidnapping by Boko Haram of the children in northern Nigeria. We know what happened to them. We know what is happening to Rohingya children and young girls today. They are being forced into prostitution. We also feel for those children in Yemen who are malnourished and suffering from cholera. It is a real indictment of international law that all of the relevant laws seem to be ineffective and totally disrespected.

Sanctions are another example of outsiders meddling and interfering, thereby worsening matters. All those interfering may claim to be altruistic but they are motivated out of self-interest. Libya is an absolute disaster. I know Irish people who have been living in Libya for over 40 years. Irrespective of whether one agreed with the regime of Colonel Gaddafi, one should recall that they had access to health care and education. The invasion came about with no vision or plan whatsoever and now the EU is funding Libya. There are grave concerns over this but sanctions are being imposed on Syria. Sanctions do not weaken regimes. In fact, they strengthen them. Cuba is a great example. Sanctions have certainly not weakened the will of the Cuban people. Owing to the sanctions, the Cuban people are totally committed and remain loyal to the principles of the revolution.

I hope that if we get a place on the UN Security Council, we will have a voice. There has to

be a time when the veto is not exercised. This would have been a case. I refer to this humanitarian case.

Deputy Catherine Connolly: I support this motion. I thank Deputies Wallace and Daly and the small number of others who accompanied them to Syria and saw for themselves the circumstances on the ground. Perhaps the Minister will listen to them. There is no propaganda here. It is following a visit to Syria and a tremendous amount of research that we stand here tonight to say we do not support the sanctions. It is absolutely nonsensical and hypocritical to stand over sanctions by the US and EU that are supposedly targeted when we know from a UN report and leaked memos that they are not. As Senator Maureen O'Sullivan said, it is the vulnerable who suffer.

Let us examine some of the comments that have been made. I refer the Minister to all of them, including those made by the World Health Organization to the effect that there are shortages of insulin, anaesthetics, specific antibiotics, blood products, vaccines and so on. Health agencies on the ground say the sanctions are making life absolutely impossible.

I am not here to tell lies, nor am I here to exaggerate. I am outlining what we have been reading, namely, that the sanctions are simply making circumstances on the ground much worse. Despite this, the Government persists with its thinking. Fianna Fáil also states that the sanctions are targeted, which is doubly shocking. The Government parties are persisting with the illusion that there can be a targeted programme when the reality on the ground is far from that.

I am not here to defend the Assad regime. I have read the Amnesty International reports. The most appalling war crimes have been carried out by the Syrian Government and ISIS but also by US-led forces. The latter have been cited by Amnesty in regard to the killing of hundreds of civilians. Ultimately, Bashar al-Assad is more firmly in place than he has ever been. We have trotted out the figures here tonight. Some 4.8 million people have fled. Some 6.6 million are internally displaced. Significantly, half of the 6.6 million are children. Some 300,000 are dead and millions have been injured and maimed. Despite these statistics, the Minister is sitting here tonight still standing over sanctions that are totally unjust and not achieving what they were intended to do. Moreover, they are making circumstances much worse.

I thank the Deputies who tabled the motion. I also thank Sinn Féin. I have read its amendment and have no difficulty supporting it.

Let me refer to the UN study that has been mentioned. It is a very cautious and moderate report. More than a year ago the UN appealed for an immediate, strategic review of the sanctions by all the stakeholders because they were simply not doing what they were supposed to do. We know that the sanctions against Iraq resulted in the deaths of half a million people. That number has been quoted already. The very courageous Denis Halliday resigned in protest after a lifetime in the UN. That was a decision he did not take lightly. He equated what was happening to genocide.

Deputy Wallace has already quoted Madeleine Albright but I will repeat what he said because it is the most appalling statement, namely, that it was worth it. She said about the US sanctions, with half a million people dead, that the price was worth it. That self-damning confession came seven years after the sanctions were introduced. Seven years used to be the age of reason, where one would take stock when one grew up. Is that the type of leadership we want? The retired US general, Wesley Clark, revealed the Pentagon plans to overthrow seven

governments in five years, including Syria. All that those plans achieved was an appalling loss of life and left in place and even more secure in his position the man for whom none of us have any respect. The people of Syria marched for democracy but they never asked for a war of the nature they got. This was a country that was almost self sufficient in 2011, which has cities that were the cradle of civilisation. The people of Syria never asked for this barbarism and they never asked for our hypocrisy.

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney): I welcome the opportunity to address this House on the situation in Syria and I thank Members for their continued engagement on the issue. I thank Deputies Wallace and Clare Daly in particular for tabling the motion and giving us an opportunity to have this debate.

I share the revulsion expressed in this House at the continuing violence in Syria and its impact on the Syrian population, especially the most vulnerable, namely, children. The fighting has cost the lives of an estimated half a million people so far. Civilians continue to bear the brunt of this conflict, marked by unparalleled suffering, destruction and disregard for human life. More than 13 million people require humanitarian assistance, including close to 3 million in need trapped in besieged and hard-to-reach areas, where they are exposed to grave protection threats. More than half of the population has been forced from their homes, and many people have been displaced multiple times. Children and young people comprise more than half of the displaced, as well as half of those in need of humanitarian assistance. In fact, children are at the heart of this vicious conflict. The war in Syria began when the Assad regime brutally repressed a protest by parents demonstrating against the arrest and torture of their teenage children in southern Syria in early 2011. Since then, the Assad regime and its allies have repeatedly targeted civilians, including through use of “starve or surrender” techniques, forced displacement in the interest of demographic engineering, denial of humanitarian assistance and deliberate attacks on civilian infrastructure such as schools, markets and hospitals. The regime has even gone so far as to use chemical weapons on its people, as recently confirmed by the UN-Office for the Prohibition of Chemical Weapons, OPCW, joint investigative mission.

We cannot stand idly by as the Assad regime inflicts such suffering on its people. Ireland has consistently supported EU sanctions targeting the regime and its supporters, and will continue to do so as long as the situation on the ground justifies those measures. As the Minister of State, Deputy Cannon, has outlined, the sanctions target the Syrian regime. There are no sanctions on food, medicines or most other civilian goods and there are exemptions and derogations for essential civilian needs and for humanitarian assistance built into the measures. Furthermore, the EU keeps the impact of sanctions under constant review and regularly considers options to mitigate any unintended consequences. I hear what Deputy Connolly said, but I do not think anyone is suggesting that if sanctions were lifted in the morning, many of the concerns that have been raised in the House this evening would be resolved any time soon. There are numerous barriers to humanitarian access in Syria, but those are as a result of actions by the parties to the conflict, particularly the Assad regime. I am confident that EU sanctions are not a barrier to the delivery of core aid needs. To lift the sanctions would amount to tacit support for the Assad regime and would only serve to encourage further impunity and disregard for the peace process.

I have previously expressed in this House my utter condemnation of the attack in April 2017 on a convoy of buses transporting evacuees from al-Fu’ah and Kafriya in north-west Syria. My predecessor as Minister for Foreign Affairs and Trade, Deputy Flanagan, also issued a statement condemning the attack at the time. Regarding the reported kidnapping, as the Minister of State, Deputy Cannon, explained earlier, it is extremely difficult to get reliable information

from contested zones in Syria and reliable evidence is essential for follow-up and accountability. I again invite anyone who may have any information about this incident to share that information with the Department of Foreign Affairs and Trade in order that it can be passed on to the bodies that may be in a position to help. If Deputy Wallace has information I ask him to give it to me and I will act on it. For example, the Red Cross movement often plays a role with regard to missing persons but it would presumably need concrete information to allow it to pursue any case. I give the Deputy my personal assurance that if he gives me something which I can follow up, I will be more than happy to do it.

The recently published findings of the OPCW-UN joint investigative mechanism, JIM, show that the Syrian regime was responsible once again for a chemical weapons attack in April 2017 at Khan Sheikhoun for the release of sarin, and that ISIL was responsible for the use of sulphur mustard on two occasions in September 2016 at Um-Housh. Ireland has joined the international community in expressing its horror and condemnation of the confirmed use of chemical weapons in attacks on civilians in Syria. One of my most vivid memories of the region was when I visited Halabja and met family members who were directly affected and had seen their loved ones die following the chemical attack that happened there. It is a pretty gruesome experience to speak to people who have experienced the horrors of chemical weapons on civilians. We have repeatedly called upon Syria to honour the commitments and obligations it entered into on becoming a state party to the Chemical Weapons Convention. We urge Syria to engage in good faith with the OPCW in all aspects of its investigations.

The development and use of chemical weapons, including the use of any toxic chemicals as weapons, by anyone – state or non-state - anywhere, any time, and under any circumstances is absolutely unacceptable and must be rigorously condemned by the international community and punished to the full extent of international law. Ireland supports a broad range of efforts to ensure full legal accountability for all war crimes and crimes against humanity committed in Syria as part of a sustainable peaceful resolution to the conflict. That includes war crimes committed by any party. We have consistently called for the referral of the situation in Syria to the International Criminal Court. Ireland supports the work of the Independent International Commission of Inquiry on the Syrian Arab Republic established by the Human Rights Council to investigate all alleged violations of international human rights law in Syria. Last December Ireland and a group of like-minded countries successfully pressed for the adoption of a resolution by the UN General Assembly to establish an international, impartial and independent mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under international law committed in Syria. Ireland has contributed €100,000 to support the work of this mechanism.

Ireland is also a strong and consistent supporter of the fact finding mission organisation for the prohibition of chemical weapons, which aims to establish facts surrounding allegations of the use of toxic chemicals, reportedly chlorine, for hostile purposes in the Syrian Arab Republic. Ireland has provided nearly €1 million to support the work of this group since 2014 and a further €200,000 to the OPCW-UN joint investigative mission to eliminate chemical weapons in Syria. The search for a peaceful resolution to the Syrian conflict remains a top-----

(Interruptions).

Deputy Simon Coveney: When I said “Syria” my smartphone heard “Siri” and responded to me. Deputies with children will know what I am talking about.

The search for a peaceful resolution to the Syrian conflict remains a top foreign policy priority for the EU. EU foreign ministers discussed the situation in Syria at the April Council, at which they adopted a new EU strategy for Syria that sets out the EU's main lines of action. There are four key actions. I imagine Deputies are familiar with them.

The EU provides direct assistance to the UN-brokered talks in Geneva, including the technical discussions. The EU has launched, in co-ordination with the UN, an initiative to develop political dialogue with key actors from the region to identify common ground. The EU Syria peace process support initiative aims to facilitate the peace process, build the capacity of opposition parties and contribute to dialogue with civil society in support of the efforts of the UN special envoy for Syria.

The EU and its member states have mobilised more than €9.4 billion for humanitarian and resilience assistance to support Syrians inside the country and in neighbouring countries. This makes the EU the largest single donor to the effort. At the Brussels conference in April 2017, which was co-hosted by the EU, a further €3.7 billion for 2017 was pledged by the EU and its member states, representing almost 67% of the pledges. The EU will host another donors' conference for Syria in 2018.

Ireland has supported calls for sanctions at UN level as well. We very much regret that a draft UN Security Council resolution, which would have established a sanctions regime, a committee, and an expert panel to hold accountable those using and producing chemical weapons in Syria, was not passed in February 2017 due to the vetoes of Russia and China. Ireland will continue to support all efforts to ensure a lasting peace and full accountability for war crimes in Syria in the context of bringing peace and stability to the region. My views in respect of the inappropriate use of the veto in the UN Security Council by more than one or two countries are well-known at this stage. The matter is one Ireland wants to pursue in the context of UN reform and changing the way in which that veto is abused at times.

Deputy Clare Daly: The Minister said no one is suggesting that the lifting of sanctions is going to sort the situation out tomorrow. Indeed, no one is suggesting that. It seems the Minister is putting forward as a reason for not doing something the fact that we are not going to solve all of the problems. We would not get far were we to adopt that type of mentality.

We put forward this motion as a basic simple humanitarian proposition. To be honest, much of the discussion that has been before the House today has been misinformed and inaccurate.

In 1999, UNICEF released a report that showed a doubling of mortality rates for children under five years in Iraq as a result of sanctions. The USA continued to valiantly support that cause of action, which was a crime against humanity as far as I am concerned.

There is a sad irony in the contributions of the Minister and those of Fianna Fáil. These contributors support the UN-led Geneva plan but do not support the UN-commissioned research into this area, which shows the exact opposite of many of the statements that have been boldly placed before the House tonight. The Minister tells us there are no sanctions on food, medicines and most other civilian goods. He said the EU sanctions are not a barrier to the delivery of aid or a cause of civilian suffering. He said Ireland has consistently supported sanctions targeted at the Assad regime and its supporters. None of these assertions corresponds to reality.

The UN report commissioned last year highlighted some facts clearly. The report recognises the different ways the USA and EU sanctions framework make specific allowances to

permit activities in the context of humanitarian work. However, it also finds that the practical application of navigating these permissions act as an impediment to the delivery of humanitarian aid. The 40 page report – it was leaked, incidentally - gives many examples. We know, for example, that sanctions on Syrian banks have made the transfer of funds into the country almost impossible. Even when it is legal, the chill factor of threat of violation fees makes many transactions difficult. This means that aid workers cannot get paid and so on. In fact, it has been stated by the centre for Syrian studies at the University of St Andrews that the sanctions have actually empowered the regime. This is because aid is now an essential part of the Syrian economy. Sanctions give regime cronies in Syria the ability to monopolise access to goods. It makes everyone reliant on the Syrian Government. This was the case in Iraq with the food-for-oil system. A report leaked by *The Guardian* last year stated that despite the sanctions targeted at the Assad regime, some \$18 million was given to Assad companies and companies of his family members. We know that in 2012, for example, through access to the Assad family e-mails, that the sanctions did not stop him buying the Steve Jobs biography or a Harry Potter movie over the Internet. It did not stop his wife buying Ming vases or diamonds from Paris.

I guarantee the Minister that the facts prove other than what he has said. Sanctions are hurting the people. They are not targeting the regime, whose position has actually become strengthened out of the scenario. There is a cruel irony in this because those peddling the myth about sanctions were the same people who argued and supported the lifting of the arms embargo at the same time in rebel-held areas. Essentially, this allowed the areas to be awash with weaponry. This carried on the activities and the war far beyond what would have happened otherwise, amounting to every foreign power almost feasting on that area.

When we went to the primarily Christian village of Maaloula, we were given evidence of this. Previously, the village was two thirds Christian and one third Muslim. The day Barack Obama announced that the USA was going to take on and bomb Syria effectively gave the green light to the rebel forces surrounding the village. The people in the village had a chilling video recording of the suicide bomber who set off a bomb at the entrance to the village. That led to an attack and the takeover of the village. Hundreds of families who lived there were cleared out. Now, hundreds of them are beginning to come back and are trying to rebuild their lives. Those people want the resources to be able to do that.

The inability to rebuild some of these areas arises because of sanctions and because of the extraordinary structural demands that are required in that area. There was a sad irony for us when we had a meeting with the priest in the parish centre. He recognised clearly that in 2011 many people in Syria were enthused by the Arab spring. They saw an opportunity to deal with the Assad regime after many years. They decided to have a go at it. The priest said people now realise that they had security, a social life and an economic life prior to all of this. In many ways, while they hated Assad, they are now questioning whether they should have made a war given what they have been left with now. We met many people who are trying to rebuild their lives.

Simply put, some of the points made in the House are not true. Deputy O'Loughlin talked about Homs. Homs was supposed to be the cradle of the revolution against Assad. We were in Homs. It is being rebuilt. As Deputy Wallace said, the events in the school in Akrameh al-Makhzumi were utterly tragic. Almost 2,000 children were in those two multicultural schools, which stayed open all during the war. The schools were for children aged between six and 12 years. There were two suicide bombs. All the children from one family were wiped out in those two bombs. One of the schools has a shrine with the uniform of one of the little girls who was

killed. The uniform still has blood on it. They have used the devastation from the bombing to make nice things such as pictures and paintings and to teach people that the response to evil should be love and assistance and from destruction should come construction. That message was given to us many times over.

I am glad the Minister made points about al-Fu'ah and Kafriya because we met some friends of the victims of that bombing. The meeting was one of the most harrowing experiences we had on our visit. When the terrorists closed off the towns of al-Fu'ah and Kafriya, families were divided. Some have not seen family members for years. The area was famous for olive trees but the trees were cut down for fuel and people in the towns were starving. Eventually, a deal was negotiated to get people out, but after three days of waiting, a suicide bomber used crisps and sweets to entice children to a car in which a bomb was detonated. We met family members of the victims as well as the friend of a woman whose three injured children were taken, presumably to Turkey. One of her children was returned to her because a doctor in Turkey found her, but she has had no word of her other two children. We have taken up the Minister's offer and have begun a process to try to get as much information as possible on these cases. In articulating on behalf of these people in the House, we are not in any way ignorant of all the other missing and displaced in other areas. However, these were the people we met and we gave them a pledge to do what we could because the pain and trauma on their faces was hard to forget. One woman had lost seven members of her family. As she sat in the meeting with us, two old women sat in a corner praying with their beads. It is out of respect for them that we singled out this issue.

Much of Syrian territory has been retaken and is being rebuilt. What the Syrian people want is assistance to rebuild. The belief held by the Irish Government and others that the Syrian Government has a monopoly on atrocities is not factually accurate. The United States has been found guilty of using white phosphorous in Syria and Iraq and has also used depleted uranium, cluster bombs and so on. Singling out Assad as the only bully in the world does not hold traction. Appalling atrocities have been committed. They include people being burned alive in ovens by ISIS and people being murdered in their beds, their children kidnapped and their homes ransacked, looted and destroyed.

The Syrian war is not, as previous speakers stated, a conflict between Sunni and Shia. We met people of all religions, many of whom united to fight al-Qaeda and the Saudis in Syria. As one man told us, a brother could be a brother in religion or a brother in humanity. Syrian society before the war was a mosaic of different cultures.

The purpose of the motion is to try to achieve the maximum degree of consensus on this issue. The facts are that sanctions do not work but are instead harming women and children and denying people medicine and access to materials they need. They have served to strengthen the regime the Government seeks to undermine through the imposition of sanctions. This is not a solution and we appeal, even at this late hour, to the Government to accept this simple motion as a positive step from a neutral, independent country seeking to put forward a vision for a better world, rather than the conflict and feasting by all sides that has taken place in Syria.

Amendment put.

An Leas-Cheann Comhairle: In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 7 December 2017.

Dáil Éireann

The Dáil adjourned at 10.55 p.m. until 10.30 a.m. on Wednesday, 6 December 2017.